

City Council

Motion without Notice

MM32.44	ACTION			Ward: 2
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250 Wincott Drive - Request for City Solicitor to Attend at the Ontario Land Tribunal - by Councillor Stephen Holyday, seconded by Councillor Parthi Kandavel

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor Stephen Holyday, seconded by Councillor Parthi Kandavel, recommends that:

1. City Council direct the City Solicitor to seek party status at the Ontario Land Tribunal and to attend the Ontario Land Tribunal hearing, and retain outside consultants as necessary, to support the Committee of Adjustment's decision to refuse the variances requested in Application A0078/25EYK respecting 250 Wincott Drive.
2. City Council direct the City Solicitor to seek party status at the Ontario Land Tribunal and to attend the Ontario Land Tribunal hearing, and retain outside consultants as necessary, to oppose the Consent Application in Application B0033/23EYK respecting 250 Wincott Drive in its current form.
3. City Council authorize the City Solicitor to attempt to negotiate a resolution of the appeals and to resolve the matter on behalf of the City at the City Solicitor's discretion after consultation with the Ward Councillor and the Director of Community Planning, Etobicoke York District.

Summary

This motion concerns a minor variance and consent application in relation to a large multi-building development at 250 Wincott Drive. The owner has filed a number of applications seeking revisions to the Council-approved development, including reduction of parking and increased building heights.

The applicant applied to the Committee of Adjustment requesting variances from City-wide Zoning By-law 569-2013 (File A0078/25EYK) (the "Minor Variance Application"). The Minor Variance Application seeks four variances to alter the minimum parking and loading standards that apply to a new proposed building on the east side of the site.

For context, in July 2021, City Council approved a Zoning By-law Amendment for the Site (18 150932 WET 04 OZ, By-laws 834-2021 and 835-2021), which permitted a multi-building, mixed-use development. In January 2023, a new Zoning By-law Amendment application (23

101352 WET 02 OZ) was submitted with proposed increased heights for the two approved buildings on the west side of the site. This file is currently under review by City Staff. Etobicoke-York Community Council has requested the Executive Director, Development Review to consider the inclusion of a public road within the revised development (Item 2025.EY23.27).

On April 14, 2022, the applicant filed an application for Site Plan Approval (22 136287 WET 02 SA) to advance a first phase of the redevelopment on the east side of the Site. Several resubmissions of the Site Plan Approval Application were subsequently made to address various comments received from City staff and outside commenting agencies. The Notice of Approval Conditions issuance was pending the Minor Variance application.

In September 2023, while the Site Plan Approval Application was under review, an application was made to the Committee of Adjustment (B0033/23EYK) to sever the Site into four lots and to create various easements/rights-of-way (the “Consent Application”). The matter has not been heard by the Committee of Adjustment.

On June 19, 2025, Transportation Review provided a report to the Committee of Adjustment concluding that they have no objections to the Minor Variance Application. I have written two letters to the Committee of Adjustment setting out some of the concerns of the community and proposed conditions to be imposed on any approval granted by the Committee. Those letters are attached as Attachment 1.

On June 26, 2025, the Committee refused the Minor Variance Application. The Committee’s Decision is attached as Attachment 2.

The applicant has appealed the refusal of the Minor Variance Application (A0078/25EYK) to the Ontario Land Tribunal. The applicant has also appealed the City of Toronto’s failure to make a decision within the prescribed timeframe in respect of the applicant’s associated Consent Application, and City of Toronto’s failure to approve the plans and drawings related to the Site Plan Approval Application (22 136287 WET 02 SA). Pursuant to Section 115 of the City of Toronto Act, 2006, the appeal of combined site plan and minor variance matters is to be heard by the Ontario Land Tribunal. Site plan matters are delegated to the Chief Planner, who will instruct the City Solicitor on the conduct of the site plan appeal.

This Motion will authorize and direct the City Solicitor to attend the Ontario Land Tribunal and retain outside consultants, if necessary, to oppose the Appeal. This Motion will also authorize the City Solicitor to resolve the matter on behalf of the City in her discretion after consultation with the Ward Councillor and the Director of Community Planning, Etobicoke York District.

The scheduling of this hearing is imminent and as such this motion is urgent.

Background Information (City Council)

Member Motion MM32.44

Attachment 1 - Councillor Holyday Letters Re: 250 Wincott Minor Variance Application (<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-257631.pdf>)

Attachment 2 - Notice of Decision of the Committee of Adjustment (Application A0078/25EYK)

(<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-257632.pdf>)