



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

1304-1318 King Street West and 143-145 Cowan Avenue – Ontario Land Tribunal Hearing – Request for Directions

Date: April 8, 2025

To: City Council

From: City Solicitor

Wards: Ward 4 - Parkdale-High Park

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 October 12, 2023, the applicant submitted Official Plan and Zoning By-law Amendment applications to the City to permit the development of a 21-storey mixed-use building containing 263 dwelling units and 213 square metres of ground floor retail at 1304-1318 King Street West and 143-145 Cowan Avenue (the "Site").

At the May 22 to 24, 2024 meeting of City Council, City Council considered a staff report that recommended refusal of the applications. City Council adopted City staff's recommendations without amendment.

On June 24, 2024, the applicant appealed City refusal of the applications to the OLT.

The City Solicitor requires further directions for upcoming OLT hearings scheduled to commence on May 26, 2025. 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 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 October 12, 2023, the applicant submitted Official Plan and Zoning By-law Amendment applications to the City to permit the development of a 21-storey mixed-use building containing 263 dwelling units and 213 square metres of ground floor retail on the Site.

At the May 22 to 24, 2024 meeting of City Council, City Council considered a staff report that recommended refusal of the applications. Staff also recommended mediation and/or other dispute resolution techniques and that, in the event the OLT decides to approve the applications, the City Solicitor is to request the OLT to withhold its order until certain conditions are met. City Council adopted City staff's recommendations without amendment. City Council's consideration of the matter can be found here: <https://secure.toronto.ca/council/agenda-item.do?item=2024.TE13.10>

On June 24, 2024, the applicant appealed City Council's refusal of the applications to the OLT (the "Appeal").

The OLT held the first Case Management Conference ("CMC") on November 4, 2024. A second CMC was held on January 22, 2025.

A hearing in respect of the Appeal is scheduled to commence on May 26, 2025.

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