



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

Alterations to a Designated Heritage Property, Amendment of a Designating By-Law, Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreement – 280-290 Jarvis Street and 189- 193 Mutual Street

Date: March 12, 2019

To: Toronto Preservation Board and Toronto City Council

From: City Solicitor

Wards: Ward 13 - Toronto Centre

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"). This report was prepared in consultation with Heritage Preservation Services.

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 the confidential recommendations contained in the Confidential Attachment 1, and Confidential Appendices "A" through "D", if adopted by City Council.

3. City Council direct that all other information contained in Confidential Attachment 1 is to remain confidential at the discretion of the City Solicitor, as it contains advice that is subject to solicitor-client privilege.

FINANCIAL IMPACT

There are no financial implications from the adoption of this report.

DECISION HISTORY

On March 31, April 1 and 2, 2015 City Council adopted clause TE4.17, and stated its intention to designate the properties at 189,191, and 193 Mutual Street under the Ontario Heritage Act. The properties were subsequently designated by City of Toronto By-law 1294-2015.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE4.17>

On May 24, 2017 City Council adopted clause TE24.8, and refused an Official Plan Amendment, and Zoning Amendment application along with a Rental Housing Demolition and Conversion application for the properties at 280-290 Jarvis Street, 102-110 Gerrard Street and 189-193 Mutual Street.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE24.8>

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

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

Confidential Attachment 1 - Confidential Report from City Solicitor
Confidential Appendix A – Confidential Information (on file with the City Clerk)
Confidential Appendix B – Confidential Information
Confidential Appendix C – Confidential Information
Confidential Appendix D – Confidential Information (on file with the City Clerk)