



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

2912-2926 Sheppard Avenue East – Official Plan Amendment and Zoning By-law Amendment Applications - Ontario Land Tribunal Hearing – Request for Directions

Date: May 5, 2026

To: City Council

From: City Solicitor

Wards: Ward 22 - Scarborough-Agincourt

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 June 23, 2025, the City received Official Plan and Zoning By-law Amendment applications for 2912-2926 Sheppard Avenue East to permit the construction of a 50-storey mixed-use building. The proposed building would have a total gross floor area of approximately 43,370 square metres, consisting of 590 residential dwelling units and 280 square metres of non-residential space.

The applicant appealed the City's neglect or failure to make a decision on its applications for Official Plan and Zoning By-law Amendments to the Ontario Land Tribunal (the "OLT") on October 23, 2025.

City Council adopted an Appeal Report at its meeting on February 4, 2026, directing the City Solicitor to oppose the applications at the OLT, and authorizing the City Solicitor and Staff to continue discussions with the applicant to address outstanding issues.

The City Solicitor requires further directions for the upcoming OLT hearing scheduled to commence on October 20, 2026. This matter is urgent and cannot 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" 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 June 23, 2025, the City received Official Plan and Zoning By-law Amendment applications to permit the construction of a 157 metre (50-storeys plus a 7.0 metre mechanical penthouse) mixed-use building containing 590 residential dwelling units and 280 square metres of non-residential space on the ground floor.

On October 23, 2025, the applicant appealed City Council's neglect or failure to make a decision on its applications for Official Plan and Zoning By-law Amendments to the OLT (the "Appeal"). The OLT held a Case Management Conference on February 3, 2026.

An Appeal Report was adopted by City Council at its meeting on February 4, 2026, directing the City Solicitor and appropriate City staff to attend the OLT hearing to oppose the Appeal, and to continue discussions with the applicant in an attempt to resolve the outstanding issues. The Appeal Report can be found at:

[Agenda Item History - 2026.SC28.4](#)

The OLT has scheduled a nine-day hearing to commence on October 20, 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

Kasia Czajkowski, Solicitor, Planning & Administrative Tribunal Law; Tel: (416) 338-5725; Email: Kasia.Czajkowski@toronto.ca

SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

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