



**STAFF REPORT
ACTION REQUIRED
Confidential Attachment**

158, 164 and 181 Sterling Road – OMB Mediation

| | |
|---|--|
| Date: | December 12, 2013 |
| To: | City Council |
| From: | City Solicitor |
| Wards: | 181 |
| Reason for Confidential Information: | This report contains advice or communications that are subject to solicitor-client privilege. This matter is the subject of on-going litigation. |
| Reference Number: | |

SUMMARY

An application was submitted by Castlepoint Properties for conversion of the lands by way of amendments to the Official Plan and Zoning By-law at 158, 164 and 181 Sterling Road for a mix of uses including residential development. A refusal report dated October 11, 2012 was adopted by City Council at their meeting of November 28 and 29, 2012. Upon the refusal by Council, the applicant appealed to the Ontario Municipal Board (OMB). Mediation before the OMB is on-going amongst the City, Castlepoint, residents of the area and Nestles, which is a neighbouring industry.

RECOMMENDATIONS

The City Solicitor recommends that Council:

1. Adopt the confidential recommendations in Confidential Attachment No. 1 to this Report from the City Solicitor; and
2. Authorize public release of the confidential recommendations in Confidential Attachment No. 1 if adopted by Council with the remainder of Confidential Attachment No. 1 to stay confidential.

Financial Impact

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

DECISION HISTORY

At its meeting of November 27, 2012, City Council adopted a report from the Chief Planner and Executive Director, recommending refusal of the Official Plan Amendment and Zoning By-law Amendments regarding this property.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.PG19.6>

At a special meeting pursuant to Section 26 of the *Planning Act* held on November 21, 2013, the Planning and Growth Management Committee considered a report from the Chief Planner and Executive Director, City Planning Division on the Official Plan Review containing recommendations regarding this property.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG28.2>

This item is before the December 16, 2013 meeting of City Council as Item PG28.2.

COMMENTS

Further discussion and recommendations regarding this matter are contained in the confidential attachment to this Report.

CONTACT

Kelly Matsumoto, Solicitor, Legal Services
Tel. No.: 416-392-8042; Fax No.: 416-397-5624
E-mail: kmatsum@toronto.ca

SIGNATURE

Anna Kinastowski, City Solicitor

ATTACHMENTS

Attachment 1: Confidential Information