

**690-720 Sheppard Avenue East – Ontario Land
Tribunal Hearing – Request for Directions**

Date: June 11, 2026

To: City Council

From: City Solicitor

Wards: Ward 17 - Don Valley North

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 October 20, 2022, the City received Official Plan Amendment ("OPA"), Zoning By-law Amendment ("ZBA"), and Rental Housing Demolition ("RHD") applications to permit the redevelopment of the site at 690-720 Sheppard Avenue East (the "Site") with two mixed-use buildings of 32 and 28 storeys.

On February 24, 2025, the applicant appealed City Council's neglect or failure to make a decision on the OPA and ZBA applications within statutory timeframes (the "Applications") to the Ontario Land Tribunal ("OLT").

On June 1, 2026, the applicant filed revised plans with the OLT, which plans are attached as Public Attachment 1 (the "Revised Plans"). The OLT hearing will now proceed on the basis of the Revised Plans.

The City Solicitor requires further directions for the upcoming OLT hearing scheduled to commence on October 20, 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" 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 October 20, 2022, the City received OPA, ZBA, and RHD applications to permit the redevelopment of the Site with two mixed-use buildings of 32 and 28 storeys. The RHD application in particular proposes to demolish the 15 existing rental dwelling units on the Site.

On February 24, 2025, the applicant appealed City Council's neglect or failure to make a decision on the Applications to the OLT (the "Appeal").

On June 25 and 26, 2025, an Appeal Report on the Applications was adopted by City Council directing the City Solicitor and appropriate City staff to attend the OLT hearing to oppose the Applications and to continue discussions with the applicant in an attempt to resolve outstanding issues. The Appeal Report can be found at the following link: <https://secure.toronto.ca/council/agenda-item.do?item=2025.NY24.3>

COMMENTS

Policy Context for the Applications

On December 18, 2024, City Council adopted the Renew Sheppard East Secondary Plan (Official Plan Amendment 777) through By-law 1437-2024. By-law 1437-2024 was appealed to the OLT by several landowners, including by the owner of the Site. Since the appeal of OPA 777, the OLT has held three Case Management Conferences ("CMCs"): the first on May 6, 2025, the second on November 14, 2025, and the third on May 15, 2026.

The decision of City Council of the Renew Sheppard East Secondary Plan in December 2024 can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2024.NY19.11>

On August 15, 2025, the Ministry of Municipal Affairs and Housing approved, with modifications, 120 Major Transit Station Area (MTSA) and Protected Major Transit Station Area (PMTSAs) boundaries and policies through OPAs 540 and 570. The Site is located within the Bessarion Station MTSA through SASP 730, as approved by the Minister. Chapter 8 of the Official Plan contains the approved PMTSA and MTSA policies and SASPs and can be found here:

<https://www.toronto.ca/wp-content/uploads/2025/08/9465-CityPlanning-Official-PlanChapter-8-SASPs.pdf>

Participation in the OLT Process for the Site

On June 18, 2025, the OLT held the first CMC for the Appeal, wherein three individuals were granted Participant Status and a second CMC was scheduled.

On January 27, 2026, the OLT held a second CMC, wherein a nine-day hearing was scheduled to commence on October 20, 2026.

On June 1, 2026, the applicant filed the Revised Plans with the OLT, which are attached as Public Attachment 1. The OLT hearing will now proceed on the basis of the Revised Plans.

The Revised Plans

In response to the concerns raised by City staff with the applicant, the Revised Plans include a number of modifications, which are reflected in the chart below.

	Original Plans (November 4, 2024)	Revised Plans (May 29, 2026)
FSI (Net)	7.28	7.75
Residential GFA (square metres)	54,700.77	58,397.67
Non-residential GFA (square metres)	1,221.88 (Retail: 1,096.66; Retail Garbage and Elevator Lobbies: 125.22)	1,450.5 (Retail: 1,331.68; Retail Garbage: 118.82)
Mid-Block Connection	N/A	Provided
Indoor Amenity (square metres)	1,474.42	2,087.28

	Original Plans (November 4, 2024)	Revised Plans (May 29, 2026)
Outdoor Amenity (square metres)	1,479.83	1,312.32
New Residential Units	1 Bedroom – 418 (60.57 percent) 2 Bedroom – 216 (31.15 percent) 3 Bedroom – 59 (8.26 percent) Total – 690	1 Bedroom – 566 (70.31 percent) 2 Bedroom – 153 (19.01 percent) 3 Bedroom – 86 (10.68 percent) Total – 805
Building Heights (Exclusive of Mechanical Penthouse)	<u>Building A</u> = 32 storeys (100.80 metres) <u>Building B</u> = 28 storeys (92.25 metres)	<u>Building A</u> = 38 storeys (121.65 metres) <u>Building B</u> = 35 storeys (113.26 metres)
Podium	8 storeys	4-6 storeys (with 1- and 2- storey portions on the west and east sides, respectively)
Tower Stepbacks from Base Buildings along Sheppard Frontage (metres)	3.0	5.0
Tower A's Setback at Southeast Corner (metres)	2.01	3.0
Tower B's Setback from Future Public Park (metres)	8.83	22.8
Tower Separation (metres)	70.2	40.8
Vehicle Parking (Resident, Visitor, Retail)	Resident – 282 Visitor – 71 Retail – 20 Total – 373	Resident – 291 (+9) Visitor – 83 (+12) Retail – 22 (+2) Total – 396 (+23)
Vehicle Parking (Accessible)	11	16 (+5)

	Original Plans (November 4, 2024)	Revised Plans (May 29, 2026)
Bicycle Parking	Resident – 482 Visitor – 57 Retail – 9 Total – 548	Resident – 565 Visitor – 60 Retail – 9 Total – 634

The driveway from Burbank Drive will provide access to the site’s parking and loading supply. The access from Sheppard Avenue East is now intended primarily to support pick-up and drop-off ("PUDO") activity and commercial retail use. It functions as a closed-loop facility and no longer provides access to the site’s parking supply. The PUDO area is proposed to include seven surface parking spaces, serving the seven retail units located within the base of the two towers. Future cycling infrastructure is planned along Sheppard Avenue East. Vehicles entering and exiting the proposed PUDO facility would be required to cross future cycling facilities and pedestrian movements along the corridor. Official Plan policies in Section 3.1.2 (Built Form) require development to be organized to support safe pedestrian movement, minimize conflicts between pedestrians and vehicles, and enhance the public realm, while Policy 3.1.3.4 encourages the use of shared access arrangements and the consolidation and minimization of driveway widths and curb cuts. In addition, Section 10.5.80.40(3) of Zoning By-law 569-2013 generally prioritizes vehicular access from a lane or flanking street where available.

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. Public Attachment 1 - Revised Plans from KIRKOR Architects and Planners dated May 29, 2026
2. Confidential Attachment 1 - Confidential Information
3. Confidential Appendix "A" - Confidential Information