



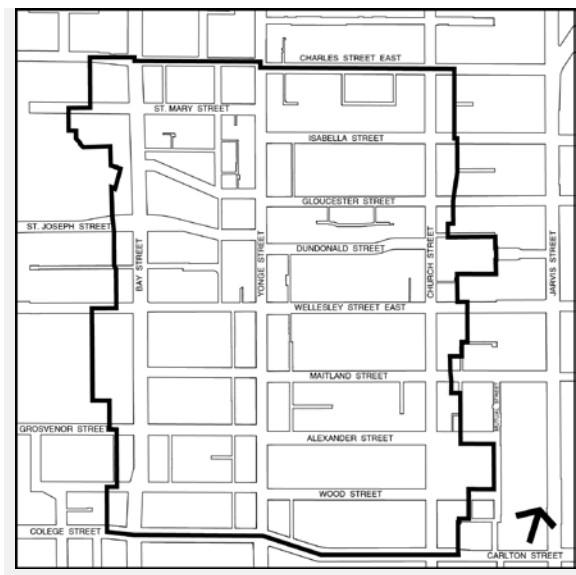
**STAFF REPORT  
ACTION REQUIRED**  
with Confidential Attachment

**North Downtown Yonge Site and Area Specific Policy  
382 – Official Plan Amendment 183 – Request for  
Direction Report - OMB Phase I Hearing**

<b>Date:</b>	June 6, 2016
<b>To:</b>	City Council
<b>From:</b>	City Solicitor
<b>Wards:</b>	Ward 27 – Toronto Centre-Rosedale
<b>Reason for Confidential Information:</b>	This report is about litigation that affects the City or one of its agencies, boards, and commissions. This report contains advice/communications that are subject to solicitor-client privilege.
<b>Reference Number:</b>	File No. 11-247686 SPS 00 TM

**SUMMARY**

At the meeting of October 8, 9, 10 and 11, 2013, Council enacted Official Plan Amendment 183 (OPA 183), comprising in part Site and Area Specific Policy 382 (SASP 382). OPA 183 was subsequently appealed to the Ontario Municipal Board (the OMB) by 17 appellants. Several pre-hearings were held between August 19, 2014 to January 7, 2016 to, amongst other matters, scope the appeals, enable parts of OPA 183 to come into force, and divide the hearing into two phases. Mediation for the Phase I Hearing was undertaken between February to April 2016 to determine opportunities for settling any of the issues that were identified through the pre-hearing process. Hearing dates for the Phase I Hearing have been confirmed for September and November 2016 for a total of 11 days. In addition, the OMB set a Phase I Settlement Hearing for June 21, 2016, in the event of



any motions or evidence by the City of Toronto and/or other parties in regard to Official Plan Amendment 183 (By-law No. 1507-2013) that might be agreed to by the parties. Direction is being sought from City Council for the Phase I Settlement Hearing. City Planning has been involved in the preparation of this report.

## **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council adopt the recommendations contained in Confidential Attachment 1 to this report;
2. City Council authorize the public release of such Recommendations contained in Confidential Attachment 1 as Council adopts;
3. City Council authorize the public release of Appendix 1 and 2 if Council adopts Recommendation 1 in Confidential Attachment 1 to this report;
4. City Council authorize the public release of Appendix 3 if Council adopts Recommendation 2 in Confidential Attachment 1 to this report; and
5. City Council direct that except as provided in Recommendation 2, 3 and 4 above, all other information contained in Confidential Attachment 1 is to remain confidential.

## **FINANCIAL IMPACT**

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The recommendations in this report have no financial impact.

## **DECISION HISTORY**

At the meeting of October 8, 9, 10 and 11, 2013, Council enacted OPA 183. OPA 183 was subsequently appealed to the Ontario Municipal Board. A number of pre-hearings were held between August 19, 2014 and January 7, 2016. At its meeting of November 3 and 4, 2015 City Council authorized certain amendments to OPA 183. Mediation before the OMB was undertaken between February and April 2016. Hearing dates have been confirmed for September and November 2016 for a total of 11 days for the outstanding issues.

The Final Report and City Council Decision under Item TE26.14 is available via the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.TE26.14>

A motion regarding a Request for Direction under Item MM10.16 is available via the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.MM10.16>

## **COMMENTS**

This report seeks Council's further direction with respect to the appeals of the North Downtown Yonge Site and Area Specific Policy 382 (OPA 183). The Confidential Attachment to this report provides further information.

## **CONTACT**

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## **SIGNATURE**

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Brian Haley, Interim City Solicitor

## **ATTACHMENTS**

Attachment 1: Confidential Information regarding North Downtown Yonge Site and Area Specific Policy 382 – Official Plan Amendment 183