



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

40-60 St. Lawrence Avenue – Ontario Land Tribunal Hearing – Update

Date: March 11, 2025

To: City Council

From: City Solicitor

Wards: Ward 3 - Etobicoke-Lakeshore

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

This report provides an update on the matter addressed in Item CC26.12, which was deferred at the February 5, 2025 meeting of City Council:

<https://secure.toronto.ca/council/agenda-item.do?item=2025.CC26.12>

This Item was the subject of two previous reports from the City Solicitor: one dated January 23, 2025 and a further supplementary report dated February 4, 2025.

The applicant's with prejudice settlement offer dated January 22, 2025 expired at the end of the February 5, 2025 City Council meeting. Thus, the hearing scheduled to commence on May 14, 2025 will be on the basis of the Revised Plans filed with the Ontario Land Tribunal ("OLT") on January 2, 2025.

The City Solicitor requires further directions in advance of the hearing scheduled to commence on May 14, 2025. This matter is urgent and should not be deferred.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council delete the recommendations contained in the report (January 23, 2025) from the City Solicitor, and adopt the following instead:

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 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.
4. City Council direct that Confidential Attachment 1 to the report (January 23, 2025) 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.
5. City Council direct that Confidential Attachment 1 to the supplementary report (February 4, 2025) 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 Appeal Report in respect of the Applications was adopted by City Council on June 26, 2024 and can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.EY14.4>

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

Jamie Dexter, Solicitor, Planning & Administrative Tribunal Law; Tel: (416) 394-2799;
Email: jamie.dexter@toronto.ca

Jessica Amey, Solicitor, Planning & Administrative Tribunal Law; Tel: (416) 397-1890;
Email: jessica.amey@toronto.ca

SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Confidential Attachment 1 - Confidential Information