

38-50 Park Road - Official Plan and Zoning By-law Amendment Application - Supplementary Report

Date: December 15, 2025

To: City Council

From: Executive Director, Development Review

Ward: 11 - University-Rosedale

Planning Application Number: 25 209063 STE 11 OZ

Related Planning Application Number: 25 209069 STE 11 RH

SUMMARY

On August 12, 2025, the City received an Official Plan and Zoning By-law Amendment application for a 31-storey (107.9 metres, mechanical penthouse not included) mixed-use building containing 289 units (including 40 replacement rental dwelling units) at 38-50 Park Road. The application includes the retention of the designated building at 50 Park Road.

Staff submitted a report from the Director, Community Planning, Toronto and East York District dated November 10, 2025 to Toronto and East York Community Council titled 38-50 Park Road - Official Plan and Zoning By-law Amendment Application - Decision Report - Refusal ('Refusal Report') which recommends that Council refuse the application to amend the Official Plan and Zoning By-law.

On December 11, 2025, the applicant appealed the application to the Ontario Land Tribunal ('OLT') due to Council not making a decision within the statutorily prescribed time frame in the Planning Act. As a result of the appeal, this Supplementary Report replaces the recommendations. Consistent with the Refusal Report and for the reasons stated in that report, staff continue to recommend that City Council oppose the application in its current form and to continue discussions with the applicant to resolve outstanding issues and direct the City Solicitor with the appropriate City staff to attend the OLT to oppose the appeals.

RECOMMENDATIONS

The Executive Director, Development Review recommends that City Council delete the Toronto and East York Community Council recommendations and adopt instead the following new recommendations:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current application regarding the Official Plan and Zoning By-law Amendment appeal for the lands at 38-50 Park Road, and to continue discussions with the applicant to resolve outstanding issues for the reasons identified in the refusal report dated November 10, 2025.

2. In the event that the Ontario Land Tribunal allows the appeal, in whole or in part, City Council authorize the City Solicitor to request that the issuance of any Final Order be withheld until such time as the City Solicitor advises that:

a. the final form and content of the draft Official Plan and Zoning Bylaw Amendment are satisfactory to the Executive Director, Development Review and the City Solicitor;

b. the owner has at its sole cost and expense:

1. Submitted a revised Functional Servicing Report and Stormwater Management Report, Hydrogeological Review, including the Foundation Drainage Report ('Engineering Reports') to the satisfaction of the Director, Engineering Review, Development Review;

2. If the Engineering Reports are accepted and are satisfactory and should they identify any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:

A. the owner has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Engineering Reports, to support the development, in a financially secured agreement, all to the satisfaction of the Director, Engineering Review, Development Review, should it be determined that improvements or upgrades are required to support the development, according to the Engineering Reports accepted by the Director, Engineering Review, Development Review; or,

B. the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Engineering Reports in 2.b.2(A) above are constructed and operational, all to the satisfaction of the Director, Engineering Review, Development Review;

3. Ensured that implementation of the accepted Engineering Reports does not require changes to the proposed amending By-law or that any required changes have been made to the proposed amending By-law to the satisfaction of the Executive Director, Development Review and the City Solicitor, including the use of a Holding ("H") By-law symbol regarding any new municipal servicing infrastructure or upgrades to existing municipal servicing infrastructure, as may be required.

3. City Council authorize the City Solicitor and City staff to take any necessary steps to implement City Council's decision, including requesting any additional conditions of approval that would be in the City's interest, in the event an appeal of the Official Plan and Zoning By-law Amendment application is allowed by the Ontario Land Tribunal, in whole or in part.

FINANCIAL IMPACT

The Development Review Division confirms that there are no financial implications resulting from the recommendations included in this Report in the current budget year or in future years.

COMMENTS

The applicant filed an appeal of the application on December 11, 2025, after staff had submitted a report to Toronto and East York Community Council recommending refusal of the application but prior to the consideration of the report by City Council at its meeting of December 16, 2025.

The application was appealed on the basis that City Council did not make a decision within the statutorily prescribed time frame in the Planning Act. As the appeal has been filed prior to City Council considering the recommendations contained in the report, staff now require revised Council recommendations to address an appeal to the OLT, instead of a refusal of the development application.

This report recommends that the City Solicitor, with appropriate staff, attend the OLT in opposition to the application in its current form and to continue discussions with the applicant in an attempt to resolve outstanding issues.

CONTACT

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SIGNATURE

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