

## **4050 Yonge Street - Official Plan Amendment, Zoning Amendment, and Site Plan Control Applications - Request for Directions Report**

**Date:** December 6, 2021  
**To:** City Council  
**From:** City Solicitor  
**Wards:** Ward 8 - Eglinton-Lawrence

### **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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The purpose of this report is to request instructions for the purpose of an appeal before the Ontario Land Tribunal (OLT) scheduled to commence on May 9, 2022.

### **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 (December 6, 2021) from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations contained in the Confidential Attachment 1 to the report (December 6, 2021) 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 (December 6, 2021) 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.

4. City Council authorize the public release of the confidential information contained in Confidential Attachments 2 to 10, inclusive, to the report (December 6, 2021) from the City Solicitor, if the Recommendations in Confidential Attachment 1 are adopted by City Council.

## **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 October 7, 2020, North York Community Council adopted the Preliminary Report (September 21, 2020) from the Acting Director, Community Planning, North York District.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.NY18.9>

On March 10, 2021, City Council adopted the recommendations of the Request for Directions Report (February 5, 2021) from the Acting Director, Community Planning North York District and directed the City Solicitor and staff to appear at the OLT in opposition to the proposed development.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY22.1>

On June 8 & 9, 2021, City Council adopted the recommendations of the Request for Directions Report (May 31, 2021) from the City Solicitor and continued to instruct the City Solicitor and staff to appear at the OLT in opposition to the proposed development.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.CC34.5>

## **COMMENTS**

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The City Solicitor requires further instructions. This report is about litigation before the OLT 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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1. Confidential Attachment 1 - Confidential Information
2. Confidential Attachment 2 - Confidential Information
3. Confidential Attachment 3 - Confidential Information
4. Confidential Attachment 4 - Confidential Information
5. Confidential Attachment 5 - Confidential Information
6. Confidential Attachment 6 - Confidential Information
7. Confidential Attachment 7 - Confidential Information
8. Confidential Attachment 8 - Confidential Information
9. Confidential Attachment 9 - Confidential Information
10. Confidential Attachment 10 - Confidential Information