



**STAFF REPORT  
ACTION REQUIRED  
Confidential Attachment**

**TE16.9 - 300 Commissioners Street Site Plan Application  
Ontario Municipal Board Appeal  
Further Request for Direction**

<b>Date:</b>	June 7, 2016
<b>To:</b>	City Council
<b>From:</b>	Interim City Solicitor
<b>Wards:</b>	Ward 30 – Toronto Danforth
<b>Reason for Confidential Information:</b>	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.
<b>Reference Number:</b>	15-129557 STE 30 SA

**SUMMARY**

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On October 26, 2015 the applicant referred the site plan application for the proposed self-storage development at 300 Commissioners Street to the Ontario Municipal Board (OMB) due to City Council's failure to make a decision on the application within the prescribed timeframe (30 days). A hearing has been scheduled at the OMB commencing on June 14, 2016. A Request for Direction Report from the Director, Community Planning, Toronto and East York District date April 21, 2016, is at the Council meeting on June 7 and 8, 2016 as Item number TE16.9.

The City Solicitor requires further direction from City Council.

**RECOMMENDATIONS**

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The City Solicitor recommends that:

1. Council adopt the recommendations contained in the Confidential Attachment 1 to this report.

2. The recommendations contained in the Confidential Attachment 1, including Appendix "A", to this report be made public at the discretion of the City Solicitor. All other information contained in the Confidential Attachment 1 is to remain confidential.

## **Financial Impact**

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

## **ISSUE BACKGROUND**

The Ward Councillor requested that the Chief Planner submit the Site Plan Control application to the Toronto and East York Community Council and to Council for approval removing the delegated authority of the Chief Planner to instruct the City Solicitor at the Ontario Municipal Board on Site Plan Control appeals. Therefore, the City Solicitor requires further direction from Council in relation to the appeal at the OMB.

## **COMMENTS**

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 camera.

## **CONTACT**

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## **SIGNATURE**

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Brian Haley, Interim City Solicitor

## **ATTACHMENTS**

Attachment 1: Confidential Information