

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: March 03, 2017

CASE NO(S): PL160685

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

Applicant and Appellant:
Subject:

City Front Developments Inc.
Application to amend Zoning By-law Nos. 438-86 and 650-91 - Refusal or neglect of City of Toronto to make a decision

Existing Zoning:
Proposed Zoning:
Purpose:

I2 D7, I3 D7
Site Specific (To be determined)
To permit the construction of 4 mixed use buildings with 58- and 60-storey buildings on the northern portion of the subject property and 24- and 25-storey buildings on the southern portion of the subject property

Property Address/Description:
Municipality:
Municipality File No.:
OMB Case No.:
OMB File No.:
OMB Case Name:

400 Front Street West
City of Toronto
15 136961 STE 20 OZ
PL160685
PL160685
City Front Developments Inc. v. Toronto (City)

Heard:

January 24, 2017 in Toronto, Ontario

APPEARANCES:

Parties

Counsel*/Representative

City Front Developments Inc.

David Bronskill*

City of Toronto

Sharon Haniford*

Portland Property Corporation

Eileen Costello*

Participant

RT27 Pension Fund

Searl Kibel

**MEMORANDUM OF ORAL DECISION DELIVERED BY HUGH S. WILKINS ON
JANUARY 24, 2017 AND ORDER OF THE BOARD**

INTRODUCTION

[1] On April 7, 2015, City Front Developments Inc. (the “Appellant”) submitted an application to the City of Toronto (the “City”) to amend Zoning By-law Nos. 438-86, 650-91, and 569-2013 to permit the development of four mixed use buildings on a 1.13 hectare property located at 400 Front West.

[2] On July 18, 2016, the Appellant appealed under s. 34(11) of the *Planning Act* the failure of the City to make a decision on the application within the statutory timeframe.

[3] This is the first Prehearing Conference (“PHC”) in this proceeding.

[4] Portland Property Spadina Inc. (“Portland”), which is an adjacent landowner, requested and was granted party status on consent and RT27 Pension Fund (“RT27”), which owns a nearby property on Wellington Street West, requested and was granted participant status on consent.

[5] The Appellant stated that the City’s planning staff will be issuing a report on the Appellant’s proposed development, which will be considered by Community Council in February and then City Council in March. He stated that mediation will be requested and suggested that a second PHC be held in July at which point issues in dispute may be better identified and a draft procedural order prepared. He requested that hearing dates be set for November or December.

[6] The City stated that its position regarding the appeal will not be determined until

City Council meets in March. The City supported the Appellant's request for a second PHC, its proposal for mediation, and its request that hearing dates be set. The City said there are several possible issues that may be in dispute and that the number of witnesses to be called and length of hearing are unclear. Noting that neighbourhood interest in these proceedings may become better known after the forthcoming Council meetings, the City requested that the Board be willing to entertain further requests for status at a subsequent PHC.

[7] Portland supported Appellant's request for a second PHC, its mediation proposal, and its request for hearing dates to be set.

[8] The Board directed that a second PHC be held on **Monday, July 24, 2017 at 10 a.m.** Noting that further steps will need to occur before hearing dates can be determined, and taking into account the Board's resources and calendar, the Board declined to set hearing dates.

[9] The Board directed the Appellant to give public notice for the second PHC.

ORDER

[10] The Board orders that:

1. Portland Property Spadina Inc. is a party to these proceedings.
2. RT27 Pension Fund is a participant to these proceedings.

[11] A second PHC is scheduled to be held on **Monday, July 24, 2017** commencing at **10 a.m.**

[12] The second PHC will be held at:

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

[13] The Appellant will give public notice for the second PHC.

[14] This member of the Board is not seized.

“Hugh S. Wilkins”

Hugh S. WILKINS
MEMBER

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

Ontario Municipal Board
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