

155 St. Dennis Drive – Appeal of OLT Decision

Date: October 31, 2025

To: City Council

From: City Solicitor

Wards: Ward 16 – Don Valley East

REASON FOR CONFIDENTIAL INFORMATION

This report is about litigation or potential litigation that affects the City or one of its agencies or corporations.

This report contains advice or communications that are subject to solicitor-client privilege.

SUMMARY

On October 10, 2025, the Ontario Land Tribunal (the "OLT") issued a decision approving an Official Plan and Zoning By-law Amendment pursuant to section 22 and 34 of the *Planning Act* for the property at 155 St. Dennis Drive. The Tribunal also heard submissions with respect to a site plan control application but deferred consideration of that appeal *sine die*.

The *Ontario Land Tribunal Act* allows parties to a hearing to seek a review of a decision within the Tribunal system and to seek leave to appeal an OLT decision to the Divisional Court. The City Solicitor requires further directions.

RECOMMENDATIONS

The City Solicitor recommends that:

1. City Council adopt the confidential instructions to staff in Confidential Attachment 1 to this Report from the City Solicitor.
2. If adopted, City Council authorize the public release of Confidential Recommendation Number 1 in the Confidential Attachment 1 to this Report from the City Solicitor and direct that all other information in Confidential Attachment 1 remain confidential as it contains advice which is subject to solicitor-client privilege.

FINANCIAL IMPACT

The financial implications are set out in Confidential Attachment 1.

DECISION HISTORY

City Council's decision to refuse the Official Plan and Zoning By-law applications in this matter is found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.NY8.9>

The OLT's October 10, 2025 decision is found here:

<https://www.omb.gov.on.ca/e-decisions/OLT-23-001278-OCT-10-2025.PDF>

Further application material can be found on the Application Information Centre:

<https://www.toronto.ca/city-government/planning-development/application-details/?id=5235341&pid=692993&title=155-ST-DENNIS-DR>

COMMENTS

On March 6, 2023, an Official Plan and Zoning By-law Amendment application was submitted to the City proposing to partially redevelop the lands at 155 St. Dennis Drive with four (4) residential towers ranging in height between 42 to 56 storeys linked by a 2-storey base building. The development proposed 2,170 residential units, 135,413 square metres of residential gross floor area, and approximately 348 square metres of non-residential gross floor area. The application proposed that 5 percent of the residential gross floor area (approximately 6,771 square metres) would be allocated to affordable housing. The site has an overall area of 169,361 square metres, of which, the applicant proposed to develop 7,643 square metres with residential towers. The remainder of the lands, approximately 16 hectares, would be conveyed to a public agency as open space. A total of 405 vehicle parking spaces are proposed in 4 levels of underground parking. The application was deemed complete as of August 1, 2023.

On November 8 and 9, 2023 City Council decided to refuse the application, and that decision was appealed along with the site plan application to the Ontario Land Tribunal.

In a Decision dated October 10, 2025 the Ontario Land Tribunal approved the Official Plan and Zoning By-law Amendments in part and on an interim basis, subject to enumerated conditions, and adjourned the site plan appeal *sine die*.

The attached Confidential Attachment 1 from the City Solicitor provides legal advice and seeks direction from City Council with respect to the Decision.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Confidential Attachment 1 – Confidential Information