

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



**ISSUE DATE:** October 11, 2016

**CASE NO(S):** PL160226

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

Applicant and Appellant: 100 Ranleigh Inc.  
Subject: Application to amend Zoning By-law No. 438-86 -  
Refusal or neglect of City of Toronto to make a  
decision  
Existing Zoning: R2 Z.06 Zone  
Proposed Zoning: Site Specific (To be determined)  
Purpose: To permit the development of a new 4 storey, 43  
unit residential apartment building  
Property Address/Description: 100 Ranleigh Ave.  
Municipality: City of Toronto  
Municipality File No.: 15 151991 NNY 25 OZ  
OMB Case No.: PL160226  
OMB File No.: PL160226  
OMB Case Name: 100 Ranleigh Inc. v. Toronto (City)

**Heard:** September 14, 2016 in Toronto, Ontario

**APPEARANCES:**

**Parties**

**Counsel/Representative\***

100 Ranleigh Inc.

D. Bronskill  
J. Hoffman

City of Toronto

M. Longo

Bedford Wanless Ratepayers'  
Association

R. Rutledge\*

**MEMORANDUM OF ORAL DECISION DELIVERED BY SUSAN de AVELLAR  
SCHILLER AND MICHEL BELLEMARE ON SEPTEMBER 14, 2016 AND  
ORDER OF THE BOARD**

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[1] At the outset of these proceedings, 100 Ranleigh Inc. (“Appellant”) and the City of Toronto (“City”) advised the Board that a tentative settlement had been reached between them. This tentative settlement requires some further processing through City Council, expected to occur by mid-December. As such, the parties were seeking an adjournment of these proceedings to a date in 2017.

[2] September 14, 2016, was a first appearance in this matter. The Board had been advised that certain interests had intended to attend this appearance and seek status as a party or a participant. Under these circumstances, and hearing no objection, the Board converted this first appearance to a prehearing.

[3] The Bedford Wanless Ratepayers’ Association (“BWRA”) is the association whose area includes the subject site at 100 Ranleigh Avenue.

[4] The Board added the BWRA as a party to these proceedings.

[5] John Parsons and Peter Jones had both, separately, contacted the Board to advise of their intention to seek participant status.

[6] Neither gentleman appeared but the Board was advised that they may have been under the impression that it was unnecessary to appear and that the matter would simply be adjourned.

[7] In light of the fact that they had contacted the Board, and in light of the possibility of confusion regarding personal attendance this day, the Board was of the opinion that the fairest action would be to add Messrs. Parsons and Jones as participants in these proceedings.

[8] The Appellant had sought a summons from the Board for John Lyons.

[9] Mr. Lyons was not in attendance and the Appellant advised the Board that the summons was not served.

[10] Hearing no objection, the Board vacated the summons to Mr. Lyons.

[11] In the event that the tentative settlement is not finalized by mid-December and this matter proceeds to a hearing of the merits, the Board sets the hearing to commence on **Tuesday, April 11, 2017** at **10 a.m.** for two days at the:

**Board's Offices  
655 Bay Street, 16<sup>th</sup> Floor  
Toronto, ON M5G 1E5**

[12] The Appellant is to advise the Board, with a copy to all parties and to the participants, not later than Monday, December 19, 2016, whether the April dates are to be held for a hearing or whether they may be released and used by the Board to schedule other matters.

[13] No further notice is necessary.

[14] This panel of the Board is not seized of the hearing of the merits.

## **ORDER**

[15] The Board orders that:

- a. The Bedford Wanless Ratepayers' Association is added as a party to these proceedings.
- b. John Parsons and Peter Jones are added as participants to these proceedings.
- c. The summons for John Lyons is vacated.

- d. The scheduling of the hearing, and the advice regarding its need, are as set out in paragraphs 11 and 12 above.
- e. This Decision and Order is effective as of September 14, 2016, being the date on which it was delivered orally.

*“Susan de Avellar Schiller”*

SUSAN de AVELLAR SCHILLER  
VICE-CHAIR

*“Michel Bellemare”*

MICHEL BELLEMARE  
MEMBER

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**Ontario Municipal Board**

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