



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

25 St. Dennis Drive - Zoning By-law Amendment Application - Request for Directions

Date: July 17, 2018

To: City Council

From: City Solicitor

Wards: Ward 26 - Don Valley West

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 (July 17, 2018) from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations in Confidential Attachment 1 and Confidential Appendices A, B, C and D to the report (July 17, 2018) from the City Solicitor.
3. City Council direct that the balance of Confidential Attachment 1 to the report (July 17, 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 November 7, 8 and 9, 2017 adopted NY25.4 and refused the proposed Zoning By-law Amendment at 25 St. Dennis Drive. City Council's direction can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.NY25.4>

The October 13, 2017 Refusal Report from the Director, Community Planning, North York District, can be found at the following link:

<https://www.toronto.ca/legdocs/mmis/2017/ny/bgrd/backgroundfile-107898.pdf>

City Council on April 24, 2018 adopted CC39.8 and directed the City Solicitor and Appropriate staff to continue to oppose the Zoning By-law Amendment Application and Site Plan Applications. City Council also authorized the City Solicitor and appropriate staff to seek revisions to the Zoning By-law Amendment and to report back to City Council on the outcome of mediation and discussions if necessary. City Council's direction can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.CC39.8>

COMMENTS

A Local Planning Appeal Tribunal hearing of the zoning by-law amendment appeal and the site plan appeal was scheduled to commence for three weeks on April 30, 2018 through to May 18, 2018. A revised submission of the Zoning By-law Amendment Application was received on Friday, February 2, 2018 and again on Friday, February 23, 2018. The Applicant also submitted a revised Site Plan Application on Friday, February 23, 2018.

The City Solicitor requested and was granted an adjournment on behalf of the City. A new hearing date was not scheduled. The Local Planning Appeal Tribunal scheduled a Mediation to take place between the parties to the hearing on May 2 and May 3, 2018, and on July 5, 2018.

As directed by Council Item CC39.8, the City Solicitor along with City Staff attend the mediation sessions at the Local Planning Appeal Tribunal. The City Solicitor was instructed to report to City Council on the outcome of mediation and discussions if necessary.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

Confidential Attachment 1

Appendix "A" - Confidential Information

Appendix "B" - Confidential Information on file with the City Clerk for the purpose of the July 23, 24, and 25, 2018 City Council Meeting.

Appendix "C" - Confidential Information on file with the City Clerk for the purpose of the July 23, 24, and 25, 2018 City Council Meeting.

Appendix "D" - Confidential Information on file with the City Clerk for the purpose of the July 23, 24, and 25, 2018 City Council Meeting.