

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: October 5, 2015

CASE NO(S): PL140860

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant:	10 QEW Inc. et. al.
Subject:	Proposed Official Plan Amendment No. 231
Municipality:	City of Toronto
OMB Case No.:	PL140860
OMB File No.:	PL140860
OMB Case Name:	A. Mantella & Sons Limited v. Toronto (City)

Heard: June 22, 2015 in Toronto, Ontario

APPEARANCES:

Parties

Counsel*/Representative

See Attachment 1

Participants

See Attachment 2

MEMORANDUM OF ORAL DECISION DELIVERED BY R. G. M. MAKUCH ON JUNE 22, 2015 AND ORDER OF THE BOARD

[1] This is the second first Pre-hearing Conference respecting appeals against Official Plan Amendment No. 231 "Employment Areas Lands" adopted by City of Toronto Council.

[2] 434925 Ontario Limited is granted party status on consent following confirmation by it as to the appeals under which it is sheltering as well as the policies it is taking issue with.

[3] Sorauren Developments Inc. has made a request for party status and will be granted such status upon providing confirmation to the City and the Board as to the appeals it seeks to shelter under as well as the policies it is taking issue with.

[4] Lismark Investments Limited will be bringing a motion for party status at the next Pre-hearing Conference.

[5] The South Etobicoke Industrial Employers' Association ("SEIEA") brought a motion for party status and the Board is prepared to grant it such status on the understanding that it provide the City and the Board with the specific appeals and policies that it is concerned with. A number of parties made submissions as to the lack of specificity in the "SEIEA" request.

[6] "Dunpar", "2401 Eglinton" and "Berry Plastics" are also required to provide the City and the Ontario Municipal Board (the "Board") with the particulars of the appeals they seek to shelter under as well as the policies they are taking issue with in accordance with the Board's previous decision issued on June 3, 2015, in this matter arising out of the March 12 and 13, 2015, Pre-hearing Conference.

City Motion for Partial Approval of OPA 23

[7] The City brings a Motion for an Order of the Board declaring that:

- 1) Certain sections of By-law No. 1714-2013 of the City of Toronto are in full force and effect except as they apply to certain lands set out in the Board Order issued on June 22, 2015, being Attachment 3 hereto;
- 2) Section 7 of By-law No. 1714-2013 that substitutes a new Map 2 (Structure Map) of the City of Toronto Official Plan is in full force and effect except as it

- applies to lands shown as “Employment Areas” as well as the properties set out in the Board’s Order;
- 3) Section 14 of By-law No. 1714-2013 that amends maps 13 to 23 (Designation Maps) inclusive of the City of Toronto Official Plan are in full force and effect except as it applies to lands designated as “Core Employment Areas” or “General Employment Areas” as well as a number of properties set out in the Board Order;
 - 4) Parts of Section 17 of By-law No. 1714-2013 that amend Chapter 6, Secondary Plans of the City of Toronto Official Plan that are not highlighted in yellow in Exhibit “D” to the affidavit of Jeffrey Cantos, sworn June 11, 2015, (City Motion Record) are in full force and effect; and
 - 5) Section 18 of By-law No. 1714-2013 that amend Chapter 8, Site and Area Specific Policies of the City of Toronto Official Plan, that are not highlighted in yellow in Exhibit “D” to the affidavit of Jeffrey Cantos, sworn June 11, 2015, (City Motion Record) are in full force and effect.

[8] The materials before the Board on this Motion consists of the City’s Motion Record, which includes the affidavits of Mr. Cantos, Pino DiMascio, Peter F. Smith, Laurie McPherson, Michael Goldberg, Franco Romano and Ryan Guetter. The Board also has the Notice of Response to Motion of Pamlimar Investments and Enterprises Inc.

[9] The Board has considered these materials as well as the submissions of counsel and finds that it would be appropriate for it to issue an order for the declarations sought in accordance with Attachment 3.

Next Pre-Hearing Conference

[10] The next Pre-Hearing Conference will take place commencing at **10 a.m.** on **Thursday, October 22, 2015**. The hearing will take place at:

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

“R. G. M. Makuch”

R. G. M. MAKUCH
MEMBER

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

Ontario Municipal Board

A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elfo.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

ATTACHMENT 1

SIGN-IN SHEET

Prehearing Conference June 22, 2015 Re City of Toronto Official Plan Amendment No. 231 | PL140860

Counsel / Agent	Appellant	Signature
<p>Stewart, Amber Amber Stewart Law 5600 - 100 King Street West Toronto, ON M5X 1C9 Tel: 416.479.5452 Fax: 416.644.8801 Email: amber@amberstewartlaw.com</p>	<p>#44 855 Oxford Street Investments Ltd.</p>	<p>PRESENT</p>
<p>Vaughan, Michael B. Barrister and Solicitor 328 - 100 Richmond Street West Toronto, ON M5H 3K6 Tel: 416.363.9621 Fax: 416.363.9621 Email: michael@mbvaughan.com</p>	<p>#52 Inter Arch Inc.</p>	<p>PRESENT</p>
<p>Tang, David C. K. Gowlings 1600 - 100 King Street West Toronto, ON M5X 1G5 Tel: 416.862.3547 Fax: 416.863.3547 Email: david.tang@gowlings.com</p>	<p>#107 Kingdom Covenant International #173 Toronto Faith Coalition Inc.</p>	<p>PRESENT</p>

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Counsel / Agent	Appellant	Signature
<p>Horosko, Barry Horosko Planning Law 101 - 300 North Queen Street Toronto, ON M9C 5K4 Tel: 416.551.8534 Fax: 416.551.1278 Email: bhorosko@horoskoplanninglaw.com</p>	<p>#1 10 QEW Inc. #19 1742875 Ontario Inc. and 1720194 Ontario Inc. #21 2000 Images Inc. #28 2141805 Ontario Inc. #53 A. Mantella & Sons Limited #58 Antorisa Investments Ltd. #66 Candykerr Limited #75 David H. Green Investments #82 Dunpar Development Holdings Inc. Wickman Street #85 Fima Developments #93 Gennaro Investments Limited and Lanzarotta Investments Limited #120 Lucmar Holdings Inc. #130 Neamsby Investments Inc. #145 Remington Group Inc. #151 Ronsen Corporation #175 Ukrainian National Federation of Canada</p>	<p style="text-align: center;"><i>PRESENT w/ AND BRENDAN SMITH</i></p>
<p>Costello, Eileen Aird & Berlis LLP 1800 - 181 Bay Street Toronto, ON M5J 2T9 Tel: 416.865.4740 Fax: 416.863.1515 Email: ecostello@airdberlis.com</p>	<p>#25 2122498 Ontario Limited #72 CP REIT Ontario Properties Limited and Loblaw Properties Limited #87-1 First Capital Holdings Trust (Ontario) Limited #87-2 First Capital Holdings Trust (Ontario) Limited #119 Loblaw Properties Limited #176 Urbancorp</p>	<p style="text-align: center;"><i>PRESENT</i></p>
<p>Foran, Patricia Aird & Berlis LLP 1800 - 181 Bay Street Toronto, ON M5J 2T9 Tel: 416.865.3425 Fax: 416.863.1515 Email: pforan@airdberlis.com</p>	<p>#115 Leslie-Lakeshore Developments Inc.</p>	<p style="text-align: center;"><i>PRESENT</i></p>

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Counsel / Agent	Appellant	Signature
<p>Artenosi, Daniel B. Overland LLP 1101 - 5255 Yonge Street Toronto ON M2N 6P4 Tel: 416.730.0337 Fax: 416.730.9097 Email: dartenosi@overlandllp.ca</p>	<p>#23 2053785 Ontario Inc. #79 Dream Asset Management Corporation #170 The Symington Holdings Ltd.</p>	<p>PRESENT</p>
<p>Flynn-Guglietti, Mary McMillan LLP Brookfield Place 4400 - 181 Bay Street Toronto, ON M5J 2T3 Tel: 416.865.7256 Fax: 416.865.7048 Email: mary.flynn@mcmillan.ca</p>	<p>#5 1109345 Ontario Ltd. #35 3000 Lawrence Property Inc. #56 Amexon Property Management Corp. #57 Amexon Realty Inc. #74 Crown Realty Partners #78 Down 2 Earth #100 The Humberview Group #125 Metro Zen (Canada) Inc.</p>	<p>PRESENT</p>
<p>Page, Janice and Young, Claire Ministry of Municipal Affairs and Housing 16th floor, 777 Bay Street Toronto, ON M5G 2E5 Tel: 416.585.6546 Fax: 416.585.4003 Email: janice.page@ontario.ca / claire.young@ontario.ca</p>	<p>Ministry of Municipal Affairs and Housing</p>	<p>PRESENT</p>
<p>Jeanrie, Andrew Bennett Jones 3400 One First Canadian Place P.O. Box 130 Toronto, Ontario M5X 1A4 Canada Tel: 416.777.4814 Fax: 416.863.1716 Email: jeanriea@bennettjones.com</p>	<p>Tam Holdings Inc.</p>	<p>PRESENT</p>

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Counsel / Agent	Appellant	Signature
Piel, Mark Dentons Canada LLP 400 - 77 King Street West Toronto, ON M5K 0A1 Tel: 416.863.4744 Fax: 416.863.4592 Email: mark.piel@dentons.com	#154 The Salvation Army in Canada #155-1 Samuel Sarick Limited and Midland Corporate Centre Ltd. #155-2 Samuel Sarick Limited and Midland Corporate Centre Ltd.	PRESENT
Harrington, Patrick Aird & Berlis LLP 1800 - 181 Bay Street Toronto, ON M5J 2T9 Tel: 416.865.3424 Fax: 416.863.1515 Email: pharrington@airdberlis.com	#30 2219103 Ontario Inc. #73 CR Islington Inc. #121 M & S Investments #157 Satin Finish Hardwood Flooring Limited	PRESENT
Gosnell, Sean and Luong, May Borden Ladner Gervais LLP 40 King Street West Toronto, ON M5H 3Y4 Tel: 416.367.6120 Fax: 416.361.2711 Email: sgosnell@blg.com / mluong@blg.com	Krugarand Corporation	PRESENT
Pepino, N. Jane Aird & Berlis LLP 1800 - 181 Bay Street Toronto, ON M5J 2T9 Tel: 416.865.7727 Fax: 416.863.1515 Email: jpepino@airdberlis.com	#166 STC Investments Nominee Inc.	PRESENT

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Counsel / Agent	Appellant	Signature
<p>Nunziata, John Barrister and Solicitor 18 Kings Lynn Road Toronto, ON M8X 2N1 Tel: 419.909.1476 Email: john@johnnunziata.com</p>	<p>#143 Red Eagle Enterprises Inc.</p>	<p><i>PRESENT</i></p>
<p>Bowen, Bryan Tel: 416.583.1562 Email: bbowen@planningalliance.ca</p>		<p><i>PRESENT</i></p>
<p>Bowman, Michael Osler Hoskin & Harcourt LLP 100 King Street West Suite 6200, P.O. Box 50 Tel: 416.862.6834 Fax: 416.862.6666 Email: mbowman@osler.com</p>		<p><i>PRESENT</i></p>
<p>Lantz, Calvin Stikeman Elliott LLP 199 Bay Street Toronto, ON M5L 1B9 Tel: 416.869.5669 Fax: 416.947.0866 Email: clantz@stikeman.com</p>	<p>#4 1107051 Ontario Ltd. and Cabo Three Investments Inc. #59 Atlantic Packaging Products Ltd. #61 Berry Plastics Corporation #64 Campbell Company of Canada #65 Canadian Propane Association #99 House of Praise #103 The International Group Inc. #104 Irving Tissue Corporation #144 Redpath Sugar Ltd. #161 Sisters of St. Joseph #172 Titan Sr. Plaza Nominee Inc. #178 Westmont Hospitality Group</p>	<p><i>PRESENT</i></p>
<p>Demerson, Terry Tel: 416.985.7994 Email: libertywilliveworktenantassoc@gmail.com</p>		<p><i>PRESENT</i></p>

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Counsel / Agent	Appellant	Signature
<p>Schwartz, Jared B. Fogler Rubino LLP 3000 - 77 King Street West Toronto, ON M5K 1G8 Tel: 416.864.9700 Fax: 416.941.8852 Email: jschwartz@foglers.com</p>		PRESENT
<p>Aru, Mai Tel: 416.504.9298 Email: maiarudesign@gmail.com</p>		PRESENT
<p>Bonanni, Carlo / Fiume, David Build Toronto Tel: 416.981.1907 / 416.981.3765 Email: cbonanni@builddoronto.ca / diume@builddoronto.ca</p>		PRESENT
<p>Blazevski, Bob / Hatoum, Kate DiamondCorp Tel: 416.324.5402 / 416.324.5437 Email: bblazevski@diamondcorp.ca / khatoum@diamondcorp.ca</p>		PRESENT
<p>Flowers, Mark Davies Howe Partners LLP The Fifth Floor 99 Spadina Avenue Toronto, ON M5V 3P8 Tel: 416.977.7088 Fax: 416.977.8931 Email: markf@davieshowe.com</p>	<p>#3 1095909 Ontario Limited #18 1695 Eglinton Avenue East Inc. #27 2130254 Ontario Inc. #135 Parkway Automotive Investments Limited #158 Scarborough Chinese Baptist Church</p>	PRESENT

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Counsel / Agent	Appellant	Signature
Lidakis, Effie Ritchie Ketcheson Hart & Biggart LLP 206 - 1 Eva Road Tel: 416.622.6601 Fax: 416.622.4713 Email: elidakis@ritchieketcheson.com		PRESENT
Chronis, Paul Weir Foulds LLP 4100 - 66 Wellington Street West Toronto, ON M5K 1B7 Tel: 416.460.0038 Email: pchronis@weirfoulds.com		PRESENT
Smiley, Neil M. Fasken Martineau 2400 - 333 Bay Street Toronto, ON M5H 2T6 Tel: 416.865.5122 Fax: 416.364.7813 Email: nsmiley@fasken.com	#33 2401 Eglinton Avenue West Ltd. #159 Seneca College of Applied Arts and Technology	PRESENT
Davis, Eric Miller Thomson LLP 300 - 295 Hagey Blvd Waterloo, ON N2L 6R5 Tel: 519.579.3282 Email: edavis@millerthomson.com		PRESENT
McDermid, Meaghan Davies Howe Partners LLP The Fifth Floor 99 Spadina Avenue Toronto, ON M5V 3P8 Tel: 416.977.7088 Fax: 416.977.8931 Email: meaghanm@davieshowe.com / michaelm@davieshowe.com	#106 Kevric Real Estate Corporation Inc.	PRESENT

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Counsel / Agent	Appellant	Signature
<p>Brown, Adam J. Sherman Brown 900 - 5075 Yonge Street Toronto, ON M2N 6C6 Tel: 416.222.0344 Fax: 416.222.3091 Email: adam@shermanbrown.com</p>	<p>#14 Various #15 #17 #22 #37 #41 #43 #45 #46 #48 900 Caledonia Road Limited, Deacon Investments Limited, 460 Richmond St. West Limited and Melrose Park Investments Limited #50 939GP Inc. (also see #14) #51 #55 #60 #83 #86 #89 #116 #117 #124 #126 #131 Novi Corporation #137 #153 #164 #165</p>	<p>PRESENT</p>
<p>MacDonald, Patrick Cassels Brock 2100 - 40 King Street West Toronto, ON M5H 3C2 Tel: 416.860 6735 Email: pmacdonald@casselsbrock.com</p>		<p>PRESENT</p>

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Counsel / Agent	Appellant	Signature
Kemerer, Marc Devry Smith Frank LLP 100 - 95 Barber Greene Road Toronto, ON M3C 3E9 Tel: 416.446.3329 Fax: 416.449.7071 Email: marc.kemerer@devrylaw.ca	#6 1118661 Ontario Inc. #12 1226567 Ontario Inc. #81 Dundas Real Estate Investments #122 Mallpaks Developments Limited #129 Nashdene Court Ltd.	PRESENT
White, David Devry Smith Frank LLP 100 - 95 Barber Greene Road Toronto, ON M3C 3E9 Tel: 416.446.3330 Fax: 416.449.7071 Email: david.white@devrylaw.ca	#8 1182929 Ontario Inc. #9 1182929 Ontario Inc. #11 1217861 Ontario Ltd. #16 1585168 Ontario Inc. #34 258 Attwell Drive Limited #54 Al Reisman Ltd. #142 Red Banner Developments Limited	PRESENT
Shapira, Johanna Wood Bull LLP 1400 - 65 Queen Street West Toronto, ON M5H 2M5 Tel: 416.203.5631 Email: jshapira@woodbull.ca		PRESENT
Wood, Dennis H. Wood Bull LLP 1400 - 65 Queen Street West Toronto, ON M5H 2M5 Tel: 416.203.7718 Fax: 416.203.8324 Email: dwood@woodbull.ca	#26 2129152 Ontario Inc. #146 Revenue Properties Company Limited and Morguard Investments Limited	PRESENT

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Counsel / Agent	Appellant	Signature
<p>Longo, Leo Aird & Berlis 1800 - 181 Bay Street Toronto, ON M5J 2T9 Tel: 416.865.7778 Fax: 416.863.1515 Email: llongo@airdberlis.com</p>	<p>#67 Carlaw Industrial Centre</p>	<p style="text-align: center;">PRESENT</p>
<p>Frank, Adrian Devine Park LLP 2302 - 250 Yonge Street Toronto, ON M5B 2L7 Tel: 416.645.4582 Email: adrian.frank@devinepark.com</p>		<p style="text-align: center;">PRESENT</p>
<p>Park, Jason Devine Park LLP 2302 - 250 Yonge Street Toronto, Ontario, M5B 2L7 Tel: 416.645.4572 Fax: 416.645.4569 Email: jason.park@devinepark.com</p>	<p>#94 Goldman Group, Zahavish Downtown Developments Ltd. and Zahavish DOWNTOWN COMMERCIAL LTD. #95 The Goldman Group and Goldman Ellesmere 2 Developments Inc. #136 Parkway Place Holdings Ltd. and 2200191 Ontario Limited</p>	<p style="text-align: center;">PRESENT</p>
<p>Devine, Patrick J. Devine Park LLP 2302 - 250 Yonge Street Toronto, Ontario, M5B 2L7 Tel: 416.645.4570 Fax: 416.645.4569 Email: patrick.devine@devinepark.com</p>	<p>#2 100 Metropolitan Road #167 Sun Life Assurance Company of Canada</p>	<p style="text-align: center;">PRESENT</p>

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Counsel / Agent	Appellant	Signature
<p>Flett, Ian Eric K. Gillespie Professional Corporation 10 King Street East, suite 600 Toronto, ON M5C 1C3 Tel: 416.703.7034 Fax: 416.703.9111 Email: iflett@gillespielaw.ca</p>	<p>#168 The Sweet Potato Inc.</p>	<p style="text-align: center;"><i>PRESENT</i></p>
<p>Dawson, John A. R. McCarthy Tétraut LLP 5300 - 66 Wellington Street West Toronto ON M5K 1E6 Tel: 416.601.8300 Fax: 416.362.1812 Email: jdawson@mccarthy.ca</p>	<p>#7 1147390 Ontario Limited and Queen's Quay Avante Limited #62 Building and Land Development Association (BILD) #69 Concert Properties Ltd. #76 Deltera Inc. #98 Hilltin Hills Developments Inc. #141 Queen Quay Avante Limited and 1147390 Ontario Limited #160 Silvercore Inc.</p>	<p style="text-align: center;"><i>PRESENT</i></p>
<p>Toumanians, Anna Turkstra Mazza Associates 15 Bold Street Hamilton, ON L8P 1T3 Tel: 905.529.3476 Email: atoumanians@tmalaw.ca</p>		<p style="text-align: center;"><i>PRESENT</i></p>

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Counsel / Agent	Appellant	Signature

ATTACHMENT 2

Canadian Fuels Association

Kennedy Road Hospitality Operations Ltd.

299 Campbell Avenue Developments Inc.

Toronto Industry Network

Metrogate Inc.

First Gulf Don Valley Limited

Paletta International Corp.

Toronto Research Chemicals Inc.

2006199 Ontario Inc.

1079744 Ontario Ltd.

Eldonview Investments et al.

1234655 Ontario Inc.

Krugerand Corporation

ATTACHMENT 3

PL140860

ONTARIO MUNICIPAL BOARD Commissions des affaires municipales de l'Ontario

PROCEEDING COMMENCED UNDER subsection 17(36) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended

Appellant: 10 QEW Inc et al.
Subject: Proposed Official Plan Amendment No. 231
Municipality: City of Toronto
OMB Case No.: PL140860
OMB File No.: PL140860

B E F O R E:

R. G. M. Makuch

June 22, 2015

Member

ORDER

THIS MATTER having come before the Board for a motion on June 22, 2015, and having heard submissions of the Parties,

THE BOARD ORDERS that the following sections of City of Toronto By-law 1714-2013 are approved and are in full force and effect, except as they apply to the lands set out in Appendix 1 to this Order:

- a) Sections 1a, 1b, 2, 3, 4, 6, 10 and 16 in their entirety;
- b) Part of Section 5, being Policy 8 of Section 2.2.4 of the Official Plan; and,
- c) Part of Section 8, being Policies 1(a)(c)(d)(e)(f)(g)(h)(i)(j), 2(a)(c)(d)(e), 3, 4, 5, 8 and 10 of Section 3.5.1 of the Official Plan;

AND THE BOARD ORDERS that page 13 of Exhibit "D" to the Affidavit of Jeffrey Cantos sworn on June 11, 2015, is hereby replaced with the attached Appendix 4 to this Order to

confirm that Section 9 of By-law 1714-2013 being Policy 6 of Section 3.5.2 of the Official Plan is not yet approved by this Order.

AND THE BOARD ORDERS that Section 7 of By-law 1714-2013 that substitutes a new Map 2 of the City of Toronto Official Plan (the “Urban Structure Map”) is approved and in full force and effect (i) except as it applies to lands shown as ‘*Employment Areas*’; (ii) except as it applies to properties with the following municipal address: 6 Lloyd Avenue; 20, 48, 54 and 62 Murray Road; 0 Regent Road; 1001 Ellesmere Avenue; 150 Symes Road; 158 Park Lawn Road; 3621 Dufferin Street; 394 Symington Avenue; and 1306 and 1310 The Queensway; and (iii) as modified to reflect a change to the lands municipally known as 564-580 Evans Avenue. The Urban Structure Map, as amended and approved, dated June 22, 2015, is attached to this Order as Appendix 2;

AND THE BOARD ORDERS that Section 14 of By-law 1714-2013 that amends maps 13 to 23 inclusive of the City of Toronto Official Plan (the “Designation Maps”) is approved and in full force and effect except as it applies to lands designated as ‘*Core Employment Areas*’ or ‘*General Employment Areas*’ and any one of the properties with the following municipal address: 6 Lloyd Avenue; 20, 48, 54 and 62 Murray Road; 0 Regent Road; 1001 Ellesmere Avenue; 150 Symes Avenue; 158 Park Lawn Road; 3621 Dufferin Street; 394 Symington Avenue; and 1306 and 1310 The Queensway; and any lands for which a decision was withheld by the Minister in its July 9, 2014 decision;

AND THE BOARD ORDERS that notwithstanding the above, Section 14 of By-law 1714-2013 that amends Maps 13 to 23 inclusive of the City of Toronto Official Plan, is amended to approve a revised Map 40 within By-law 1714-2013 for the purpose of shifting the designation boundary for the properties municipally known as 564-580 Evans Avenue to increase the amount of *Mixed Use Areas* and decrease the amount of *Core Employment Areas* from the Map 40 originally contained within By-law 1714-2013. For greater certainty, the *Core Employment Areas* designation on the revised Map 40 are not approved by this Order. Map 40, as amended and approved, and dated June 22, 2015, is attached to this Order as Appendix 3;

AND THE BOARD ORDERS that parts of Section 17 of By-law 1714-2013 that amend Chapter 6, Secondary Plans of the City of Toronto, and that are not highlighted in yellow in Exhibit “D” to the Affidavit of Jeffrey Cantos, sworn on June 11, 2015, are approved and are in full force and effect;

AND THE BOARD ORDERS that parts of Section 18 of By-law 1714-2013 that amend Chapter 8, Site and Area Specific Policies of the City of Toronto Official Plan, and that are not highlighted in yellow in Exhibit “D” to the Affidavit of Jeffrey Cantos, sworn on June 11, 2015, are approved and are in full force and effect;

AND THE BOARD ORDERS that the coming into effect of above portions of By-law 1714-2013 shall be without prejudice to the rights of any party, and shall not have the effect of limiting:

- (a) the resolution of any appellant’s appeal;
- (b) a party’s right to seek to modify the unapproved policies, non-policy text, mapping, Secondary Plans or Site and Area Specific Policies, provided that the parties shall be bound by any commitment made by them to scope their appeals and issues on a site-specific, area-specific, or citywide basis, as the case may be; and
- (c) the jurisdiction of the Board to consider and approve modifications to the unapproved policies, non-policy text, mapping, Secondary Plans or Site and Area Specific Policies on a general or site-specific or area-specific basis, as the case may be;

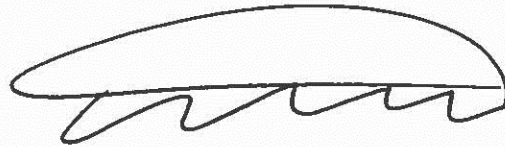
AND THE BOARD ORDERS that the coming into effect of portions of By-law 1714-2013 is without prejudice to the positions taken by the parties to any site-specific appeals so that if those appeals proceed on a site-specific basis to a hearing, either on their own or as may be consolidated with other appeals, the City will not take the position that the Board ought not to approve site-specific modifications on the basis that they deviate from or are inconsistent with such policies, non-policy text, mapping, Secondary Plans or Site and Area Specific Policies that have been approved on a City-wide basis (or as approved in respect of other lands which are subject to the same policies, schedules and associated text). However, this does not affect the City’s right to assert that the approved policies, non-policy text, mapping, Secondary Plans or

Site and Area Specific Policy, as the case may be, should be applied to the specific sites without modification on the basis that they constitute good planning;

AND THE BOARD ORDERS that notwithstanding anything ordered above, the City has not conceded that any portions of By-law 1714-2013 that have not come into effect are properly under appeal and the City has reserved the right to bring motions or take any other action to have the breadth and scope of any appeal determined by the Board at a future date;

AND THE BOARD ORDERS that notwithstanding anything ordered above, the Board hereby retains jurisdiction to consider and approve modifications to any policies, non-policy text, mapping, Secondary Plans and Site and Area Specific Policies approved herein as may be appropriate to dispose of any of the outstanding appeals before the Board, in accordance with section 87 of the *Ontario Municipal Board Act*, R.S.O. 1990, c. O.28

AND THE BOARD ORDERS that it may be spoken to in the event some matter should arise in connection with the implementation of this Order.

A handwritten signature in black ink, appearing to read 'R. G. M. Makuch', written over a light grey rectangular background.

R. G. M. Makuch

Member

APPENDIX 1

Appeal No.	Municipal Address
1	2, 10, 12 Queen Elizabeth Boulevard; 3, 5, 15, 17 Sinclair Street; 514, 516, 520, 522 Royal York Road
2	100 Metropolitan Road
3	328, 330, 332, 344, 358, 374, 388 Dupont Street
4	401-415 King Street West
5	672 Dupont Street
6	24 Progress Avenue
8	33 Passmore Avenue
9	29, 31, 31A Passmore Avenue
10	844 Don Mills Road; 1150 Eglinton Avenue East
11	109-147 Eddystone Avenue
12	279 Rexdale Boulevard
13	1A Atlantic Avenue; 1 Jefferson Avenue; All lands bounded by Dufferin Street, King Street West, Strachan Avenue, and the Lakeshore Rail Corridor
14	15 Toronto Street
15	150 Eglinton Avenue East
16	41 Passmore Avenue
17	164 Eglinton Avenue East
18	1695 Eglinton Avenue East; 15, 23 Mobile Drive
20	950 Dupont Street
21	145 Judson Street
23	6 Lloyd Avenue
24	20, 48, 54 and 62 Murray Road; 0 Regent Road
26	4646 Dufferin Street
27	51 Manstor Road
28	865 York Mills Road
30	65-81 McCormack Street
31	2 Champagne Drive; 1107 Finch Avenue West
33*	2397-2401 Eglinton Avenue West
34*	258 Attwell Drive
36	3266 - 3270 Midland Avenue
37	15-35 Mercer Street
38	39 Wynford Drive
40	543-553 Richmond Street West
41	55 Eglinton Avenue East
43	57 Spadina Avenue
44	855 Oxford Street
45	90 Eglinton Avenue East
46	90 Eglinton Avenue West

Appeal No.	Municipal Address
47	900 Caledonia Road
48	900, 916, 920 Caledonia Road
49	153 Dufferin Street
50	939, 815-845 Eglinton Avenue East
51	939, 815-845 Eglinton Avenue East
53	6620 Finch Avenue West
54	3241, 3251, 3261 Kennedy Road; 19, 23, 25, 27 Passmore Avenue
55	40-58 Widmer Street
56	1200 Eglinton Avenue East
57	701-703 Evans Avenue
59	255 Brimley Road; 350 Midwest Road; 44/55 Milliken Boulevard; 36 Overlea Boulevard; 80, 110, 111, 333 Progress Avenue
61*	225 Birmingham Street
64	60 Birmingham Street
67	388 Carlaw Avenue; 10, 40 Dickens Street
68	50-52, 64, 66-70 Colville Road
69	Lands within the precinct bordered by Islington Avenue, Highway 401, Kipling Avenue, Rexdale Boulevard, and the rail line in the vicinity.
70	100 Billy Bishop Way; 50 Queen Elizabeth Boulevard; 1411 Warden Avenue
71	581-597 Trethewey Drive
72	650 Dupont Street
73	Southwest quadrant of the intersection of Islington Avenue and Rexdale Boulevard, just north of Highway 401.
74	1500 Don Mills Road
75	1306 and 1310 The Queensway
77	314-326 Davenport Road
78	158 Park Lawn Road
79	2075 Kennedy Road

Appeal No.	Municipal Address
80	3621 Dufferin Street
81	4500 Sheppard Avenue East
82*	2 Wickman Road
83	1940 Eglinton Avenue East
85	302, 320-324 Horner Avenue
86	221, 225, 227 Sterling Road
87	85 Hanna Avenue; 19, 25 Industrial Road
88	25 Ontario Street
89	424-460 Adelaide Street East
90	130, 180 Yorkland Boulevard
91	328, 330, 332, 344, 358, 374, 388 Dupont Street
92	1235-1255 Lawrence Avenue West; 3-23 Benton Road
93	1453 Dupont Street
94	743 Warden Avenue
95	1001 Ellesmere Road
96	1440 Don Mills Road
97	48 Power Street; 125 Parliament Street
98	Lands identified as "Area A" within Area Specific Policy 386 as set out in the proposed OPA, except for the designation of those lands as "Mixed Use Area" (see Map 16)
99	40 Reading Court
100	1650 The Queensway
101	789-793 Don Mills Road

Appeal No.	Municipal Address
102	30 Bertrand Avenue
103	33, 35, 50, 80 Salome Drive
104	330 Bartor Road; 700 Clayson Road; 1339 Jane Street; 1405-1551 Weston Road, 1300-1320 Jane Street; 1 Clouston Road
105	22 Hobson Avenue; 88 Sunrise Avenue
106	99 Atlantic Avenue
107	40 Rakely Court
108	7 Breadalbane Street; 22 College Street; 2, 3 Grosvenor Street; 2-4 Irwin Avenue, 477, 485 Queen Street West; 484-488, 490, 492/494, 496, 506-508, 510-512, 522-528, 543, 646-652, 664, 668 Yonge Street
109	2150 McNicoll Avenue
110	56/58 Berkeley Street; 45 Camden Street; 296, 300, 778, 780, 782, 786, 788 King Street East; 455 Richmond Street East; 65, 75 Ontario Street
111	234 Simcoe Street
113	275 Albany Avenue; 420 Dupont Street
114	275, 281, 283 Howland Avenue; 404, 406, 408 Dupont Street
115	721, 731 Eastern Avenue
116	20 Edward Street
117	10 St. Mary Street
118	1211 Caledonia Road
119	825 Don Mills Road; 650 Dupont Street; 51 Gerry Fitzgerald Drive; 1020 Islington Avenue; 3685 Keele Street; 17 Leslie Street; 1455 McCowan Road; 330 Queen's Plate Drive; 11 Redway Road; 681 Silverstar Boulevard; 5661 Steeles Avenue East; 2549 Weston Road
121	393 Sorauren Avenue; 1947 Dundas Street West

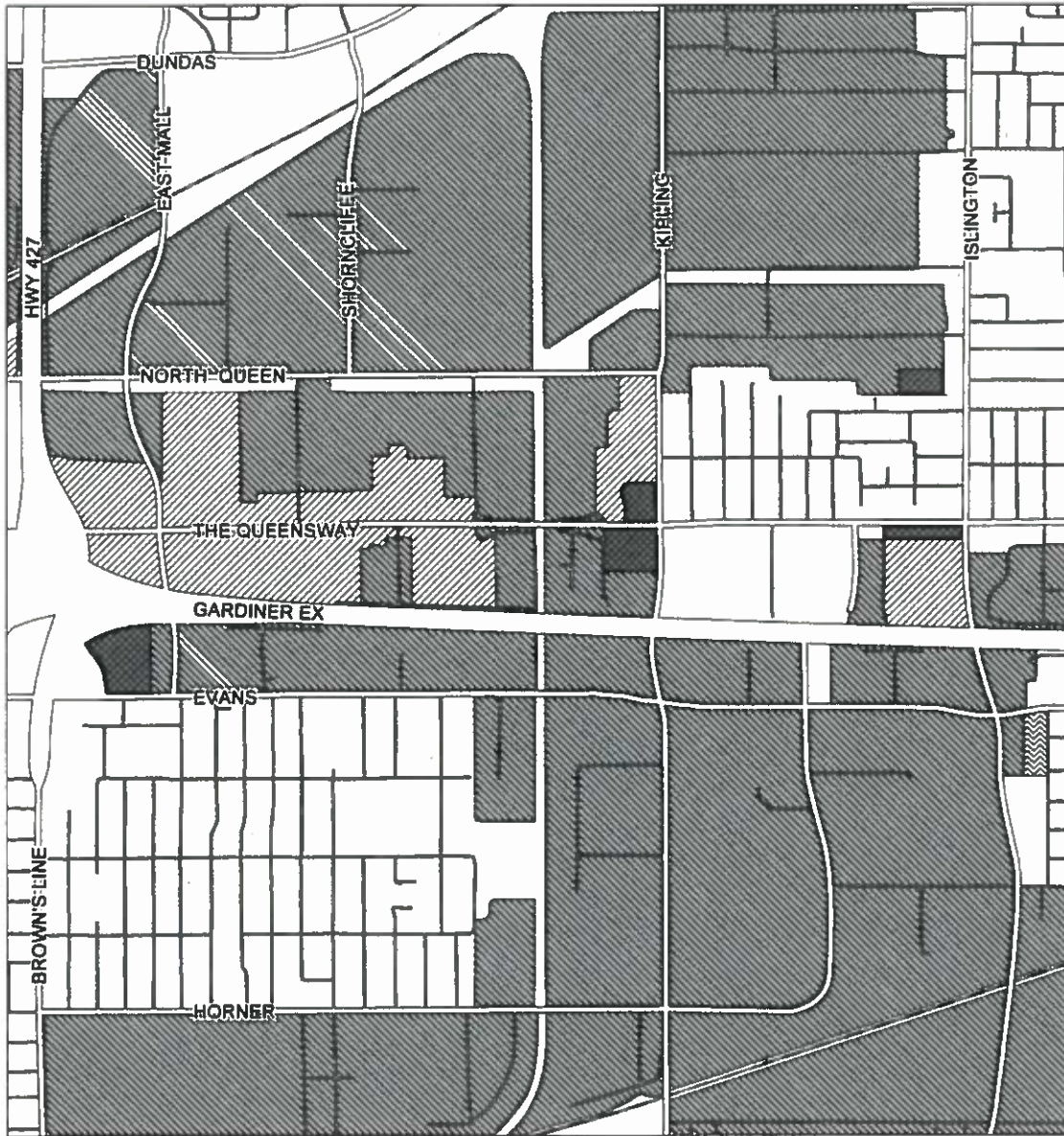
Appeal No.	Municipal Address
122	500 Sheppard Avenue East
123	33 Passmore Avenue
125	189 Milner Avenue
126	26, 28, 30, 50 Cumberland Street; 27, 37 Yorkville Avenue
127	2150 Lake Shore Boulevard West; 23 Park Lawn Road
129	151 Nashdene Road
130	1845 Birchmount Road
132	1 Eglinton Avenue East
133	All lands bounded by North Queen Street, The Queensway, Kipling Avenue and the Rail Corridor
134	Downsview Area Secondary Plan
135	All lands bounded by Eglinton Avenue East, Credit Union Drive, Bermondsey Road and Mobile Drive
136	243, 245, 251, 255 Consumers; 165 Yorkland Boulevard
137	324-332 Richmond Street West
138, 139, 140	All lands bounded by the Gardiner Expressway, Bay Street and its southerly extension to the Lake and Parliament Street and its southerly extension to the Lake.
142	3500-3520 McNicoll Avenue; 83-85 Dynamic Drive
143	87 Ethel Avenue
144	95 Queens Quay East
146	50, 60, 77, 131 Bloor Street West; 55, 65 Carrier Drive; 10, 20, 40 Commander Boulevard; 3003 Danforth Avenue; 35 Dynamic Drive; 5591-5595 Finch Avenue East, 5621-5631 Finch Avenue East; 105 Gordon Baker Road; 91 Guildwood Parkway; 326 Humber College Boulevard; 1875 Leslie Street, 20-24 Lesmill Road; 2041-2051 McCowan Road; 2101-2111

Appeal No.	Municipal Address
	McCowan Road; 2121-2151 McCowan Road; 951 Milner Avenue, including three contiguous parcels to the west PIN numbers 06192: -0140, -0040, -0041, -0042; 45, 65 Overlea Boulevard; 135 Railside Road; 6212-6600 Yonge Street (Centrepoint Mall); 200, 279, 285 Yorkland Boulevard; Lands subject to PIN 06192-0228
147	All lands bounded by St. Lawrence Avenue, Islington Avenue, The Queensway and the Gardiner Expressway
148	740 Dupont Street
149	30 Weston Road
150	815-845 Eglinton Avenue East
152	500 Dupont Street
153	250 Front Street East
155	75, 95 Barber Greene Road; 1901, 1911, 1921 Eglinton Avenue East, 475-505 Ellesmere Road (Bounded by Ellesmere Road, Principal Road and Canadian Road); 445 Midwest Road; 1860 Midland Avenue
156	108 Dundas Street West; 100 Dundas Street West; 600 Bay Street
157	8 Oak Street
158	3223 Kennedy Road
159	21 Beverly Hills Drive
160	46-47 Averill Crescent; 45, 53 Cummer Avenue; 5799-5915 Yonge Street; plus the proposed OPA in its entirety as it applies to lands within the area covered by the North York Centre Secondary Plan which lie north of Finch Avenue
161	101 Thorncliffe Park Drive
162	41 Alma Avenue; 430-440 Dufferin Street
163	840, 860 Dupont Street
164	348 Bloor Street West; 4, 6A Spadina Road

Appeal No.	Municipal Address
165	316 Bloor Street West
166	3381, 3389 Steeles Avenue East, 3900 Victoria Park Avenue; 4000 Victoria Park Avenue
169	150 Symes Road
170	394 Symington Avenue
171	Tippett Road Area (including 4,6, 9 Tippett Road parcels)
172	1020 Islington Avenue
173	1 Elrose Avenue
177	3757 Keele Street; 799 Milner Avenue; 5995 Steeles Avenue East
178	900 York Mills Road
Decision withheld by Minister of MMAH	30 Booth Avenue; 21 Broadview Avenue (Appeal No. 29); 21 Don Roadway; 459 Eastern Avenue; 462 Eastern Avenue (Appeal No. 25); 629, 633, 675 Eastern Avenue; 54 Logan Avenue
n/a	80 Bloor Street West
n/a	109 Ryding Avenue
n/a	270 Evans Avenue
n/a*	1887 Dundas Street West
n/a*	383 Sorauren Avenue

* Subject to finalization of sheltering and policies being challenged.





TORONTO City Planning

Redesignate from 'Employment Areas' to Official Plan Designations Shown on Maps 1 to 48 inclusive

Map 40

- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------|
| Neighbourhoods | Parks & Open Space Areas | Employment Areas | Utility Corridors |
| Apartment Neighbourhoods | Natural Areas | Core Employment Areas | |
| Mixed Use Areas | Parks | General Employment Areas | |
| Regeneration Areas | | | |

↑
Not to Scale
06/22/2015

- e) Retaining current institutional lands for future expansion to serve a growing and ageing population within the Greater Toronto Area;
- f) Promoting the design of campuses with a high quality of public realm organized to promote visual and physical links with adjacent areas of the City;
- g) Connecting major institutions to the network of bicycle routes;
- h) Establishing new universities, colleges and hospitals in locations with access to rapid transit and improving transit services to existing universities, colleges and hospitals not currently served by rapid transit.'

CREATING A CULTURAL CAPITAL

9. Add a new policy 6 to Section 3.5.2 as follows:

'6. Cultural enterprises and employment are significantly clustered within *King Spadina Secondary Plan* area, *King Parliament Secondary Plan* area and the *Liberty Village Area* of the *Garrison Common North Secondary Plan*. The stock of non-residential floor space in these areas will be preserved and expanded to encourage the continued growth of cultural industries.'

10. Add the following sidebar to Section 3.5.2:

'Cultural Industries

Cultural industries have their origin in individual creativity, skill and talent and have a potential for wealth and job creation through the generation and advancement of intellectual property, including: design, broadcasting, film video and photography, music and the visual and performing arts, publishing, software, computer games and electronic publishing.'

11. Delete Section 3.5.3 and replace it with the following:

'3.5.3 THE FUTURE OF RETAILING

The pattern of retail activity in Toronto has evolved over time and includes a full spectrum of convenience stores in neighbourhoods, traditional 'main street' shopping streets, small plazas, large shopping malls, big box stores and 'power centres' and speciality retail districts like Yorkville that are also tourist destinations. The retail sector has seen some dramatic shifts in the past 30 years and there is every reason to believe that the next three decades will see more change. The Plan therefore provides the flexibility for owners of retail properties to adapt to changing circumstances. The population of Toronto is going to grow and so will the retail sector. The Plan provides for the expansion of the retail sector to serve the growing population in different forms and settings. However, as the population of Toronto grows and our land base remains the