



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

Port Lands OPM LPAT Appeals - Mediation Update - Supplementary Request for Direction Report

Date: December 15, 2020

To: City Council

From: City Solicitor

Wards: Ward 14

REASON FOR CONFIDENTIAL INFORMATION

This report concerns 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 provide City Council an update on ongoing settlement discussions and to seek instructions that could further resolve or narrow the scope of the issues for the Port Lands OPM hearing, scheduled to commence on January 18, 2021. City Planning has been involved in the preparation of this report.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council delete the recommendations in the report (December 9, 2020) from the City Solicitor and adopt instead the following:

1. City Council adopt the confidential instructions to staff in Confidential Attachment 1 to the supplementary report (December 15, 2020) from the City Solicitor.

2. City Council authorize the public release of:

a. the confidential instructions to staff in Confidential Attachment 1 to the supplementary report (December 15, 2020) from the City Solicitor, once adopted by City Council; and

- b. Confidential Appendix C to the report (December 9, 2020) from the City Solicitor once the confidential instructions to staff have been adopted by City Council.
3. City Council direct that the following remain confidential at the discretion of the City Solicitor, as they contain information that is subject to solicitor-client and settlement privilege:
 - a. Confidential Attachment 1, and Confidential Appendices A and B to the report (December 9, 2020) from the City Solicitor;
 - b. the balance of Confidential Attachment 1 to the supplementary report (December 15, 2020) from the City Solicitor; and
 - c. Confidential Appendices A, B and C to the supplementary report (December 15, 2020) from the City Solicitor.
4. City Council classify the Media City, Turning Basin and Hearn Districts as Class 4 areas under the Ministry of Environment (now Ministry of Environment, Conservation and Parks) Environmental Noise Guideline, Stationary and Transportation Sources – Approval and Planning, Publication NPC-300, August 2013, and request the Chief Planner and Executive Director, City Planning to include a non-statutory map (Public Attachment 1) in the Central Waterfront Secondary Plan showing areas classified as Class 4 areas in the Central Waterfront.

FINANCIAL IMPACT

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

DECISION HISTORY

The decision history is outlined in the December 9, 2020 Mediation update - Request of Directions Report from the City Solicitor.

COMMENTS

The purpose of this report is to seek instructions arising from those discussions in advance of the scheduled LPAT hearing, which is set to commence on January 18, 2021.

The City Solicitor requires instructions. This report is about litigation before the LPAT and contains advice or communications that are subject to solicitor-client privilege. Confidential Attachment 1 to this report contains confidential information and should be considered by Council 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
Confidential Appendix B – Confidential Information
Confidential Appendix C – Confidential Information