



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

Supplementary Report – 847-855 Kingston Road – Ontario Land Tribunal Hearing – Request for Directions

Date: December 11, 2025

To: City Council

From: City Solicitor

Wards: Ward 19 - Beaches - East York

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 is supplemental to the City Solicitor's Report, dated October 31, 2025, regarding Zoning By-law Amendment and Official Plan Amendment applications (the "Applications") submitted to the City on August 10, 2015, and revised on December 29, 2022, for the properties at 847-855 Kingston Road. On November 12, 2024, the applicant appealed City Council's neglect or failure to make a decision on its Applications within the prescribed timelines in the *Planning Act* to the Ontario Land Tribunal (the "OLT").

The City Solicitor requires further directions for the upcoming 15-day OLT hearing scheduled to commence on April 13, 2026. For reasons set out in Confidential Attachment 1, this matter is urgent and cannot be deferred.

RECOMMENDATIONS

The City Solicitor recommends that:

City Council delete the recommendations in the report (October 31, 2025) from the City Solicitor and adopt instead the following:

1. City Council adopt the recommendations contained 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, and the entirety of Confidential Appendix "A" and Confidential Appendix "B" to this supplementary 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 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.

4. City Council direct that Confidential Attachment 1 and Confidential Appendices "A" and "B" to the report dated October 31, 2025 from the City Solicitor remain confidential as they contain 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

Item CC34.7 being a City Solicitor report dated October 31, 2025 was deferred at the City Council meeting of November 12 and 13, 2025. This is a supplemental report on that item.

<https://secure.toronto.ca/council/agenda-item.do?item=2025.CC34.7>

COMMENTS

The City Solicitor requires further instructions on this matter. This supplementary 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
2. Confidential Appendix "A" - Confidential Information
3. Confidential Appendix "B" - Confidential Information