

## **567 Sheppard Avenue East – Official Plan Amendment and Zoning By-law Amendment – Supplementary Report**

**Date:** January 28, 2026  
**To:** City Council  
**From:** Executive Director, Development Review  
**Ward:** 17 - Don Valley North

**Planning Application Number:** 24 135633 NNY 17 OZ

### **SUMMARY**

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On April 12, 2024, the City received an Official Plan Amendment and Zoning By-law Amendment application for three buildings, including a 55- and 45-storey residential tower and a new two-storey YMCA building. The 55-storey residential tower had no base building, and the 45-storey residential tower had an 8-storey base building. The proposed new YMCA building had a daycare and pick-up and drop-off area located centrally on the site. An on-site linear encumbered parkland dedication was proposed adjacent to Kenaston Gardens Parkette.

Staff worked with the applicant through multiple resubmissions and two workshop sessions in June and July 2025 to address outstanding built form, public realm, and parkland issues. These workshop sessions resulted in a revised proposal which is reflected in the Decision Report, [567 Sheppard Avenue East – Official Plan Amendment and Zoning By-law Amendment – Decision Report – Approval](#) (the "Decision Report"). The revised proposal outlined in the Decision Report is for three buildings, including two residential towers each at 48-storeys with six and four-storey base buildings and a new YMCA facility that is up to three storeys in height. An on-site parkland dedication that is unencumbered is proposed to extend the existing Kenaston Gardens Parkette.

On December 5, 2025, North York Community Council ("NYCC") considered this revised proposal through [Item 2025.NY28.6](#) and the Staff recommendations as outlined in the Decision Report, including confirmation of the applicant's withdrawal of the appeal of Official Plan Amendment 777 (By-law 1437-2024) for the Renew Sheppard East Secondary Plan. NYCC adopted Item 2025.NY28.6 to City Council without Staff recommendations. City Council on December 16 and 17, 2025, deferred consideration of Item NY28.6 to the February 4 and 5, 2026, meeting of City Council.

On January 6, 2026, the applicant appealed the applications to the Ontario Land Tribunal (the "OLT") due to Council not making a decision within the statutory time frame under the Planning Act.

This report deletes the original recommendations and replaces them with new ones as set out in this report given the application has been appealed. Staff now recommend that the City Solicitor, with the appropriate City staff, attend the OLT in support of the recommendations as outlined in the Decision Report.

## **RECOMMENDATIONS**

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1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal (OLT) in support of the current application, as outlined in 567 Sheppard Avenue East – Official Plan Amendment and Zoning By-law Amendment – Decision Report – Approval, dated November 3, 2025, regarding the Official Plan Amendment and Zoning By-law Amendment application for the lands at 567 Sheppard Avenue East.

2. If the OLT approves the appeal in whole or in part, City Council:

a. Approve that in accordance with Section 42 of the Planning Act prior to the issuance of the first above grade building permit for the first residential building, the Owner shall convey to the City an on-site parkland dedication that expands Kenaston Gardens Parkette, having a minimum size of 200 square metres, to the satisfaction of the General Manager, Parks and Recreation and the City Solicitor;

b. Approve the acceptance of on-site parkland dedication, subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition; the Owner may propose the exception of encumbrances of tiebacks, where such an encumbrance is deemed acceptable by the General Manager, Parks and Recreation, in consultation with the City Solicitor; and such an encumbrance will be subject to the payment of compensation to the City, in an amount determined by the General Manager, Parks and Recreation and the Executive Director, Corporate Real Estate Management;

c. Approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the Owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks and Recreation. The development charge credit shall be in an amount that is the lesser of the cost to the Owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time;

d. Request that the Owner make reasonable commercial efforts to convey off-site parkland to the City, in fulfilment of the balance of its parkland dedication requirements pursuant to Section 42 of the Planning Act, with the off-site parkland dedication to be acceptable to the General Manager, Parks and Recreation and free and clear of any above or below grade encumbrances, to be conveyed prior to the issuance of the first above grade building permit for the first residential building and;

1) In the event that the off-site parkland dedication, including the purchase price, less reasonable real estate commissions of up to 5 percent, land transfer tax, and typical closing adjustments incurred, is less than the value of the parks levy calculated upon the submission of an application for the first above-grade building permit for the first residential building, the difference will be paid as cash in lieu to the City, prior to the issuance of the first above grade building permit for the first residential building;

2) In the event that the owner is unable to provide an acceptable off-site parkland dedication to the City, the owner will be required to satisfy the remaining shortfall of the parkland dedication requirement through the payment of cash-in-lieu; and

3) The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services and payment will be required prior to the issuance of the first above grade building permit for the first residential building.

3. In the event that the OLT 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 Amendment and Zoning By-law Amendments are to the satisfaction of the City Solicitor and the Executive Director, Development Review, and,

b. The Applicant withdraws its appeal of the Renew Sheppard East Secondary Plan (OPA 777) (By-law 1437-2024) to the Ontario Land Tribunal (OLT Case OLT-000068).

4. City Council authorize the City Solicitor and City staff to take any necessary steps to implement City Council's decision.

## **FINANCIAL IMPACT**

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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**

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The applicant filed an appeal of the application on January 6, 2026, shortly before City Council considered the deferred application at the February 4 and 5, 2026, meeting of City Council. The applications were appealed on the basis that City Council did not make a decision within the statutory timeframe under the Planning Act.

As the appeal has been filed prior to the February 4 and 5, 2026, meeting of City Council, Staff now require revised Council recommendations to address an appeal to the OLT.

This report recommends that the City Solicitor, with appropriate Staff, attend the OLT in support of the application in its current form, as outlined in the Decision Report.

## **CONTACT**

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## **SIGNATURE**

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Valesa Faria  
Executive Director  
Development Review