



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

89, 97 and 99 Church Street - Zoning By-law Amendment Application - Request for Direction

Date: June 18, 2018

To: City Council

From: City Solicitor

Wards: Ward 28 Toronto Centre-Rosedale

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 Local Planning Appeal Tribunal.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential instructions to staff in Confidential Attachment 1 to the Report (June 18, 2018) from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations in Confidential Attachment 1 and Confidential Appendix A, B and C to the report (June 18, 2018) from the City Solicitor.
3. City Council direct that the balance of Confidential Attachment 1 to the report (June 18, 2018) from the City Solicitor remain confidential as it contains advice which is subject to solicitor-client privilege.

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 October 2, 3 and 4, 2017 adopted item TE26.28 and authorized amongst other matters respecting 89, 97, and 99 Church Street - Zoning Amendment Application – Request for Direction Report, that:

1. City Council authorize the City Solicitor, together with Planning staff and other appropriate staff to attend the Ontario Municipal Board hearing to oppose the appeal of the Zoning By-law Amendment application for 89, 97 and 99 Church Street in its current form.
2. City Council authorize the City Solicitor and appropriate staff to continue discussions with the applicant with the goal of developing a revised proposal that addresses the issues outlined in the report (August 30, 2017) from the Director, Community Planning, Toronto and East York District.

The Request for Directions Report dated August 30, 2017 from the Director, Community Planning, Toronto & East York District can be found at the following link:

<https://www.toronto.ca/legdocs/mmis/2017/te/bgrd/backgroundfile-106511.pdf>

The City Council Decision, Item TE26.28 adopted on October 2, 2017, can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE26.28>

COMMENTS

A Local Planning Appeal Tribunal hearing of the Zoning by-law Amendment Appeal has been scheduled to commence on July 16, 2018 for two weeks.

The City Solicitor requires direction on this matter that has been appealed.

On the date of this report, the Ward Boundary where this site is located is Ward 28. As of December 1, 2018, the Ward Boundary where the site is located will become Ward 22. This change will not impact the recommendation in this report.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

Confidential Attachment 1

Confidential Appendix "A" - Confidential Information

Confidential Appendix "B" - Confidential Information on file with the City Clerk for the purpose of the June 26, 27, and 28, 2018 City Council Meeting.

Confidential Appendix "C" - Confidential Information on file with the City Clerk for the purpose of the June 26, 27, and 28, 2018 City Council Meeting.