

**250-258 Viewmount Avenue – Ontario Land Tribunal
Hearing – Request for Directions**

Date: January 23, 2026

To: City Council

From: City Solicitor

Wards: Ward 8 - Eglinton-Lawrence

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 July 24, 2024, the City received Official Plan Amendment and Zoning By-law Amendment applications for the lands at 250, 252, 254, and 258 Viewmount Avenue (the "Site") to permit the construction of a 40-storey residential building with 477 dwelling units (the "Applications").

On January 16, 2025, the applicant appealed City Council's neglect or failure to make a decision on the Applications to the Ontario Land Tribunal (the "Appeal").

The City Solicitor requires further directions in respect of an upcoming Ontario Land Tribunal ("OLT") hearing scheduled for April 13, 2026. This matter is urgent and should not 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, along with the entirety of Confidential Appendix "A" and Confidential Appendix "B" to this report from the City Solicitor, if 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 May 21 and 22, 2025, an Appeal Report in respect of the Applications from the Director, Community Planning, North York District was adopted by City Council. The Appeal Report recommended the City Solicitor and appropriate City staff attend the OLT hearing to oppose the Appeal and to continue discussions with the applicant to resolve outstanding issues. City Council's consideration of the matter, as well as the Appeal Report itself, can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2025.NY23.5>

The OLT held the first Case Management Conference ("CMC") in respect of the Appeal on March 21, 2025. The OLT held a second CMC on June 10, 2025, at which it scheduled a 10-day hearing to commence on April 13, 2026.

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

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

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