



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

4340 Bloor Street West – Ontario Land Tribunal Hearing – Supplementary Request for Directions

Date: March 28, 2023

To: City Council

From: City Solicitor

Wards: 2 - Etobicoke Centre

REASON FOR CONFIDENTIAL INFORMATION

This report contains advice or communications that are subject to solicitor-client privilege. This report contains information regarding potential litigation.

SUMMARY

On December 17, 2020, the City received a Zoning By-law Amendment application for 4340 Bloor Street West (the "Site") to permit the construction of a 13-storey and a 4-storey apartment building with a total of 240 new residential units.

The applicant appealed City Council's neglect or failure to make a decision on its application for the Zoning By-law Amendment (the "Appeal"), to the Ontario Land Tribunal (the "OLT") on April 25, 2022.

A Report dated March 16, 2023 from the City Solicitor on the same matter is before City Council at its meeting commencing March 29, 2023, titled 4340 Bloor Street West - Ontario Land Tribunal Hearing - Request for Directions (the "March 16, 2023 Report").

The City Solicitor requires further directions for the upcoming OLT hearing scheduled for June 5, 2023.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council delete the recommendations contained in the March 16, 2023 Report and adopt the following instead:
 1. City Council adopt the confidential instructions to staff in Confidential Attachment 1 to this supplementary report from the City Solicitor.
 2. City Council authorize the public release of the confidential recommendations contained in Confidential Attachment 1 to this supplementary report.
 3. City Council authorize the public release of Confidential Attachment 2 to the March 16, 2023 report, and Confidential Attachment 2 to this supplementary report once the confidential instructions to staff have been adopted by Council.
 4. City Council direct that all other information contained in Confidential Attachment 1 to the March 16, 2023 Report and Confidential Attachment 1 to this supplementary report 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

There is no financial impact arising from the adoption of the Confidential Recommendations beyond what has already been approved in the current year's budget.

DECISION HISTORY

The decision history for this matter is outlined in the March 16, 2023 Report.

COMMENTS

The City Solicitor requires further instructions on this matter. This report is about ongoing litigation before the OLT and contains advice or communications that are subject to solicitor-client privilege.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Confidential Attachment 1 - Confidential Recommendations and Confidential Information
2. Confidential Attachment 2 - Confidential Information