



Member Motion

City Council

Motion without Notice

MM10.16	ACTION			Ward:27
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North Downtown Yonge Site and Area Specific Policy 382 - Official Plan Amendment 183 - Request for Directions regarding the November 5 and 6, 2015 Ontario Municipal Board pre-hearing - by Councillor Kristyn Wong-Tam, seconded by Councillor Shelley Carroll

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Confidential Attachment - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege

Recommendations

Councillor Kristyn Wong-Tam, seconded by Councillor Shelley Carroll, recommends that:

1. City Council adopt the recommendations in the report (November 3, 2015) from the City Solicitor, entitled "North Downtown Yonge Site and Area Specific Policy 382 – Official Plan Amendment 183 – Request for Directions regarding the November 5 and 6, 2015 OMB pre-hearing":

1. City Council adopt the confidential instructions to staff in Confidential Attachment 1 of the report (November 3, 2015) from the City Solicitor;
2. City Council direct that the Recommendations in Confidential Attachment 1 of the report (November 3, 2015) from the City Solicitor and Appendix 1 be made public if City Council adopts Recommendation 1 with the balance of Confidential Attachment 1 to remain confidential.

Summary

The North Downtown Yonge Site and Area Specific Policy 382 (Official Plan Amendment 183) was adopted by City Council at their meeting of October 8, 9, 10 and 11, 2013 and subsequently appealed to the Ontario Municipal Board. Since that time, City staff representatives have been working toward resolution of the appeals. The Ontario Municipal Board (the OMB) has set a prehearing for November 5 and 6, 2015, to hear a motion by the City of Toronto seeking to bring into force and affect those policies of Official Plan Amendment 183 (By-law No. 1507-2013) that are neither under appeal nor properly subject to

dispute and a procedural order for a phased hearing. Direction is being sought from City Council respecting the Ontario Municipal Board Hearing. The City Solicitor has prepared a report with a confidential attachment outlining the request and the proposed revisions.

This matter is urgent because the next Ontario Municipal Board pre-hearing is November 5 and 6, 2015. The report from the City Solicitor is about litigation that affects the City and the report contains advice or communications that are subject to solicitor-client privilege.

Background Information (City Council)

Member Motion MM10.16

(November 3, 2015) Report from the City Solicitor regarding North Downtown Yonge Site and Area Specific Policy 382 - Official Plan Amendment 183 - Request for Directions regarding the November 5 and 6, 2015 OMB Pre-hearing

<http://www.toronto.ca/legdocs/mmis/2015/mm/bgrd/backgroundfile-85512.pdf>

Confidential Attachment 1