



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

Port Lands OPM OLT Appeals (Phase 2) - Supplementary Request for Direction Report

Date: December 13, 2021

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 seek further instructions resulting from ongoing discussions that could narrow the scope of the issues for the Port Lands OPM (Phase 2) hearing, scheduled to commence on May 17, 2022. City Planning has been consulted in the preparation of this report.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council delete the recommendations in the report (December 7, 2021) from the City Solicitor and adopt instead the following:

1. City Council adopt the confidential recommendations to staff in Confidential Attachment 1 to the Supplementary Report (December 13, 2021) from the City Solicitor.

2. City Council authorize the public release of:

a. the confidential recommendations in Confidential Attachment 1 to the Supplementary Report (December 13, 2021) from the City Solicitor, if adopted by City Council; and

b. Confidential Appendices A and B to the Request for Direction Report (December 7, 2021) and Confidential Appendix A to the Supplementary Report (December 13, 2021) from the City Solicitor, if the confidential recommendations in Confidential Attachment 1 to the Supplementary Report (December 13, 2021) have been adopted by City Council.

3. City Council direct that the remainder of Confidential Attachment 1 to the Request for Direction Report (December 7, 2021) and the remainder of Confidential Attachment 1 to the Supplementary Report (December 13, 2021) remain confidential at the discretion of the City Solicitor, as they contain information that is subject to solicitor-client and settlement privilege.

FINANCIAL IMPACT

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

DECISION HISTORY

The decision history is outlined in the Request for Direction Report from the City Solicitor (December 7, 2021), Port Lands OPM OLT Appeals (Phase 2).

COMMENTS

The purpose of this report is to seek instructions arising from recent settlement discussions in advance of the scheduled OLT hearing, which is set to commence on May 17, 2022.

The City Solicitor requires instructions. This report is about litigation before the OLT 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

1. Confidential Attachment 1 - Confidential Report from City Solicitor
2. Confidential Appendix A – Confidential Information