



**STAFF REPORT  
ACTION REQUIRED  
Confidential Attachment**

**10 and 14 Prince Arthur Avenue – Official Plan  
Amendment, Rezoning, Site Plan and Heritage Alteration  
and Demolition - OMB Hearing**

<b>Date:</b>	August 23, 2010
<b>To:</b>	City Council
<b>From:</b>	City Solicitor
<b>Wards:</b>	Ward 20 – Trinity - Spadina
<b>Reason for Confidential Information:</b>	This report is about litigation that affects the City and concerns advice that is subject to solicitor-client privilege

**SUMMARY**

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The applicant has appealed the Official Plan Amendment, Zoning By-law Amendment and Site Plan Application to the Ontario Municipal Board (OMB). Council has instructed the City Solicitor, the Chief Planner and Executive Director City Planning and other appropriate City staff to attend the Ontario Municipal Board (OMB) hearing in opposition to the current proposal. The Ontario Municipal Board has set aside 3 days for a possible hearing commencing September 15, 2010.

Further instruction is sought for the purposes of the hearing.

**RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council adopt the confidential instructions to staff in Attachment 1; and
2. City Council authorize the public release of the confidential recommendations if adopted.

## **Financial Impact**

The recommendations will have no financial impact beyond what has already been approved in the current year's budget.

## **DECISION HISTORY**

There are staff reports respecting the Site and related matters that have been considered by Council.

City Council at its meeting on May 25, 26 and 27, 2009, adopted the recommendation of the Chief Planner and Executive Director, City Planning, authorizing the City Solicitor, and other appropriate staff to attend any Ontario Municipal Board hearing in opposition to the proposal. That proposal was for a 9 storey building with a single unit that partially wrapped the mechanical penthouse on the 9<sup>th</sup> storey and 38 dwelling units,

TE26.14 and TE26.15 at <http://www.toronto.ca/legdocs/mmis/2009/cc/decisions/2009-05-25-cc36-dd.htm>

## **CONTACT**

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## **SIGNATURE**

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Anna Kinastowski, City Solicitor

## **ATTACHMENTS**

Attachment 1- Confidential Attachment