

**645-655 Northcliffe Blvd. – Ontario Land Tribunal
Hearing – Request for Directions**

Date: July 11, 2025

To: City Council

From: City Solicitor

Wards: Ward 12 - Toronto-St. Paul's

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 November 9, 2021, the applicant submitted a Zoning By-law Amendment application to the City to permit the development of a 15-storey mixed-use building containing 159 dwelling units at 645-655 Northcliffe Boulevard (the "Site").

At the December 14 and 15, 2022 meeting of City Council, City Council adopted staff's recommendations without amendments and without debate.

On July 4, 2022, the applicant appealed the City's failure to make a decision on the application to the Ontario Land Tribunal ("OLT").

The City Solicitor requires further directions prior to an OLT hearing being scheduled. 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 Confidential Appendix "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

A Preliminary Report was adopted by Toronto and East York Community Council on January 6, 2022, authorizing staff to conduct a Community Consultation Meeting with an expanded notification area. The decision of the Toronto and East York Community Council can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.TE30.30>

On July 4, 2022, the applicant appealed applications to the OLT (the "Appeal") on the basis of City Council's failure to make a decision within the statutory timeline.

A Request for Direction Report was considered and adopted by City Council without amendment and without debate at the December 14 and 15, 2022 meeting of Council following the item being considered by the Toronto and East York Community Council meeting of November 30, 2022. The direction of City Council can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.TE1.4>

The OLT held the first Case Management Conference ("CMC") on October 24, 2022; a second CMC was held on January 20, 2023; and a third CMC was held on April 6, 2023. The only parties to the appeal are the applicant and the City. It is anticipated that a further CMC will occur shortly, at which hearing dates would be set.

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