



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

120, 122, 124, 126 and 128 Peter Street and 357 and 359 Richmond Street West - Zoning By-law Amendment Application - Request for Direction Report

Date: July 16, 2018

To: City Council

From: City Solicitor

Wards: Ward 20 – Trinity Spadina

REASON FOR CONFIDENTIAL INFORMATION

This report concerns litigation or potential litigation that affects the City of Toronto.

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

SUMMARY

The purpose of this report is to seek further instruction in relation to a development application for a site that contains several heritage resources, and a related ongoing appeal at the Local Planning Appeal Tribunal (LPAT). An LPAT teleconference has been scheduled for August 10, 2018 and a prehearing conference has been scheduled for September 28, 2018.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential recommendations contained in Confidential Attachment 1.
2. City Council authorize the public release of Confidential Recommendations 1, 2, 3 and 4, in Confidential Attachment 1 and Confidential Appendices "A", "B", "C" and "D", if adopted by City Council, with Confidential Recommendations 5 and 6 and the balance

of the Confidential Attachment 1 to remain confidential at the discretion of the City Solicitor 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

On January 31, 2017, City Council considered a Request for Direction Report from the Acting Director, Community Planning, Toronto and East York District in relation to the Zoning By-law Amendment application for 122 -128 Peter Street and 357 and 359 Richmond Street West. At that meeting City Council directed the City Solicitor and appropriate staff to attend the Ontario Municipal Board (now Local Planning Appeal Board) and oppose the Zoning By-law Amendment, but also to continue discussions with the applicant to address a number of enumerated concerns.

That decision of City Council is available at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.TE29.18>

COMMENTS

This report is about ongoing litigation and contains advice or communications that are subject to solicitor-client privilege. The attachment to this report contains confidential information and should be considered by the Preservation Board *in camera*.

CONTACT

Matthew Longo, Solicitor, Planning & Administrative Law; Tel: (416) 392-8109; Fax: (416) 397-5624; Email: matthew.longo@toronto.ca

SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

Confidential Attachment 1 - Confidential Information

Confidential Appendix A – Confidential Information

Confidential Appendix B – Confidential Information (on file with the City Clerk for the purpose of the July 23, 24, 25, 2018 City Council meeting)

Confidential Appendix C – Confidential Information (on file with the City Clerk for the purpose of the July 23, 24, 25, 2018 City Council meeting)

Confidential Appendix D – Confidential Information