

## **Official Plan Amendment 571 - Mount Dennis Secondary Plan - Request for Direction**

**Date:** July 10, 2024

**To:** City Council

**From:** City Solicitor

**Wards:** Ward 5 - York South-Weston

### **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 ongoing litigation.

### **SUMMARY**

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On July 22, 2022, the City enacted By-law 975-2022, adopting Official Plan Amendment 571 (OPA 571), implementing the Mount Dennis Secondary Plan (MDSP) for the lands generally bounded by the Humber River, Clouston Avenue, the CN rail line, Trethewey Drive, Keele Road, Humber Boulevard, Rockcliffe Boulevard, Lambton Avenue, Jane Street and Eglinton Avenue.

OPA 571 was appealed to the Ontario Land Tribunal (OLT) by five landowners. Of the five original appeals, two appellants remain as parties in the OPA 571 appeal. The two remaining appellants and the City participated in OLT led mediation in the fall of 2023.

The City Solicitor requires further directions for a hearing scheduled to commence on October 1, 2024. This matter is deemed urgent as direction from City Council is required in advance of witness exchange dates for the OLT hearing. This matter should not be deferred.

### **RECOMMENDATIONS**

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The City Solicitor recommends that:

1. City Council adopt the recommendation contained in Confidential Attachment 1 to this report from the City Solicitor.

2. City Council authorize the public release of the confidential recommendation contained in Confidential Attachment 1 and Confidential Appendix "A" to this report from the City Solicitor, if the confidential recommendation is adopted by City Council.
3. City Council direct that all other information contained in Confidential Attachment 1 to this report from the City Solicitor remain confidential at the discretion of the City Solicitor, as it contains advice which is subject to solicitor-client privilege.

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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At its meeting on July 19, 20, 21 and 22, 2022, City Council adopted the recommendations, as amended, in item EY33.11, Mount Dennis Secondary Plan – Final report (June 8, 2022) from the Director, Community Planning, Etobicoke York District. In doing so, Council City enacted By-law 975-2022, adopting OPA 571. The Council decision and report can be found at:

[Agenda Item History - 2022.EY33.11 \(toronto.ca\)](#)

## **COMMENTS**

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The City Solicitor requires direction in this matter prior to the conclusion of the July 24, 25 and 26, 2024 meeting of City Council. 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**

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Wendy Walberg  
City Solicitor

**ATTACHMENTS**

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1. Confidential Attachment 1 - Confidential Information
2. Confidential Appendix "A" - Confidential Information