



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

Ookwemin Minising – Ontario Land Tribunal Hearing – Request for Directions

Date: January 20, 2025

To: City Council

From: City Solicitor

Wards: Ward 14 - Toronto - Danforth

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

The City of Toronto, together with CreateTO and Waterfront Toronto, is advancing a significant revitalization project for the Port Lands, including Ookwemin Minising (formerly known as Villiers Island). At its meeting on June 26, 2024, City Council adopted amendments to the Official Plan (OPA 409), Toronto Zoning By-law 569-2013 (By-law 702-2024) and the Precinct Plan for Ookwemin Minising in order to advance the redevelopment and update the planning framework for the Island in response to Toronto's Housing Action Plan, to permit a dense, inclusive, sustainable and walkable urban community.

On July 29, 2024, appeal letters were received from the Toronto Port Authority (operating as "PortsToronto") in respect of the Official Plan Amendment and Zoning By-law Amendment, and from Lafarge Canada Inc. ("Lafarge Canada") in respect of the Official Plan Amendment. PortsToronto owns land within Ookwemin Minising, but Lafarge Canada does not.

The City Solicitor requires further directions for the upcoming OLT Case Management Conference scheduled for February 14, 2025.

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 and Confidential Appendix "A" to this report from the City Solicitor, if 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

In February 2023, Planning and Housing Committee directed City staff to develop a preferred approach to increase housing density for affordable housing and recommends amendments to the Villiers Island Precinct Plan through a City initiated re-zoning process in 2024. The Committee's decision is available here:
<https://secure.toronto.ca/council/agenda-item.do?item=2023.PH2.9>

On June 26 and 27, 2024, City Council adopted City-initiated Official Plan (OPA 409) and Zoning By-law (By-law 702-2024) Amendments for Ookwemin Minising (then known as Villiers Island) as a result of a directed density study. The City Council decision is available here:
<https://secure.toronto.ca/council/agenda-item.do?item=2024.PH13.2>

A more complete decision history in respect of the Port Lands revitalization and the Island can be found in the June 3, 2024 Report from the Interim Chief Planner and Executive Director, City Planning here:
<https://www.toronto.ca/legdocs/mmis/2024/ph/bgrd/backgroundfile-246353.pdf>

On July 29, PortsToronto and Lafarge Canada submitted appeal letters in respect of City Council's approval of the Official Plan Amendment to the OLT. The OLT has scheduled the first Case Management Conference for February 14, 2025.

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

Sarah O'Connor, Solicitor, Planning & Administrative Tribunal Law; Tel: (416) 397-5378; Fax: (416) 397-5624; Email: sarah.oconnor@toronto.ca

Lauren Pinder, Solicitor, Planning & Administrative Tribunal Law; Tel: (416) 329-0797; Fax: (416) 397-5624; Email: lauren.pinder@toronto.ca

SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

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