



**STAFF REPORT
ACTION REQUIRED**
with Confidential Attachment

**670, 680, 690 and 700 Progress Avenue - OPA 242– OMB
Hearing**

Date:	November 30, 2015
To:	City Council
From:	City Solicitor
Wards:	Ward 38 – Scarborough Centre
Reason for Confidential Information:	This report is about litigation that affects the City and contains advice or communications that are subject to solicitor-client privilege.
Reference Number:	

SUMMARY

The owners of 670, 680, 690 and 700 Progress Avenue (the "Subject Lands") appealed City-initiated OPA 242 to the Ontario Municipal Board. The City Solicitor requires direction for an upcoming hearing.

RECOMMENDATIONS

The City Solicitor recommends that:

1. Council adopt the confidential instructions to staff in Attachment 1.
2. Council authorize the public release of the recommendations in Attachment 1 if adopted, with the remainder of Attachment 1 and Schedule 1 to remain confidential, at the discretion of the City Solicitor.

Financial Impact

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

DECISION HISTORY

At its meeting of June 10, 11, 12 and 13, 2014 City Council adopted OPA 242. This City-initiated amendment provides new Official Plan policies to guide future development within the McCowan Precinct. The decision can be accessed at this link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.SC32.20>

ISSUE BACKGROUND

The owners of 670, 680, 690 and 700 Progress Avenue appealed City-initiated OPA 242 to the Ontario Municipal Board on July 14, 2014. In a decision dated June 26, 2015 the Board issued a decision declaring OPA 242 to be in full force and effect save and except for the Subject Lands.

COMMENTS

A without prejudice offer to settle has been provided to the City and is appended to this report as Attachment 1. This report provides legal advice regarding direction from City Council for the OMB hearing.

CONTACT

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SIGNATURE

Anna Kinastowski, City Solicitor

ATTACHMENTS

Attachment 1 - Confidential Information