



## REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

### 815-845 Eglinton Avenue East - Official Plan and Zoning By-law Amendments and Plan of Subdivision Applications - Supplementary Request for Directions Report

**Date:** November 26, 2019

**To:** City Council

**From:** City Solicitor

**Wards:** Ward 15 - 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

---

Riocan Holdings Inc. has applied for Official Plan and Zoning By-law Amendments and Plan of Subdivision to permit the redevelopment of their lands at 815-845 Eglinton Avenue East (the "Applications"). The Applications were appealed to the Local Planning Appeal Tribunal (LPAT) citing Council's failure to make a decision within the time allotted by the Planning Act. At a case management conference (CMC) that took place on November 14, 2019, the LPAT ordered that the three appeals be heard together under Case No. PL171057. The Parties to the appeals participated in a private mediation session on November 18-20, 2019.

The City Solicitor requires further direction from City Council in advance of an upcoming TCC that is scheduled for December 19, 2019.

City Planning has been involved in the preparation of this report.

#### RECOMMENDATIONS

---

1. City Council delete the North York Community Council recommendations and adopt the confidential instructions to staff in Confidential Attachment 1.

Supplementary Request for Directions Report - 815-845 Eglinton Avenue East

2. City Council authorize the public release of the confidential instructions to staff in Confidential Attachment 1 to the report (November 26, 2019) from the City Solicitor, as well as Confidential Attachment 2 once adopted by City Council.

3. City Council direct that the balance of Confidential Attachment 1 to the report (November 26, 2019) from the City Solicitor remain confidential at the discretion of the City Solicitor, as it contains advice that is subject to solicitor-client privilege.

## **FINANCIAL IMPACT**

---

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

---

The decision history for the Applications is set out in the Request for Directions Report (October 29, 2019) from the Director, Community Planning, North York District. The Directions Report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.NY10.1>

## **COMMENTS**

---

This report is about litigation before the LPAT and contains advice or communications that are subject to solicitor-client privilege. Confidential Attachments 1 and 2 to this report contain confidential information and should be considered by Council in camera.

## **CONTACT**

---

Sarah O'Connor, Solicitor, Planning & Administrative Law, Tel: 416-397-5378, Fax: 416-397-5624, E-mail: [Sarah.OConnor@toronto.ca](mailto:Sarah.OConnor@toronto.ca)

## **SIGNATURE**

---

Wendy Walberg, City Solicitor

## **ATTACHMENTS**

---

1. Confidential Attachment 1 - Confidential Recommendations and Confidential Information
2. Confidential Attachment 2 - Confidential Information