

**245-255 College Street, and 39 & 40 Glasgow Street –
Rezoning Application – Request for Direction Report**

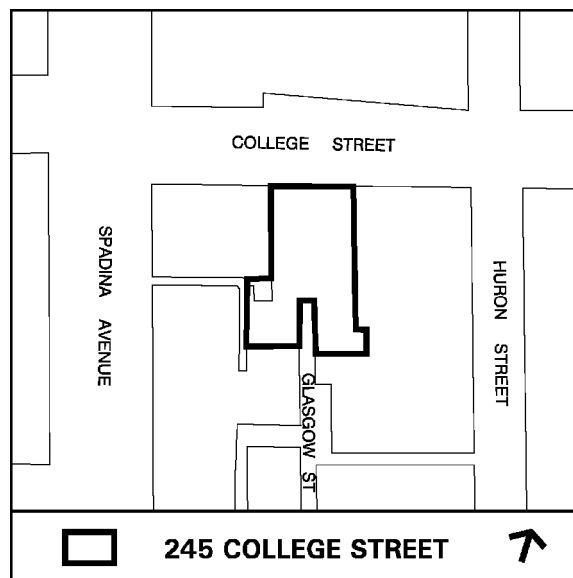
Date:	May 10, 2013
To:	Toronto and East York Community Council
From:	City Solicitor and Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reason for Confidential Information:	This report relates to a litigation matter before the Ontario Municipal Board and includes advice that is subject to solicitor-client privilege.
Reference Number:	10 239490 STE 20 OZ

SUMMARY

The purpose of this report is to update Council on a recent Ontario Municipal Board mediation and ongoing discussions with the applicant, and to seek Council's instruction.

The applicant appealed their application for a 24-storey academic residence to the Ontario Municipal Board and a hearing is set to commence on July 2, 2013. The hearing was initially scheduled to commence in March but was postponed in order to accommodate a confidential and without prejudice Ontario Municipal Board mediation, which took place at the end of March, 2013.

Prehearing conferences have been held, and witness statements were filed prior to the commencement of the mediation. Several residents associations and interested residents are Parties to the appeal and have raised issues pertaining to the size of the proposal and to the nature of the proposed use.



This report provides an update on the outcome of the mediation, and the status of negotiations with the applicant and seeks further direction in respect of the upcoming Ontario Municipal Board hearing. More particulars of the outstanding issues are set out in the attached Confidential Information.

RECOMMENDATIONS

The City Solicitor and Director, Community Planning, Toronto and East York District recommend that:

1. City Council adopt the confidential recommendations in Attachment 1 to the joint report (May 10, 2013) from the City Solicitor and the Director, Community Planning, Toronto and East York District.
2. City Council authorize the public release of the confidential recommendations in Attachment 1 to the joint report (May 10, 2013) from the City Solicitor and the Director, Community Planning, Toronto and East York District if adopted; and
3. Toronto and East York Community Council request the Director, Community Planning, Toronto and East York District to submit a report to City Council on June 11 and 12, 2013, on the outcome of Recommendations 2 and 3 contained within the Confidential attachment 1 to the joint report (May 10, 2013) from the City Solicitor and the Director, Community Planning, Toronto and East York District.

Financial Impact

There are no financial implications arising from the adoption of this report.

DECISION HISTORY

This matter concerns planning applications and appeals made by the applicant in respect of its application for a zoning bylaw amendment in respect of 245-255 College Street, and 39 & 40 Glasgow Street. These appeals have been the subject of prehearing conferences and a mediation session before the OMB.

A Request for Direction Report (May 18, 2012) and a Supplementary Report from the Acting Chief Planner and Executive Director, City Planning and Chief Building Official and Executive Director, Toronto Building (June 30, 2012) were considered by Toronto City Council on July 11, 12 and 13, 2012 and the recommendations of staff were adopted (<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.TE17.15>)

Subsequent to that meeting, a confidential and without prejudice Ontario Municipal Board mediation and further negotiations involving the City and the applicant have resulted in proposed changes to the proposal that are the subject of this report.

CONTACT

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SIGNATURE

Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

Anna Kinastowski, City Solicitor

ATTACHMENTS

Attachment 1: Confidential Information