

294-298 Sherbourne Street – Request for Directions

Date: May 6, 2024

To: City Council

From: City Solicitor

Wards: Ward 13 - Toronto 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

There was a settlement of an appeal to the Ontario Land Tribunal ("OLT") between the applicant of the subject property and City Council. The OLT approved the settlement and issued an interim decision. However, certain matters have arisen which require immediate attention. The City Solicitor requests further direction.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the recommendations contained in Confidential Attachment 1 to this report from the City Solicitor.
2. City Council authorize the public release of the confidential recommendations contained in Confidential Attachment 1 to this report from the City Solicitor, if the confidential recommendations are adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 to this 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

At its meeting of July 19 and 20, 2023, City Council adopted the confidential instructions in the report (July 4, 2023) from the City Solicitor and approved a settlement between the applicant and the City. The link can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.CC8.13>

The Ontario Land Tribunal approved the settlement in an interim decision dated December 22, 2023.

COMMENTS

The City Solicitor requires further instructions in relation to 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 Information