



**STAFF REPORT
ACTION REQUIRED**
with Confidential Attachment

**Mimico-by-the-Lake Secondary Plan (OPA 197) -
Request for Direction Report**

Date:	February 11, 2015
To:	City Council
From:	City Solicitor
Reason for Confidential Information:	This report contains advice/communications that are subject to solicitor-client privilege. This report contains information regarding potential litigation.
Wards:	Ward 6 – Etobicoke - Lake Shore
Reference Number:	07 103514 STE 30 TM

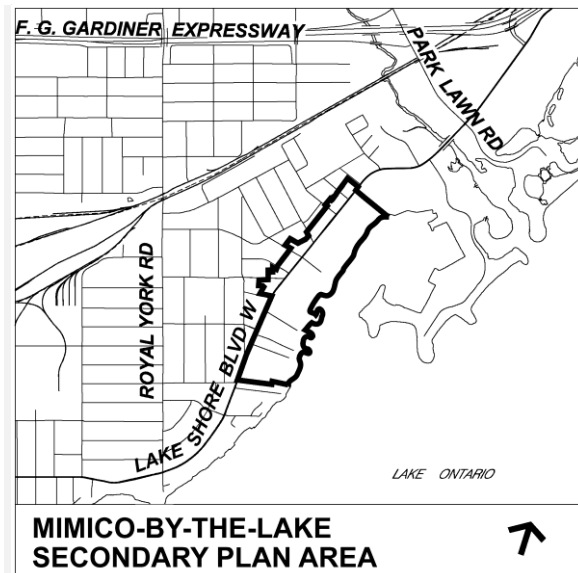
SUMMARY

The Mimico-by-the-Lake Secondary Plan (OPA 197) was approved by City Council at its meeting on July 16, 17, 18 & 19, 2013 and was subsequently appealed to the Ontario Municipal Board. The first phase of the hearing is scheduled to commence March 9, 2015. The purpose of this report is to advise Council of the outcome of mediation sessions and to seek instruction for proceeding. City Planning has been involved in preparation of this report.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the recommendations contained in Confidential Attachment 1 to this report;
2. The Recommendations in Confidential Attachment 1 to this



report as well as the information contained in Appendix "A" of Confidential Attachment 1 be made public, at the discretion of the City Solicitor, if Council adopts the recommendations.

3. Except as provided in Recommendation 2 above, all other information contained in the Confidential Attachment 1 is to remain confidential.

Financial Impact

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

Decision History:

The link to EYCC Item 25.15 adopted by City Council July 16, 17, 18 & 19, 2013 is: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.EY25.15>

COMMENTS

City Council approved the Mimico-by-the-Lake Secondary Plan at its meeting July 16, 17, 18 & 19, 2013 by enactment of By-law No. 1103-2013. Its approval was the culmination of a process that began in approximately 2006 and involved significant community involvement through workshops and charettes. Five appeals were filed to the Ontario Municipal Board. One appeal has since been withdrawn. There are two appeals by property owners and two appeals by area residents. As well, there are community members who have been granted party status and who are supportive of the Secondary Plan. Other community members have been granted participant status. The Toronto and Region Conservation Authority is also a party. Each appellant has raised a variety of issues. The two property owners' issues are primarily focused on the development of their properties while the area resident issues are of a more general nature.

Since the first prehearing on April 22, 2014 there have been several prehearings focusing on the structure of the hearing and identification of the issues. The hearing will be phased. Phase 1 will focus on the wider issues and Phase 2 will be site specific to two properties on Lake Shore Boulevard West, with the exception of one issue relating to a segment of the proposed road network along the shoreline. Phase I of the Hearing is scheduled to commence March 9, 2015. Phase 2 is scheduled to commence November 16, 2015 with a further prehearing June 29, 2015.

All Parties agreed to participate in Board assisted confidential and without prejudice mediation. As a result of the sessions and for the purpose of the Phase I Hearing, Council's direction is required.

Conclusion

The purpose of Confidential Attachment 1 is for the City Solicitor in conjunction with City Planning, to provide a report to Council on the outcome of the Board assisted

mediation process related to the general appeals and to seek instruction for the first phase of the hearing commencing March 9, 2015.

CONTACT

Leslie Forder
Solicitor
Planning and Administrative Tribunal Law
Legal Services
Tel.No. (416) 392-1078
Fax No. (416) 397-5624
lforder@toronto.ca

Sharon Haniford
Solicitor
Planning and Administrative Tribunal
Legal Services
Tel.No. (416) 392-6975
Fax No. (416) 397-5624
shanifor@toronto.ca

SIGNATURE

Anna Kinastowski, City Solicitor

ATTACHMENTS

Attachment 1 – Confidential Information