



## REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

### 2453-2469 Bloor Street West – Ontario Land Tribunal Hearing – Request for Directions

**Date:** December 4, 2024

**To:** City Council

**From:** City Solicitor

**Wards:** Ward 4 - Parkdale-High Park

#### REASON FOR CONFIDENTIAL INFORMATION

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This report contains advice or communications that are subject to solicitor-client privilege. This report contains information regarding potential litigation.

#### SUMMARY

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At its meeting of April 17, 2024 City Council considered a Zoning By-law Amendment application for 2453-2469 Bloor Street West (the "Site") to permit the construction of a 13 storey mixed-use building containing 91 dwelling units and 260 square metres of ground floor retail.

At that same meeting City Council approved by-law 488-2024 reflecting a modified approval to what was applied for. By-law 488-2024 permits a 10 storey development with a deeper building footprint than requested by the applicant, and with limited side yard setbacks.

The applicant appealed by-law 488-2024 (the "Appeal"), to the Ontario Land Tribunal (the "OLT") on May 27, 2024.

The City Solicitor requires further directions for upcoming OLT hearings scheduled to begin March 24, 2025.

#### RECOMMENDATIONS

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The City Solicitor recommends that:

1. City Council adopt the recommendations contained in Confidential Attachment 1 to this report from the City Solicitor.

2. City Council authorize the public release of the confidential recommendations contained in Confidential Attachment 1 to this report from the City Solicitor, if adopted by City Council.

3. City Council direct that all other information contained in Confidential Attachment 1 to this report from the City Solicitor is to remain confidential at the discretion of the City Solicitor, as it contains advice which is subject to solicitor-client privilege.

## **FINANCIAL IMPACT**

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There is no financial impact arising from the adoption of the Confidential Recommendations beyond what has already been approved in the current year's budget.

## **DECISION HISTORY**

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The application was submitted on August 2, 2023 and deemed complete on January 15, 2024. Staff conducted a Community Consultation Meeting for the application on January 30, 2024. The application and community consultation meeting are addressed in the March 13, 2024 report from the Director, Community planning, Toronto and East York District available here:

<https://www.toronto.ca/legdocs/mmis/2024/te/bgrd/backgroundfile-243974.pdf>

On April 17, 2024 City Council approved by-law 488-2024, permitting a modified approval for the Site. That decision of Council is available here:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.TE12.2>

## **COMMENTS**

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As part of the ongoing OLT appeal the applicant has indicated that they will seek approval of a further revised application. The architectural plans can be found as Public Attachment 1 to this report (the "Revised Plans").

The original submission proposed a 13-storey mixed-use development. The original submission included 91 dwellings units, a street wall height of eight storeys, and approximately 260 square metres of ground floor retail space. The original submission contained a 14 metre rear setback above the ground floor to the southerly limit of the rear laneway, along with stepbacks at the 7th, 8th, and 9th floors to provide a rear transition. The original submission did not provide stepbacks at the sides of the upper floors of the building.

In a report dated March 13, 2024, City staff recommended a modified built form, which was ultimately approved by City Council, for a 10- storey development. The revised design featured a deeper building footprint, a six-storey street wall height, a reduced

rear setback of 11 metres to the southerly limit of the rear laneway and consolidated the stepbacks above the ground floor. Staff concluded that the modified proposal better supports the existing and planned context of the area while maintaining adequate sunlight on the public realm along Bloor Street West.

The new Revised Plans propose a 16-storey mixed-use development, including 115 dwelling units, approximately 260 square metres of ground-floor retail, and a six-storey street wall height. The proposal incorporates side stepbacks of approximately 6 metres on both sides of the building at and above the 13th floor, extending about half the buildings depth. Additionally, it includes a rear stepback of approximately 14.45 metres above the ground floor to the southerly limit of the rear laneway, continuing up to the 15th storey.

The City Solicitor requires further instructions on this matter. This report is about ongoing litigation before the OLT and contains advice or communications that are subject to solicitor-client privilege.

## **CONTACT**

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## **SIGNATURE**

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Wendy Walberg  
City Solicitor

## **ATTACHMENTS**

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1. Public Attachment 1 - Architectural Plans from Quadrangle Architects Limited, dated October 16, 2024
2. Confidential Attachment 1 - Confidential Information