



## REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

### **363-391 Yonge Street & 3 Gerrard Street East - Official Plan Amendment, Zoning Amendment Applications- Request for Direction Report**

**Date:** February 14, 2019

**To:** City Council

**From:** City Solicitor

**Wards:** Ward 13 Toronto Centre

#### **REASON FOR CONFIDENTIAL INFORMATION**

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

#### **SUMMARY**

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At its meeting of June 26, 2018, Council approved a settlement in this matter. Since then, the owner and City staff have met and have reviewed the said settlement terms.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.CC43.16>

The purpose of this report is to seek further instructions from Council with respect to this file.

Various City divisions were involved in the preparation of this report.

#### **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council adopt the confidential recommendations in Confidential Attachment 1.
2. City Council authorize the public release of the confidential recommendations in Confidential Attachment 1 and Confidential Appendix A, if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 is to remain confidential as it contains advice which is subject to solicitor-client privilege.

## **FINANCIAL IMPACT**

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There is no financial impact.

## **DECISION HISTORY**

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At its meeting of June 26, 2018, Council approved a settlement in this matter. Among other things, the settlement terms provided for the following:

1. A maximum 85-storey tower (height of 299 metres to top of mechanical penthouse with a 21-storey podium);
2. A maximum 94,500 square metres of gross floor area;
3. A maximum Floor Space Index (FSI) of 25; and
4. An average tower floor plate of 983 square metres.

## **COMMENTS**

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This report is about litigation before the Local Planning Appeal Tribunal ("LPAT") 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 Council in camera.

## **CONTACT**

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## **SIGNATURE**

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Wendy Walberg, City Solicitor

## **ATTACHMENTS**

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Confidential Attachment 1 - Confidential Recommendations  
Confidential Appendix A - Confidential Information