



**STAFF REPORT
ACTION REQUIRED**
with Confidential Attachment

**Dupont Street Study Area (Spadina Avenue to
Ossington Avenue) – OMB Hearing – Supplementary
Report**

Date:	March 31, 2016
To:	City Council
From:	City Solicitor
Wards:	Ward 19 –Trinity-Spadina Ward 20 - Trinity-Spadina
Reason for Confidential Information:	This report is about litigation that affects the City and contains advice or communications that are subject to solicitor-client privilege.
Reference Number:	

SUMMARY

The owners of various properties on Dupont Street between Spadina Avenue and Ossington Avenue (the “Dupont Study Area”) have appealed the City initiated Official Plan Amendment and Zoning By-law Amendment for the Dupont Study Area to the Ontario Municipal Board (OMB). A three week hearing is scheduled to commence on May 2, 2016. Procedural deadlines for this hearing including an exchange of witness statements and visual evidence are pending.

In addition, the City has received four site specific redevelopment applications for some of the lands located in the Dupont Study Area. These site specifics applications are proposed to be consolidated into the May 2, 2016 OMB hearing.

The parties to the hearing were invited to participate in mediation provided by the OMB. This mediation occurred over four separate days and the City participated.

The City Solicitor requires further directions.

RECOMMENDATIONS

The City Solicitor recommends that:

1. Council adopt the confidential instructions to staff in Attachment 1.
2. Council authorize the public release of the recommendations in Attachment 1 if adopted with the remainder of Attachment 1 and Schedule "A" to remain confidential at the discretion of the City Solicitor.

Financial Impact

The recommendations in this report have no financial impact.

COMMENTS

A 3 week hearing has been scheduled to commence May 2, 2016. At the first pre-hearing conference at the OMB, it was requested of all parties to attend non-binding mediation. The City participated in four days of mediation. As well, the City has been served with Notices of Motions regarding the consolidation of appeals of certain site specific redevelopment applications into the three week OMB hearing set to commence on May 2, 2016. The City Solicitor has recently received further correspondence from one of the appellants and requires further direction.

CONTACT

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SIGNATURE

Anna Kinastowski, City Solicitor

ATTACHMENTS

Attachment 1 - Confidential Information