



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

2 Sandfield Road – Ontario Land Tribunal Hearing – Request for Consent to Review Tribunal Decision

Date: June 11, 2026

To: City Council

From: City Solicitor

Wards: Ward 15 – Don Valley West

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 2, 2023, the Ontario Land Tribunal (the "Tribunal") issued a decision allowing the appeals filed by 250740 Ontario Inc. (the "Owner") from City Council's refusal of its applications for an Official Plan Amendment and a Zoning By-law Amendment (the "Appeals") for the lands municipally known as 2 Sandfield Road (the "Site"). The Tribunal withheld its final order on the Appeals pending the Applicant's satisfaction of various conditions. The Tribunal decision is attached as Public Attachment 2.

On June 3 2026, the City Solicitor's office received a letter from the solicitor for the Owner, wherein the Owner seeks City Council's consent to file a review request of the Tribunal's February 2, 2023 decision (the "Original Decision") to proceed with a revised proposal. The letter is attached as Public Attachment 1.

The City Solicitor requires further directions in respect of the Owner's request for consent to file a review request of the Original Decision with the Tribunal.

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 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 29 and 30, 2020, City Council refused the Official Plan Amendment and Zoning By-law Amendment Application for 2 Sandfield Road on the basis that the proposal was not in keeping with the building type and built form character of the geographic neighbourhood, and did not conform to the policies of the Official Plan. City Council's decision can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2020.NY14.2>

On March 22 to 26, 2021, the Tribunal held a contested hearing where the City Solicitor, with City Staff, provided evidence in opposition to the application.

On February 2, 2023, the Tribunal issued its decision, allowing the Appeals in part, on an interim basis, and approving in principle the draft zoning by-law amendment and draft official plan amendment. The Tribunal withheld its final order on the Appeals pending the Owner's satisfaction of various conditions. A final order of the Tribunal has not been issued since that time.

COMMENTS

On February 17, 2026, the Tribunal issued new Rules of Practice and Procedure. New Rule 25.8 permits the Chair of the Tribunal to use their discretion and grant a request to review a decision if the Chair is satisfied that the request raises a convincing and compelling case that the Tribunal should amend the planning instrument of an earlier decision, approval, or order, where:

- the parties make a request on consent
- the amendment(s) constitute good planning, and
- the amendment(s) are substantially in accordance with the original approval.

On June 3, 2026, the City Solicitor's office received a letter from the solicitor for the Owner, wherein the Owner seeks City Council's consent to file a review request of the Original Decision to proceed with a revised proposal that makes the following changes to the approval:

	Original Decision dated February 2023	Revised Plans provided April 2026
Site Area (square metres)	1,582.14	1,582.14
Building Height (storeys)	3	3
Building Height (metres)	12.23	12.23
Gross Floor Area (square metres)	2,066.61	2,420.69
Floor Space Index	1.31	1.53
Dwelling units	7	7
Vehicle parking spaces	15	15

The revised development includes several minor modifications to the proposed townhouse units, as follows:

- an extension to align the second-storey rear wall with the rear wall of the ground floor;
- an extension of the bay window on the east side of the block from the ground floor to the second-storey;
- an extension of the third-storey front wall to align with the front wall of the second-storey; and
- a partial extension of the third-storey rear wall while maintaining a 2.7 metres step back from the edge of the second storey.

The City Solicitor requires further instructions on this matter. This report contains advice or communications that are subject to solicitor-client privilege.

CONTACT

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SIGNATURE

Wendy Walberg
City Solicitor

ATTACHMENTS

1. Public Attachment 1 - Letter from Amber Stewart Law, dated June 3, 2026 on behalf of 250740 Ontario Inc.
2. Public Attachment 2 - Ontario Land Tribunal Decision (OLT-22-003352), dated July February 2, 2023
3. Confidential Attachment 1 - Confidential Information