

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



**ISSUE DATE:** February 10, 2015

**CASE NO(S):** PL140790

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

Applicant and Appellant:	Rosedale Developments Ltd.
Subject:	Request to amend the Official Plan - Failure of the City of Toronto to adopt the requested amendment
Existing Designation:	12.27
Proposed Designation:	Residential and Commercial/Retail
Purpose:	To permit 34 storey mixed use building
Property Address/Description:	4917-4975 Yonge Street et al
Municipality:	City of Toronto
Approval Authority File No.:	11 330487 NNY 23 OZ
OMB Case No.:	PL140790
OMB File No.:	PL140790

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

Applicant and Appellant:	Rosedale Developments Ltd.
Subject:	Application to amend Zoning By-law No. 7625 – Refusal or neglect of the City of Toronto to make a decision
Existing Zoning:	RM6(155) and RM6(107)
Proposed Zoning:	Site Specific (To be determined)
Purpose:	To permit 34 storey mixed use building
Property Address/Description:	4917-4975 Yonge Street et al
Municipality:	City of Toronto
Municipal File No.:	11 330487 NNY 23 OZ
OMB Case No.:	PL140790
OMB File No.:	PL140791

Heard: February 5, 2015 in Toronto, Ontario

**APPEARANCES:****Parties**

Rosedale Developments Ltd.

**Counsel**

John Alati

**ORAL DECISION DELIVERED BY R. ROSSI ON FEBRUARY 5, 2015 AND  
ORDER OF THE BOARD**

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**INTRODUCTION**

[1] The Applicant/Appellant, Rosedale Developments Ltd. (“Appellant”) has appealed to the Ontario Municipal Board (“Board”) the failure of the City of Toronto to make a decision on its Official Plan Amendment (“OPA”) and Zoning By-law Amendment (“ZBA”). The nature of the proposed OPA and ZBA is as follows.

[2] If approved, the OPA would permit the maximum height for the mixed use building to increase from 100 metres (“m”) to 114 m maximum; reduce the minimum required non-residential gross floor area (“GFA”) and increase the maximum permitted GFA; adjust the long range development levels of the North York Centre Secondary Plan accordingly; and allow portions of the first three floors to be used for residential support uses such as garbage rooms, mail rooms and corridors as well as a residential lobby and commercial uses.

[3] If approved, the ZBA would permit a revised design for the previously approved 35-storey, mixed use building on the subject lands of the entire block bounded by Yonge Street, Doris Avenue, Spring Garden Avenue and Hollywood Avenue. Height would increase from 100 m to 114 m maximum as would the maximum permitted height of portions of the podium. There would be shared parking between uses within the building; an increase in the maximum permitted lot coverage; a reduction in the minimum permitted landscaped area; and would enable portions of the first three floors to be used for the aforementioned uses (as listed above in the OPA). This ZBA also

proposes that the existing north-south driveway, which serves the existing apartment buildings at 23 Hollywood Avenue and 18 Spring Garden Avenue, would also serve the proposed mixed use building at 4917-4975 Yonge Street; and to adjust the western extent of the permitted building envelopes for the adjacent apartment building and recreational amenity building at 23 Hollywood Avenue to coincide with the eastern edge of the existing driveway. This instrument would facilitate construction of an increased number of dwelling units and non-residential GFA as well as five levels of underground parking with approximately 622 parking spaces. Details will be furnished to the Board at the forthcoming hearing.

[4] On consent, the Board has administratively consolidated the site plan appeal with these appeals.

[5] The parties requested a May 2015 date for a two-day hearing. On consent, the Board schedules the hearing to commence on: **Tuesday, May 19, 2015 and conclude on or before Wednesday, May 20, 2015. The hearing will commence at 10 a.m. at:**

**Ontario Municipal Board  
655 Bay Street,  
16<sup>th</sup> Floor  
Toronto, ON**

[6] No further notice is required and the Member is not seized.

*"R. Rossi"*

R. ROSSI  
MEMBER

**Ontario Municipal Board**  
A constituent tribunal of Environment and Land Tribunals Ontario  
Website: [www.elto.gov.on.ca](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248