

ISSUE DATE:

Apr. 12, 2011



PL101201

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

Kingston Road Development Corporation has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Official Plan for the former City of Toronto to redesignate lands municipally known as 580, 590 and 592 Kingston Road to permit a six-storey, 47-unit apartment building

Approval Authority File No. 09 192003 STE OZ
O.M.B. File No. PL101201

Kingston Road Development Corporation has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 438-86, as amended, of the former City of Toronto to rezone lands respecting 580, 590 and 592 Kingston Road to permit the infill residential redevelopment comprising a 47-unit apartment building
O.M.B. File No. PL101285

IN THE MATTER OF subsection 41(12) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Referred by:	Kingston Road Development Corporation
Subject:	Site Plan
Property Address/Description:	580, 590 and 592 Kingston Road
Municipality:	City of Toronto
OMB Case No.:	PL101201
OMB File No.:	PL101163

APPEARANCES:

Parties

Counsel

Kingston Road Development Corporation	Amber Stewart
City of Toronto	Sarah Rogers
Friends of Glen Davis Ravine	Julia Croome

**MEMORANDUM OF ORAL DECISION DELIVERED BY J. E. SNIEZEK ON
MARCH 21, 2011 AND ORDER OF THE BOARD**

Introduction

Kingston Road Development Corporation (the Appellant) filed a rezoning, request

to amend the Official Plan and request for site plan approval with the City of Toronto (the City) on November 27, 2009. The City declared the applications to be complete in December 2009. On October 27, 2009, the Appellant filed appeals with the Board.

The City prepared a Planning Report (Exhibit 2) that went to the East York Community Council Meeting on February 16, 2011 and was adopted on March 8, 2011. The report contained 43 requests for changes or additional information.

The Position of the Appellant

The Appellant has prepared a draft procedural order (Exhibit 1) that requests the Board to set a two-week hearing for July 11, 2011.

The Position of the City

The City proposed the following schedule:

- Submissions by the Appellant – six weeks (May 2, 2011)
- City review period – eight weeks (June 27, 2011)
- Pre-hearing Conference – two days (July 11, 2011)
- Hearing – two weeks (in August 2011)

Friends of Glen Davis Ravine

The Friends of Glen Davis Ravine wish to be involved in the settlement and pre-hearing process and hope to resolve the issues prior to a hearing. The Friends of Glen Davis Ravine are open to developing a list of their concerns over the next two weeks.

Disposition

The goal of the process should be a settlement not a hearing. In order to facilitate that goal, the Board sets out the following time table:

- The Friends of Glen Davis Ravine shall submit a list of their concerns to the Appellants and the City within two weeks (April 5, 2011).
- The Appellants will submit a revised submission to the City (circulated to the Friends of Glen Davis Ravine) within six weeks (May 2, 2011).
- The City will complete its review of the Appellants submissions within eight weeks (June 27, 2011).
- The Board will schedule a Telephone Conference Call (“TCC”) for 9:00 a.m. on June 15, 2011. The TCC operator numbers are (416) 212-8012 and 1(866) 633-0848. The telephone access code is 4779874#. No further notice will be given. The purpose of the TCC is to monitor the progress of the hearing.
- The Board tentatively sets a Settlement Hearing for two days – July 13 and 14, 2011, commencing at 10:00 a.m. at the Board Offices at 655 Bay Street, Toronto, Ontario.
- The Board tentatively sets a Hearing for August 8 – 12, 2011, commencing at 10:00 a.m. at the Board Offices at 655 Bay Street, Toronto, Ontario.

The Parties may wish to consider a request to have this matter mediated.

The Member will continue to case manage the matter subject to the requirements of the Board’s Hearing Calendar.

So Orders the Board.

“J. E. Sniezek”

J. E. SNIEZEK
MEMBER