

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



**ISSUE DATE:** September 11, 2017

**CASE NO(S):** PL170294

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

Applicant and Appellant: CCB Bathurst Street Investments Inc.  
Subject: Application to amend Zoning By-law No. 438-86  
- Refusal or neglect of the City of Toronto to  
make a decision  
Existing Zoning: Reinvestment Area (RA)  
Proposed Zoning: Site Specific (To be determined)  
Purpose: To permit a 19-storey residential development  
with retail at the ground floor  
Property Address/Description: 149, 151, 153, 155 and 157 Bathurst Street  
Municipality: City of Toronto  
Municipality File No.: 16 191733 STE 20 OZ  
OMB Case No.: PL170294  
OMB File No.: PL170294  
OMB Case Name: CCB Bathurst Street Investments Inc. v. Toronto  
(City)

**Heard:** August 22 2017 in Toronto, Ontario

**APPEARANCES:**

**Parties**

**Counsel**

CCB Bathurst Street Investments Inc.	David Bronskill
City of Toronto	Sharon Haniford
Allied Properties East	Meaghan Barrett

**MEMORANDUM OF AN ORAL DECISION DELIVERED BY RICHARD JONES ON  
AUGUST 22, 2017 AND ORDER OF THE BOARD**

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**PREHEARING CONFERENCE**

[1] The prehearing conference was convened to identify additional parties and participants, discuss arrangements pertinent to the Procedural Order (“PO”) and finally, establish a hearing date.

[2] The appeal was made by CCB Bathurst Street Investments Inc. (“Applicant/Appellant”) pursuant to s. 34(11) of the *Planning Act* whereby their application to amend the City of Toronto’s (“City”) Zoning By-law did not receive a decision from the City within 120 days.

[3] The application proposes a 19-storey residential tower and retail uses at grade for properties known municipally as 149 to 157 Bathurst Street (“subject property”). The existing built forms, comprised of five residential structures, will be demolished to allow for the tall building proposal. More specifically, the subject lands are located south of Richmond Street West and east of Bathurst Street.

[4] The subject property is located within the King-Spadina Secondary Plan (“KSSP”) which although currently in-force, is now under review. It is anticipated that 50,000 persons will reside in the KSSP along with 50,000 jobs. Mr. Bronskill, counsel for the Applicant, did not expect that issues arising from that review would be a complicating factor involving the subject property and application.

[5] The City has identified the King-Spadina area as a potential Heritage Conservation District although a final report in this regard is still outstanding.

[6] Allied Properties East, a nearby property owner represented by counsel, Ms. Barrett, was accorded party status.

[7] Participant status was granted to:

- Karl Beveridge of 131 Bathurst Street
- Terry Weston of 648 Richmond Street West
- Janet Au, William Au and Yueh-O Lee, all of 147 Bathurst Street
- Connie Resendes of 143 Bathurst Street
- Charlene Cottle of 170 Vanauley Walk

[8] The participants are all nearby residents of the subject property.

[9] Following discussion between the parties, the Board confirmed a two-week hearing period for the application, to commence **at 10 a.m. on Monday, September, 24, 2018 and extending to Friday, October 5, 2018 at:**

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

[10] The PO will be completed early this fall by Mr. Bronskill following Ms. Haniford, counsel for the City, receiving final instructions.

[11] The parties did not rule out the potential for mediation and/or further prehearing appearances/telephone conference calls as future issues unfold.

[12] This member is not seized for purposes of the prehearing(s), nor the 2018 hearing event.

*“Richard Jones”*

RICHARD JONES  
MEMBER

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

**Ontario Municipal Board**

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