

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: August 09, 2017

CASE NO(S): MM170016

PROCEEDING COMMENCED UNDER subsection 114(15) of the *City of Toronto Act*, 2006, S.O. 2006, c. 11, Sched. A

Subject: Site Plan
Referred by: 179 Sheppard Avenue Ltd and 181 Sheppard Avenue East Ltd.
Property Address/Description: 179-181 Sheppard Avenue E
Municipality: City of Toronto
OMB Case No.: MM170016
OMB File No.: MM170016
OMB Case Name: 179 Sheppard Avenue Ltd and 181 Sheppard Avenue East Ltd. v. Toronto (City)

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

Applicant and Appellant: 179 Sheppard Avenue Ltd and 181 Sheppard Avenue East Ltd.
Subject: Application to amend Zoning By-law No. 7625 - Refusal of Application by City of Toronto
Existing Zoning: C2 (Local Shopping Centre)
Proposed Zoning: Site Specific
Purpose: To permit a 10 storey building with 230 units and 1,750 square metres of ground floor retail space
Property Address/Description: 179-181 Sheppard Avenue E
Municipality: City of Toronto
Municipality File No.: 16 225685 NNY 23 OZ
OMB Case No.: MM170016
OMB File No.: PL170204

Heard: July 24, 2017 in Toronto, Ontario

APPEARANCES:**Parties**

City of Toronto

179 Shephard Avenue Ltd. and 181
Shephard Avenue East

Tilzen Holdings Limited

Counsel

M. Crawford

J. Park, M. Cook

D. B. Artenosi, C. Tanzola

DECISION DELIVERED BY K. J. HUSSEY AND ORDER OF THE BOARD

[1] This first pre-hearing conference (“PHC”) was set to determine procedural matters that will govern the hearing of the appeals filed by 179 Shephard Avenue Ltd. and 181 Shephard Avenue East, with respect to the City of Toronto’s refusal of the rezoning application made in respect of lands municipally known as 179 Shephard Avenue East and 181 Shephard Avenue East (the “subject site”). The Applicants have also referred to this Board the application for Site Plan Approval for the subject site, filed concurrently with the rezoning application, and on which the City failed to make a decision.

[2] The Board is in receipt of the Affidavits of Service dated June 15, 2017 and June 19, 2017 (Exhibit 1), and is satisfied that adequate notice has been given for this event.

Development Proposal

[3] The proposal is to redevelop the subject site into a terraced ten storey mixed-use building with a total of 230 condominium units, and commercial uses on the ground floor. This proposal requires amendments to the former City of North York Zoning By-law No. 7625 and the City Wide Zoning By-law No. 569- 2013, which is not yet approved.

Party and Participant Status

[4] On consent, the Board granted party status to Tilzen Holdings Limited.

[5] The following persons were granted participant status:

1. Shojaddin Tabibjadeh
2. Mehran Kasravi
3. Juan Seymour & Janna Seymour et al
4. Dan Brozic
5. Mary-Ann Evely
6. Jeff Oulahen
7. Pat Foley
8. Tom Haddock

Procedural Order

[6] The draft Procedural Order provided at this proceeding (Exhibit 2) is to be finalized and filed by the next pre-hearing conference.

Future Events

[7] The Board has fixed the following dates on its calendar:

1. **Wednesday, November 8, 2017 at 10 a.m.** for a second PHC for presenting a finalized issues list and Procedural Order and to deal with any other matter as determined by the parties.
2. **Monday, March 19, 2018 at 10 a.m.** for the hearing of these matters, for which **five days have been set aside.**

[8] Both events will be held at:

**Ontario Municipal Board
655 Bay Street,
16th Floor
Toronto, ON**

[9] There will be no further notice.

[10] This panel is not seized.

"K. J. Hussey"

K. J. HUSSEY
VICE CHAIR

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Ontario Municipal Board

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