



**STAFF REPORT
ACTION REQUIRED
Confidential Attachment**

1030 King Street West - Request for directions regarding the April 26, 2011, Ontario Municipal Board hearing

Date:	April 12, 2011
To:	City Council
From:	City Solicitor
Wards:	Ward 19 – Trinity-Spadina
Reason for Confidential Information:	This report is about litigation or potential litigation that affects the City or one of its agencies, boards, and commissions and this report contains advice or communications that are subject to solicitor-client privilege.
Reference Number:	

SUMMARY

The Ontario Municipal Board (the “OMB”) has set a 9 day hearing commencing April 26, 2011 to hear the appeals regarding 1030 King Street West. A matter has arisen that requires further directions from City Council prior to the commencement of the hearing.

RECOMMENDATIONS

The City Solicitor recommends that:

1. Council adopt the confidential instructions to staff as set out in Attachment 1; and
2. All confidential instructions are to remain confidential, to be made public at the sole discretion of the City Solicitor at the appropriate time.

Financial Impact

Adopting this report will have no financial impact beyond what has already been approved in the current year’s budget.

DECISION HISTORY

At its meeting of February 7 and 8, 2011, City Council considered Clause TE3.5, dealing with an application to construct a residential condominium building (with commercial at grade) at 1030 King Street West. City Council directed the City Solicitor and appropriate staff to attend the OMB hearing to oppose the owner's zoning appeal and site plan referral.

ISSUE BACKGROUND

A matter has arisen that requires further directions from City Council prior to the OMB hearing set to commence on April 26, 2011.

COMMENTS

As this report is about litigation before the OMB and contains advice or communications that are subject to solicitor-client privilege, the attachment to this report contains confidential information and should be considered by Council in conference.

CONTACT

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SIGNATURE

Anna Kinastowski, City Solicitor

ATTACHMENTS

Attachment 1 - Confidential Information