

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: December 03, 2024

CASE NO(S): OLT-23-000218

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant:	Cheong Family Holdings Ltd.
Subject:	Official Plan Amendment
Description:	To permit development of 29-storey building containing 143 dwelling units
Property Address:	69 Yorkville Avenue
Municipality/UT:	Toronto
Municipal File No.:	21 234044 STE 11 OZ
OLT Case No.:	OLT-23-000218
OLT Lead Case No.:	OLT-23-000218
OLT Case Name:	Cheong Family Holdings Ltd. v. Toronto (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant/Appellant:	Cheong Family Holdings Ltd.
Subject:	Zoning By-law Amendment
Description:	To permit development of 29-storey building containing 143 dwelling units
Property Address:	69 Yorkville Avenue
Municipality/UT:	Toronto
Municipal File No.:	21 234044 STE 11 OZ
OLT Case No.:	OLT-23-000219
OLT Lead Case No.:	OLT-23-000218

Heard: December 2, 2024, by video hearing

APPEARANCES:**Parties****Counsel/Representative***

Cheong Family Holdings Ltd.
("Applicant")

Christopher Tanzola
Natalie Ast
Daniel Teichman, *articling-student*

City of Toronto
("City")

Sarah O'Connor
Adam Ward

Toronto Standard Condominium
Corporation 2075
("Toronto Standard")

Jennifer Ricci*

ABC Residents Association

Andrew Biggart

Greater Yorkville Ratepayers
Association
("Greater Yorkville")

Andrew Biggart

Minto Apartment GP Inc., as general
partner for Minto Apartment Limited
Partnership
("Minto")

Christie Gibson

**MEMORANDUM OF ORAL DECISION DELIVERED BY JEAN-PIERRE BLAIS ON
DECEMBER 2, 2024 AND ORDER OF THE TRIBUNAL**

INTRODUCTION

[1] The Applicant sought to develop a site municipally known as 69 Yorkville Avenue in the City ("Subject Property") to construct a 29-storey mixed-use building containing 143 dwelling units, two-ground level retail spaces and two floors of office space. To this end, the Applicant had applied to amend the City's Official Plan ("OPA") and for a Zoning By-law amendment ("ZBA"). The Appeals are brought pursuant to sections 22(7) and 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended ("Act"), due to the City's refusal of the OPA and ZBA.

[2] At the first Case Management Conference (“CMC”), held on August 31, 2023, the concurrent Site Plan Application, made pursuant to section 114(15) of the *City of Toronto Act*, S.O 2006, c. 11, Sched. A, as amended, was set on a separate administrative track pending the resolution of the OPA and ZBA Appeals.

[3] At the first CMC, the OPA and ZBA Appeals were originally set down for a 13-day Merit Hearing, to commence on December 2, 2024. A Procedural Order was issued on September 18, 2023.

POTENTIAL SETTLEMENT

[4] With the concurrence of all the Parties, the Tribunal converted the planned Merit Hearing into the present second CMC. The Applicant had requested an adjournment of the Merit Hearing because it had submitted with the City revised plans in October 2024 as part of an offer to settle the Appeals (“Revised Plans”). The Applicant had requested that the City consider the Revised Plans at its meeting of November 2024.

[5] The Applicant had suggested an adjournment of the Merit Hearing and the re-setting of a 10-day hearing in the second quarter of 2025.

[6] The proposed Revised Plans did not result in a settlement and the Parties requested at this CMC that the Tribunal set a new Hearing date. The Parties indicated that a nine-day Hearing would be appropriate.

NEXT STEPS

[7] The Tribunal directed that a new draft Procedural Order and Issues List be filed with the Tribunal by **Monday, December 16, 2024**. The Tribunal noted that the Issues List may have to be reviewed considering the new Provincial Planning Statement (2024) and the Revised Plans which have been filed with the Tribunal.

[8] Having canvassed all Parties on their availabilities, the Tribunal directed that a **nine-day** Merit Hearing be set for **10 a.m. on Monday, July 28, 2025**, by video hearing. The Tribunal will not sit on **Monday, August 4, 2025**.

[9] Parties and Participants are asked to log into the video hearing at least **15** minutes before the start of the event to test their video and audio connections.

<https://meet.goto.com/677087597>

Access Code:677-087-597

[10] Parties and Participants are asked to access and set up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoTo Meeting](https://app.gotomeeting.com/home.html) or a web application is available:
<https://app.gotomeeting.com/home.html>.

[11] Individuals who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling into an audio-only telephone line: **(Toll-Free) 1-888-455-1389 or +1 (647) 497-9391**.
The Access Code is 677-087-597.

[12] Individuals are directed to connect to the event on the assigned date at the correct time. It is the responsibility of the persons participating in the hearing by video to ensure that they are properly connected to the event at the correct time. Questions prior to the hearing event may be directed to the Tribunal's Case Coordinator having carriage of this case.

ORDER

[13] **THE TRIBUNAL ORDERS** its directions in this Decision.

“Jean-Pierre Blais”

JEAN-PIERRE BLAIS
MEMBER

Ontario Land Tribunal

Website: www.olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.