

**Ontario Municipal Board**  
Commission des affaires municipales  
de l'Ontario



**ISSUE DATE:** May 21, 2014

**CASE NO(S).:** PL131323

Appellant: (20) Ashtonbee Holdings Limited  
Appellant: (King-Church) Investments Ltd.  
Appellant: 1107051 Ontario Ltd.,  
Appellant: 111 St Clair Ave W Invest. & 2246299 Ontario Inc.; and  
others  
Subject: Proposed Official Plan Amendment No. OPA 199  
Legislative Authority: Subsection 17(24) of the *Planning Act*, R.S.O. 1990, c.  
P.13, as amended  
Municipality: City of Toronto  
OMB Case No.: PL131323  
OMB File No.: PL131323

**APPEARANCES:**

**Parties**

**Counsel<sup>+</sup>/Representative**

City of Toronto

Kelly Matsumoto+  
Chris Barnett+

Ministry of Municipal Affairs and  
Housing

Janice Page+

The Confederation of Residents and  
Ratepayer  
Association in Toronto ("CORRA")

Eileen Denny

**HEARING EVENT INFORMATION:**

Prehearing Conference:

Held in Toronto, Ontario on April 28, 2014

**MEMORANDUM OF ORAL DECISION DELIVERED BY JASON CHEE-HING ON  
APRIL 28, 2014 AND ORDER OF THE BOARD**

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**INTRODUCTION**

[1] This is the first prehearing conference (“PHC”) into the appeals filed against the Ministry of Municipal Affairs and Housing (“MMAH”) decision to approve Official Plan Amendment (“OPA”) No.199 to the City of Toronto (“City”) Official Plan (“OP”). MMAH is the approval authority for the City’s OP pursuant to s. 17(31) of the *Planning Act* (“Act”).

[2] By way of brief background, in 2011 the City commenced its five year review of the OP as required pursuant to s. 26 of the Act. OPA No.199 represented one component of this review. OPA No.199 will have the effect of adding to or changing policies which relate to heritage conservation practices within the City consistent with provincial legislation dealing with heritage matters.

[3] MMAH advised that 50 appeals were received within the 20-day appeal period. The majority of the appeals (47) are site specific. Three appellants filed City-wide appeals (Attachment 1).

[4] The City provided a status update and advised that discussions have already started with the site specific appellants and they were optimistic that the majority of the site specific appeals would be settled. The City and the representatives for the three City-wide appeals requested that the Board schedule a hearing date of two weeks. Hearing dates for any remaining site-specific appeals would be dealt with only after the City-wide appeals have been disposed of.

[5] Counsels for the City-wide appellants and the City requested a mediation assessment by the Board.

[6] The Confederation of Residents and Ratepayer Association in Toronto (“CORRA”) requested party standing at these proceedings. CORRA is an incorporated entity. CORRA made oral and written submissions to City Council with respect to OPA 199. CORRA also made written submissions to the MMAH. Eileen Denny, spokesperson for CORRA, wanted an opportunity to further study OPA No. 199 before determining its final position at these hearings. Ms. Denny advised that CORRA wanted to ensure that OPA No. 199’s policies properly reflected changes in provincial legislation in respect of heritage conservation matters. The Board granted CORRA party status at the hearing into the City-wide appeals. The Board expects CORRA to make its position clearly known at the next PHC.

[7] The Board set down the following dates and events:

1. The next PHC will be held on **Tuesday, September 2, 2014** commencing at **10 a.m.** The City will submit a draft Procedural Order to the Board's caseworker at least five business days before the PHC.
2. The hearing into the City-wide appeals has been set down for **Monday, March 23, 2015** for two consecutive weeks commencing at **10 a.m.**

[8] The Board will conduct a mediation assessment of the three City-wide appeals. The parties are encouraged to continue their ongoing discussions with the City on their individual appeals.

[9] This panel of the Board will continue to case manage these matters but is not seized of the main hearing.

*"JASON CHEE-HING"*

JASON CHEE-HING  
MEMBER

**Ontario Municipal Board**

A constituent tribunal of Environment and Land Tribunals Ontario

Website: [www.elfto.gov.on.ca](http://www.elfto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

# ATTACHMENT 1

No.	APPELLANT	PROPERTY	REPRESENTATIVE
1	The Building Industry and land Development Association ("BILD")	City-wide	John Dawson
2	94 Cumberland Inc.	94 Cumberland Street	Adam Brown Jessica Smuskowitz
3	Alimar Grove Estates Inc.	40-58 Widmer Street	
4	111 St. Clair Avenue West Investments Inc. and 2246299 Ontario Inc.	101, 111 and 129 St. Clair Avenue West (Formerly 111 St. Clair Avenue West)	
5	621 King Developments Ltd.	621 King Street West	
6	Queen Simcoe Inc.	219 Queen Street West	
7	1920 and 1940 Eglinton Avenue East and 20 Ashtonbee Road	(20) Ashtonbee Holdings Limited	
8	The Rose & Thistle Group Ltd.	The Rose & Thistle Group Ltd. 450 Pape Avenue	
9	NE Holdings Inc. & Penlim Investments	2263-2285 Yonge Street, 8-10 Eglinton Avenue East & 25-25R Roehampton Avenue	
10	Wittington Properties Limited	500 Lakeshore Boulevard West	
11	Lifetime Developments	20 Edward Street	
12	Roverella Developments Limited	250 Front Street East	
13	MK 37 Yorkville Inc.	27 and 37 Yorkville Avenue & 26, 28, 30 and 50 Cumberland Street	
14	133 Hazelton Inc.	131A, 131B, 131C and 133 Hazelton Avenue & 191 and 195 Davenport Road	
15	State Building Group	316 Bloor Street West	
16	213 & 219 St. Clair Holdings Ltd	213-223 St. Clair Avenue West	
17	Bay-Yorkville Developments Ltd	53 and 59 Scollard Street and 1275 Bay Street (formerly part of 50-60 Yorkville Avenue)	
18	Noir Residences Inc.	81-87 Peter Street	
19	Harbour Plaza Residences Inc. and One York Street Inc.	90 Harbour Street and 1 York Street	
20	Petaluma Building Corp.	324-338 Richmond Street West	
21	129 Hazelton Inc.	129 Hazelton Avenue	
22	Mizrahi Development Group (145 Davenport) Inc. & Mizrahi	145-185 Davenport Road	

	Development Group (185 Davenport) Inc.		
23	Lifetime Adelaide Street Inc.	290 Adelaide Street West	
24	BSAR (Danforth) Ltd.	2362- 2388 Danforth Avenue	
25	21 Avenue Road Investments Inc	21 Avenue Road	
26	(King-Church) Investments Limited	101 King Street East and 54-70 Colborne Street	
27	560 KingDevelopments Ltd.	560-570 King Street West	
28	Lifetime Developments	10 St. Mary Street	
29	Menkes Church Street Holdings	365 to 375 Church Street	
30	Menkes Richmond Holdings Inc.	431, 441 and 445 Richmond Street West	
31	Pinedale Properties Ltd.	77 Clarendon Avenue and 159 Russell Hill Road	
32	609 Avenue Toronto Developments	609 Avenue Road	
33	State Building Group	55 Eglinton Avenue East	
34	State Building Group	400 Front Street West	
35	Shiupong (231 College) Limited	231-237 College Street & 177-189 Huron Street	
36	Temperance Residences Inc.	66 Temperance Street	Adam Brown
37	Liberty Market Building Inc.	171 East Liberty Street	
38	Lifetime 56 Blue Jays Way Inc.	56 Blue Jays Way	
39	Grenville Residence Inc.	9-21 Grenville Street	
40	Allied Properties REIT	489, 495, 499 King Street West	Kim Kovar
41	375-381 Queen Street West Inc.	375-381 Queen Street West and 375R Queen Street West	Kim Kovar
42	Starcorp. Properties Inc	587-599 Yonge Street, 2-4 Dundonald Street and 7-9 Gloucester Street	Kim Kovar
43	Dalhousie Residences Inc. and Queensgate Developments Inc.	Dalhousie Residences Inc. and Queensgate Developments Inc. 64-70 Shuter Street	Kim Kovar
44	Parliament (Block A) Investments Limited, Bloor Parliament (Block B) Investments Limited and Bloor Parliament (Block D) Investments Limited	6, 8, 10,12, 14, & 16 Glen Road, 4, 6, 58, 60, 62, 64, 76 & 100 Howard Street and 603, 605, 607, 609 & 611 Sherbourne Street	Kim Kovar
45	2075125 Ontario Inc.	15-35 Mercer Street	Kim Kovar
46	1107051 Ontario Ltd. And Cabo Three Investments Inc.	401-415 King Street West	Kim Kovar
47	Redpath Sugar Ltd.	95 Queens Quay East	Calvin Lantz
48	Wychwood park	Wychwood Park Ratepayers	Marc Kemerer

		Association	
49	Cadillac Fairview Corporation Limited	City-wide	Patrick Devine
50	Roman Catholic Episcopal Corporation for the Diocese of Toronto, in Canada (the "Diocese")	City-wide	Steven O'Melia

