

3718 and 3730 Kingston Road – Zoning By-law Amendment – Appeal Report

Date: June 26, 2026

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: 24 - Scarborough-Guildwood

Planning Application Number: 21 192052 ESC 24 OZ

Related Planning Application Number: 23 139161 ESC 24 SA

SUMMARY

This report provides updates on item SC31.2 - 3718 and 3730 Kingston Road – Zoning By-law Amendment. On June 3, 2026 the applicant appealed the application to the Ontario Land Tribunal (the "OLT") citing the failure of City Council to make a decision within the time frame legislated by the *Planning Act*.

Through the Decision Report submitted to Scarborough Community Council, staff recommended approval of the 24 storey building containing 419 residential units and 672 square metres of non-residential gross floor area. Scarborough Community Council considered this item and recommended that City Council refuse the application. [City Council](#) subsequently considered the item on May 21, 2026, and referred it to the July 9, 2026 Scarborough Community Council meeting to allow the proponent to finalize their proposal in conjunction with a community meeting paid for at their expense. As the applications have been appealed, the requests made of the applicant through the referral have not been undertaken.

The appealed application remains in the form previously recommended for approval by staff. This report recommends that City Council direct the City Solicitor and other staff as appropriate, attend the OLT to support the application in its current form.

RECOMMENDATIONS

The Director, Community Planning, Scarborough District recommends that:

1. City Council direct the City Solicitor, together with Development Review staff and other staff as appropriate, to attend the Ontario Land Tribunal hearing in support of the Zoning By-law Amendment application for the property at 3718 and 3730 Kingston Road.

2. City Council authorize the City Solicitor and City Staff to take any necessary steps to implement City Council's decision, including requesting any conditions of approval that would be in the City's interest, in the event the Ontario Land Tribunal allows the appeal, in whole or in part.

FINANCIAL IMPACT

There are no financial implications resulting from the recommendations included in this Report in the current budget year or in future years.

DECISION HISTORY

At its meeting of April 30, 2026, Scarborough Community Council considered a Decision Report on the subject application recommending approval of a Zoning By-law amendment to permit a 24 storey building containing 419 residential units and 672 square metres of non-residential gross floor area. Community Council adopted a motion recommending that City Council refuse the application. This was considered by City Council at its meeting of May 20 and 21, 2026 and the item was referred to the July 9, 2026 meeting of Scarborough Community Council to provide the applicant with an opportunity to further revise the proposal and undertake a community meeting at the applicant's expense.

The decisions of Scarborough Community Council and City Council can be found at the following link:

<https://secure.toronto.ca/council/agenda-item.do?item=2026.SC31.2>

COMMENTS

An appeal of the application was filed by Goodmans LLP on behalf of the applicant to the OLT on June 3, 2026, and was received by the City Clerk's Office on the same date. As the applicant has filed an appeal, the requests made of the applicant as part of City Council's referral have not been fulfilled.

The appealed application remains in the form that was previously recommended to Scarborough Community Council for approval in the Decision Report dated April 13, 2026.

The application was deemed complete on March 29, 2023, and was circulated to City divisions and external agencies for review. It also benefited from three community consultation meetings held in 2021 for a 14-storey mid-rise development proposal, in 2023 to present a revised proposal consisting of a 20-storey tall building and in 2026 to present a further revised proposal that increased the building height from 20 to 24 storeys. Issues raised in those meetings including how they were addressed through the review of the application are detailed in the Decision Report.

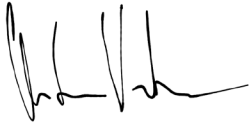
As also noted in the Decision Report, City staff are of the opinion that the proposal is consistent with the Provincial Planning Statement 2024 (PPS 2024). It also conforms to the Official Plan, particularly as it relates to the development criteria for *Mixed Use Areas*, and meets the intent of the Tall Building Guidelines.

Since the application remains in the form previously recommended for approval by staff, this report recommends that City Council direct the City Solicitor and, other staff as appropriate, attend the OLT to support the application in its current form.

CONTACT

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SIGNATURE



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