

**85, 87, 89 and 91 Broadway Avenue and 198 Redpath
Avenue - OMB Appeal - Request for Direction
Supplementary Report to Item No. TE26.25**

Date: September 25, 2017

To: City Council

From: City Solicitor

Wards: Ward 22 - St. Paul's

REASON FOR CONFIDENTIAL INFORMATION

This report contains advice or communications that are subject to solicitor-client privilege.

SUMMARY

Item No. TE26.25 is a Request for Direction Report from the Director of Community Planning, Toronto and East York District dated August 21, 2017, pertaining to an appealed application to amend the Zoning By-law, and a rental housing demolition application for the lands at 85, 87, 89 and 91 Broadway Avenue, and 198 Redpath Avenue. The applications are to permit the construction of a 38-storey (117.64 metres) residential building containing 361 dwelling units that includes replacement of 11 rental units that exist currently on the lands. A hearing for the Zoning By-law amendment appeal is scheduled for November 15, 16 and 17, 2017, at the Ontario Municipal Board.

Subsequent to Toronto and East York Community Council's consideration of this matter on September 6, 2017, the City Solicitor received a without prejudice settlement offer dated September 18, 2017 (the "Settlement Offer"). The Settlement Offer should be considered by Council concurrently with the Request for Direction Report.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential recommendations in Confidential Attachment 1 to this report.
2. City Council authorize the public release of the recommendations contained in Confidential Attachment 1, if adopted by City Council, with the remainder of Confidential Attachment 1 and Confidential Attachment 2 remaining confidential as they contain information that is subject to solicitor client privilege.

FINANCIAL IMPACT

There is no financial impact arising from the adoption of the confidential recommendation.

DECISION HISTORY

A Request for Direction Report dated August 17, 2017, Item No. TE26.25 will be in front of City Council at its meeting commencing on October 2, 2017. The recommendations of Toronto and East York Community Council and the report can be found at:

<http://www.toronto.ca/legdocs/mmis/2017/te/bqrd/backgroundfile-106305.pdf>

COMMENTS

The City Solicitor requires further direction.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

Confidential Attachment 1 - Confidential Report from the City Solicitor
Confidential Attachment 2 - Confidential Information