



## REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

### 670, 680 and 690 Progress Avenue – Ontario Land Tribunal Hearing – Request for Directions

**Date:** July 11, 2025

**To:** City Council

**From:** City Solicitor

**Wards:** Ward 24 - Scarborough-Guildwood

#### 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

---

On December 19, 2017, the City received a Zoning By-law Amendment application and a Draft Plan of Subdivision application for the lands municipally known as 670, 680 and 690 Progress Avenue (the "Site") to permit the construction of seven residential buildings ranging from 14 to 48 storeys in height along with twelve four-storey back-to-back townhouse blocks for a total of 2,245 residential units. The two applications proposed two public streets and one private street within the Site.

On December 6, 2019, the City received an Official Plan Amendment application for the Site to bring the parkland dedication rate for the Site in accordance with the parent Official Plan policies regarding parkland that are in force at the time of issuance of the first above-grade building permit.

On May 26, 2022, the applicant appealed the Zoning By-law Amendment application and the Official Plan Amendment application (the "Applications") to the Ontario Land Tribunal (the "OLT") due to City Council's neglect or failure to make a decision (the "Appeals"). The applicant has not appealed the Draft Plan of Subdivision application to the OLT.

The City Solicitor requires further directions for the upcoming fourteen-day hearing before the OLT beginning on September 15, 2025. The City Council meeting commencing on July 23, 2025 is the last opportunity for the City Solicitor to receive instructions prior to the commencement of the hearing. This matter is urgent and cannot be deferred.

## 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 the contents of Confidential Appendix "A" and Confidential Appendix "B" to this report from the City Solicitor, if recommendation 1 of this report is 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

---

On December 19, 2017, the City received a Zoning By-law Amendment application and a Draft Plan of Subdivision application for the Site as described above. Scarborough Community Council adopted the recommendations of a Preliminary Report for the Zoning By-law Amendment application and the Draft Plan of Subdivision application at its meeting of February 21, 2018. Scarborough Community Council's decision can be found here:

[Agenda Item History - 2018.SC28.3](#)

City Council adopted the recommendations of a Request for Interim Directions Report for the Zoning By-law Amendment application and the Draft Plan of Subdivision application at its meeting of July 23, 2018. City Council's decision can be found here:

[Agenda Item History - 2018.SC32.17](#)

On December 6, 2019, the City received the applicant's request to amend the City's Official Plan for the Site as described above.

On May 26, 2022, the applicant appealed the Applications to the OLT on account of City Council's neglect or failure to make a decision. City Council adopted the recommendations of Request for Directions Report at its meeting on July 19, 20, 21, and 22, 2022. City Council's decision can be found here:

[Agenda Item History - 2022.SC33.14](#)

The applicant filed a resubmission of the Applications on March 5, 2024. City Council adopted the recommendations of a further Request for Directions Report in respect of the resubmission of the Applications at its meeting of May 22 and 23, 2024. City Council's decision can be found here:

[Agenda Item History - 2024.CC18.8](#)

The OLT has conducted Case Management Conferences on the following dates: September 23, 2022, February 27, 2023, June 4, 2024 and October 17, 2024. At the request of the applicant, the OLT adjourned a fifteen-day hearing of the applicant's appeal of the Applications scheduled to commence on February 26, 2024.

A re-scheduled fourteen-day hearing before the OLT will commence on September 15, 2025 and end on October 3, 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**

---

Mark Piel, Director, Planning & Administrative Tribunal Law; Tel: (416) 392-2124; Email: [Mark.Piel@toronto.ca](mailto:Mark.Piel@toronto.ca)

Derin Abimbola, Solicitor, Planning & Administrative Tribunal Law; Tel: (416) 338-1376; Email: [derin.abimbola@toronto.ca](mailto:derin.abimbola@toronto.ca)

## **SIGNATURE**

---

Wendy Walberg  
City Solicitor

## **ATTACHMENTS**

---

1. Confidential Attachment 1 - Confidential Information
2. Confidential Attachment "A" - Confidential Information
3. Confidential Appendix "B" - Confidential Information