

**33-51 Walsh Avenue and 2717-2745 Weston Road –
Ontario Land Tribunal Hearing – Request for
Directions**

Date: December 5, 2024

To: City Council

From: City Solicitor

Wards: Ward 7 - Humber River-Black Creek

REASON FOR CONFIDENTIAL INFORMATION

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

SUMMARY

On September 22, 2022, the City received applications for a Zoning By-law Amendment and Site Plan Control approval for 33-51 Walsh Avenue and 2717-2745 Weston Road (the "Site") to permit the construction of a mixed-use development with six towers with building heights ranging from 14 to 40 storeys, a public park at the corner of Walsh Avenue and Weston Road, in addition to 766 square metres of retail space at the base of the buildings proposed to front Weston Road.

The applicant appealed City Council's neglect or failure to make a decision on its application for the Zoning By-law Amendment and Site Plan Control approval (the "Appeal"), to the Ontario Land Tribunal (the "OLT") on November 14, 2023.

The City Solicitor requires further directions for upcoming OLT hearings scheduled for February 17-March 7, 2025. For reasons set out in Confidential Attachment 1, this matter is urgent and should not be deferred.

RECOMMENDATIONS

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, Confidential Appendix "A" and "B" 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

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

On September 22, 2022, the City received applications for a Zoning By-law Amendment and Site Plan Control approval to permit the construction of a mixed-use development with six towers with building heights ranging from 14 to 40 storeys, a public park at the corner of Walsh Avenue and Weston Road, in addition to 766 square metres of retail space at the base of the buildings proposed to front Weston Road.

On November 14, 2023, the applicant appealed City Council's neglect or failure to make a decision on the Zoning By-law Amendment and Site Plan Control approval to the OLT. The OLT held the first Case Management Conference on February 6, 2024. A hearing is scheduled for February 17 to March 7, 2025.

A Request for Direction Report on the application was adopted by City Council at its meeting of April 17-18, 2024, directing the City Solicitor and appropriate City staff to attend the OLT hearing to oppose the Zoning By-law Amendment and Site Plan Control applications, and to continue discussions with the applicant in an attempt to resolve outstanding issues. The Request for Direction Report can be found at: <https://www.toronto.ca/legdocs/mmis/2024/ey/bgrd/backgroundfile-244405.pdf>

COMMENTS

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

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Confidential Attachment 1 - Confidential Information
2. Confidential Appendix "A" - Confidential Information
3. Confidential Appendix "B" - Confidential Information