



**STAFF REPORT  
ACTION REQUIRED  
with Confidential Attachment**

**9 Tippet Road – Request for Direction Regarding  
October 5, 2015 OMB Hearing**

<b>Date:</b>	June 29, 2015
<b>To:</b>	City Council
<b>From:</b>	City Solicitor
<b>Wards:</b>	Ward 10 – York Centre
<b>Reason for Confidential Information:</b>	This report is about litigation or potential litigation that affects the City or one of its agencies, boards and commissions and this report contains advice or communications that are subject to solicitor-client privilege.
<b>Reference Number:</b>	

**SUMMARY**

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The purpose of this report is to seek further instructions for the upcoming Ontario Municipal Board (OMB) Hearing on the above-noted matter scheduled to commence on October 5, 2015.

**RECOMMENDATIONS**

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The City Solicitor recommends that:

1. Council adopt the confidential instructions in Attachment 1.
2. Council authorize the public release of the confidential instructions together with Appendices A and B, if adopted by Council.

**Financial Impact**

The recommendations will have no financial impact beyond what has already been approved in the current year's budget.

## **DECISION HISTORY**

The applications before the Board are for Official Plan and Zoning By-law Amendments proposing a mixed use residential development.

At its meeting of November 30, 2009 City Council adopted item NY29.33, directing the City Solicitor and other City Staff to attend the OMB hearing for the above-noted matter to oppose the proposed Zoning By-law Amendment. City Council also directed the City Solicitor to meet with the applicant and the community to scope out a possible settlement for the matter.

For more detailed Decision History, see the Request for Directions report of May 5, 2015 from the Director, Community Planning, North York District, at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG3.4>

## **ISSUE BACKGROUND**

In accordance with the direction of City Council, City Staff have met with the applicant and members of the community.

## **COMMENTS**

As a result of these discussions, it is now necessary to obtain further directions from City Council in advance of the October 5, 2015 OMB hearing.

As this report concerns litigation before the OMB and contains advice or communications that are subject to solicitor-client privilege, the attachment to this report contains confidential information and should be considered by Council in camera.

## **CONTACT**

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## **SIGNATURE**

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Anna Kinastowski, City Solicitor

## **ATTACHMENTS**

Attachment 1 – Confidential Information