



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

128, 130 and 132 Gorman Park Road and 795, 797 and 799 Sheppard Avenue West - Official Plan Amendment and Zoning By-law Amendment Application - Request for Direction

Date: July 8, 2019

To: City Council

From: City Solicitor

Wards: Ward 6 - York Centre

REASON FOR CONFIDENTIAL INFORMATION

This report is about litigation or potential litigation that affects the City.

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

SUMMARY

This application proposes a 9-storey residential building containing 85 residential dwelling units, 84 parking spaces and vehicular access from Gorman Park Road at 128, 130 and 132 Gorman Park Road and 795, 797 and 799 Sheppard Avenue West.

The applicant has appealed the Official Plan Amendment and Zoning By-law Amendment application to the Local Planning Appeal Tribunal ("LPAT") due to Council's failure to make a decision on the application within the time prescribed by the *Planning Act*. A hearing is not yet scheduled.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential instructions to staff in Confidential Attachment 1 to this Report from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations in Confidential Attachment 1 and Confidential Appendix "A" to the Report from the City Solicitor, if adopted by City Council.

3. City Council direct that the balance of Confidential Attachment 1 to the Report from the City Solicitor remain confidential as it contains advice, which is subject to solicitor-client privilege.

FINANCIAL IMPACT

There is no financial impact arising from the adoption of the Confidential Recommendations.

DECISION HISTORY

At its meeting of April 24, 2018, City Council adopted the recommendations of the Request for Direction Report which can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.NY29.4>

COMMENTS

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. Subsequent to the application being appealed to the LPAT, the lands at 795, 797 and 799 Sheppard Avenue West have been acquired by the applicant and thus the application has been revised to include these new lands. There is some urgency in Council considering this matter at this time. The City Solicitor requires direction on this matter.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

Confidential Attachment 1 - Confidential Information

Confidential Appendix "A" – Confidential Information

Report for Action with Confidential Attachment- 128, 130 and 132 Gorman Park Road – Request for Direction