



REPORT FOR ACTION WITH CONFIDENTIAL ATTACHMENT

Renew Sheppard East Secondary Plan – Ontario Land Tribunal Hearing – Request for Directions

Date: July 15, 2026

To: City Council

From: City Solicitor

Wards: Ward 17 and Ward 18 - Don Valley North and Willowdale

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

City Council adopted Official Plan Amendment 777 ("OPA 777"), which included the Renew Sheppard East Secondary Plan (the "Secondary Plan"). Seventeen (17) landowners appealed City Council's decision to adopt OPA 777 to the Ontario Land Tribunal (the "OLT").

The OLT has conducted three Case Management Conferences ("CMC"s) and has scheduled a fourth Case Management Conference for September 28, 2026. It is anticipated that the OLT will issue a Procedural Order and schedule a hearing of the appeals at the September 28, 2026 CMC.

The City Solicitor requires further directions for the upcoming CMC scheduled for September 28, 2026. This matter is therefore 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 in Confidential Attachment 1, along with the entirety of Confidential Appendix "B," to this report from the City Solicitor, if adopted by City Council.

3. City Council direct that the entirety of Confidential Appendix "A", the entirety of Confidential Appendix "C", and 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 26, 2018, City Council directed Planning Staff to review the existing policies contained within the Sheppard East Subway Corridor Secondary Plan and the associated Bessarion-Leslie Context Plan for the lands located to the north and south of Sheppard Avenue East between the east side of Bayview Avenue and the east side of Leslie Street. City Council's decision can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.NY31.8>

On March 1, 2021, North York Community Council directed City Planning Staff to provide a Status Report on the Sheppard Avenue East Planning Review. Community Council's decision can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY22.26>

On February 2, 2022, City Council adopted a status report and work plan for the review of the Sheppard Avenue East Planning Review (now called Renew Sheppard East Planning Study). City Council directed staff to build upon the completed review and undertake a study to analyze a policy framework for street and block networks, compatible land use, parks and open spaces, enhanced public realm, heritage, built form, multi-modal transportation options, and adequate servicing infrastructure. City Council's decision can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.NY29.27>

At its meeting on July 19 to 22, 2022, City Council adopted the recommended Major Transit Station Areas (MTSA) and Protected Major Transit Station Areas (PMTSA) Official Plan Amendments (OPA 540, OPA 544, OPA 570, and OPA 575), to amend Chapter 8 of the Official Plan pursuant to Sections 16(15) and 26 of the *Planning Act*. The Minister of Municipal Affairs and Housing subsequently modified and approved these OPAs. City Council's decision can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.PH35.16>

The Minister-approved OPAs can be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/official-plan-review/>

At its meeting on December 17 and 18, 2024, City Council adopted Official Plan Amendment 777 and endorsed the Renew Sheppard East Transportation Planning Study Final Report, the Community Services and Facilities Strategy, and the Servicing Capacity Assessment to use in the review of development applications in the Plan Area. City Council's decision can be found here:

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

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
4. Confidential Appendix "C" - Confidential Information