

390 - 398 Spadina Road - Request for Directions

Date: January 24, 2018
To: City Council
From: Wendy Walberg, City Solicitor
Wards: All Wards

REASON FOR CONFIDENTIAL INFORMATION

This report is about litigation or potential litigation that affects the City or one of its agencies or corporations.

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

SUMMARY

Further direction from City Council is required on this matter which has been appealed to the Ontario Municipal Board.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential instructions to staff in Confidential Attachment 1 and authorize the release of those confidential instructions if adopted and direct that the balance of Confidential Attachment 1 remain confidential and authorize the City Solicitor to release the balance of Confidential Attachment 1 at her discretion.

FINANCIAL IMPACT

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

DECISION HISTORY

City Council on July 12, 13, 14 and 15, 2016 adopted TE17.22 and refused the proposed Zoning By-law Amendment at 390-398 Spadina Road.

The May 27, 2016 Refusal Report from the Director, Community Planning, Toronto and East York District can be found at the following link:

<http://www.toronto.ca/legdocs/mmis/2016/te/bgrd/backgroundfile-93683.pdf>

COMMENTS

An Ontario Municipal Board hearing has been scheduled for two weeks commencing on April 16, 2018 until April 27, 2018. Mediation at the Ontario Municipal Board is scheduled to take place on February 20 and 22, 2018.

A revised with prejudice resubmission was received on Friday January 19, 2018. The plans and drawings are prepared by Giannone Petricone Associates, dated January 18, 2018 and are attached as Public Attachment 1.

CONTACT

Amanda S. Hill, Solicitor, Planning and Administrative Tribunal Law, 416-338-5790
Daniel Elmadany, Solicitor, Planning and Administrative Tribunal Law, 416-397-5709

SIGNATURE

Wendy Walberg
City Solicitor
Legal Services

ATTACHMENTS

Confidential Attachment 1 - Request for Directions
Public Attachment 1 - Plans and Drawings