

572 Church Street – Official Plan Amendment and Zoning By-law Amendment Applications – Request for Directions

Date: June 6, 2022

To: City Council

From: City Solicitor

Wards: Ward 13 – Toronto Centre

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

The applicant appealed its request to amend the City of Toronto Official Plan and Zoning By-law Amendment application to the Ontario Land Tribunal (the "Tribunal") on November 23, 2017 and February 2, 2018. City Council adopted recommendations of a report from the City Solicitor (July 17, 2018) at its meeting of July 23, 24, 25, 26, 27, and 30 2018 (Item CC44.39) in respect of that appeal.

Further direction from City Council is required on this matter.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential instructions to staff in Confidential Attachment 1 to the Report (June 6, 2022) from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations in Confidential Attachment 1, Confidential Appendix "A", Confidential Appendix "B",

Confidential Appendix "C", and Confidential Appendix "D" to the Report (June 6, 2022) 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 (June 6, 2022) 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

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

DECISION HISTORY

A Preliminary Report from the Director, Community Planning, Toronto and East York District, dated October 27, 2017 was considered by Toronto and East York Community Council on November 14, 2017. Community Council's decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.TE28.37>

City Council adopted recommendations of a report from the City Solicitor (July 17, 2018) at its meeting of July 23, 24, 25, 26, 27, and 30, 2018. City Council's decision can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.CC44.39>

On August 19, 2019, the Ontario Land Tribunal issued its decision in respect of a settlement hearing of the appeals and withheld its final order pending the finalization of the draft Official Plan Amendment and draft zoning by-law amendment(s) among other matters. The Tribunal's decision can be found at the following link:

<https://www.omb.gov.on.ca/e-decisions/PL171367-AUG-19-2019.pdf>

COMMENTS

This Report relates to instructions provided to the Chief Planner pursuant to City Council's adoption of the recommendations in the Report (July 17, 2018) from the City Solicitor which was brought forward for City Council's consideration during the meeting of July 23, 24, 25, 26, 27, and 30, 2018. Further instructions are required from City Council prior to the Chief Planner proceeding to exercise the discretion granted to him by City Council in this case.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

Confidential Attachment 1 – Confidential Report from the City Solicitor
Confidential Appendix "A" – Confidential Information
Confidential Appendix "B" – Confidential Information
Confidential Appendix "C" – Confidential Information
Confidential Appendix "D" – Confidential Information