



## REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

### 64 Wellesley Street East - Notice of Intention to Designate Property under Section 29 of the Ontario Heritage Act - Conservation Review Board

**Date:** July 22, 2020

**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. This report contains information regarding potential litigation.

#### **SUMMARY**

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On February 26, 2019, City Council stated its intention to designate the property at 64 Wellesley Street East under Part IV, Section 29 of the Ontario Heritage Act. The City Clerk received an objection from the owner of the property and the designation was referred to the Conservation Review Board.

By letter dated July 6, 2020 to the Conservation Review Board, the Owner has withdrawn their objection on the basis of a revised statement of significance and heritage attributes. The letter is included as Public Attachment 1.

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

#### **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council adopt the recommendations contained in the Confidential Attachment 1 to the report (July 22, 2020) from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations contained in the Confidential Attachment 1 to the report (July 22, 2020) from the City Solicitor, if adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 to the report (July 22, 2020) from the City Solicitor is to remain confidential at the discretion of the City Solicitor, as it contains advice which is subject to solicitor-client privilege.

## **FINANCIAL IMPACT**

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Adopting this report will have no financial impact beyond what has already been approved in the current year's budget.

## **DECISION HISTORY**

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On February 26, 2019, City Council stated its intention to designate the property at 64 Wellesley Street East under Part IV, Section 29 of the Ontario Heritage Act. The City Council Decision may be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.TE3.15>

Link to the Report and Attachments 1-4 from Senior Manager, Urban Design/Heritage, City Planning (January 15, 2019) may be found here:

<https://www.toronto.ca/legdocs/mmis/2019/te/bgrd/backgroundfile-123990.pdf>

## **COMMENTS**

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The City Solicitor requires further instructions. This report is about litigation and contains advice or communications that are subject to solicitor-client privilege. Attachment 1 to this report contains confidential advice 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 and Confidential Information

Public Attachment 1 - Letter from Goodmans LLP to the Conservation Review Board dated July 6, 2020