



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

2636-2654 Eglinton Avenue West and 1856 and 1856A Keele Street – Ontario Land Tribunal Hearing – Request for Directions

Date: March 13, 2025

To: City Council

From: City Solicitor

Wards: Ward 5 - York South-Weston

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 December 22, 2022, the City received Zoning By-law Amendment and Site Plan Control applications for 2636-2654 Eglinton Avenue West and 1856 and 1856A Keele Street (the "Site") to permit the construction of a 33-storey mixed-use building.

The applicant appealed City Council's neglect or failure to make a decision on its applications to the Ontario Land Tribunal (the "OLT") on January 24, 2024.

The City Solicitor requires further directions for an upcoming OLT hearing scheduled to being on May 26, 2025. This matter is urgent and cannot 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 and Confidential Appendix "A" 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 May 6, 2014 City Council adopted the Final Directions Report for the Eglinton Connects Planning Study. On July 11, 2014, City Council adopted Official Plan Amendment 253 (OPA 253), an amendment to implement policy directions based on the Eglinton Connects Planning Study to provide development standards for areas surrounding the future Crosstown Light Rail Transit stations.

At its meeting on July 19-22, 2022, City Council adopted Official Plan Amendment 570 and SASP 673 which includes the Keele/Sheppard Protected Major Transit Station Area (PMTSA). This PMTSA has been adopted by City Council and is awaiting approval from Ministry of Municipal Affairs and Housing.

On December 22, 2022, the City received a Zoning By-law Amendment application to permit a 33-storey mixed use building.

On January 24, 2024, the applicant appealed City Council's neglect or failure to make a decision on the Zoning By-law Amendment to the OLT. The OLT held the first Case Management Conference on June 11, 2024. A hearing is scheduled from May 26 to June 6, 2025.

A Request for Direction Report on the application was adopted by City Council at its meeting on May 22 and 23, 2024, which directed the City Solicitor and appropriate City staff to attend the OLT hearing to oppose the Zoning By-law Amendment application, and to continue discussions with the applicant in an attempt to resolve outstanding issues. The Request for Direction Report can be found at:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.EY13.2>

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