

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



**ISSUE DATE:** January 02, 2018

**CASE NO(S):** PL170696

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

Applicant and Appellant:	Riverking Development Inc.
Subject:	Application to amend Zoning By-law No. 7625 – Refusal or neglect of the City of Toronto to make a decision
Existing Zoning:	C1 (Commercial 1) Zone (for the portion of the subject property fronting Bathurst St) and R4 (Residential Density 4) Zone (on the eastern portion of the subject property)
Proposed Zoning:	Site Specific (To be determined)
Purpose:	To permit a 10 storey mixed-use residential building fronting Bathurst St with two wings of 4 storey grade related townhouses on the eastern portion of the site
Property Address/Description:	2795-2799 & 2801 Bathurst Street
Municipality:	City of Toronto
Municipality File No.:	15 152614 NNY 16 OZ
OMB Case No.:	PL170696
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OMB Case Name:	Riverking Development Inc. v. Toronto (City)

**Heard:** December 13, 2017 in Toronto, Ontario

**APPEARANCES:**

**Parties**

Riverking Development Inc.

City of Toronto

Shaarei Shoymayim Congregation

**Counsel/Representative**

D. Neligan

E. Penner

N. Smiley

2028643 Ontario Limited

A. Platt

### **DECISION OF THE BOARD DELIVERED BY IAN ROWE**

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[1] This is the first Pre-hearing conference with respect to an appeal by Riverking Development Inc. ("Riverking") from a failure to make a decision by the City of Toronto ("Toronto") with respect to a rezoning application with respect to property municipally known as 2795-2799 and 2801 Bathurst Street.

[2] In addition to the parties identified, the Glencairn and Bathurst Community Coalition (represented by Nadia Vakharia), the Toronto Standard Condominium Corporation 1547 (represented by Dr. Paul Herbert) and Katie Aquilla all obtained participant status.

[3] In its review of the zoning application, Toronto identified the need for a companion official plan amendment. While Riverking disputes the necessity for an official plan amendment, it has recently filed such an application. Toronto has circulated the official plan amendment application and is awaiting comments from the various commenting departments and agencies. Toronto requested a further prehearing conference sufficiently into the future to allow completion of the circulation process.

[4] The Ontario Municipal Board ("Board") sets **Monday, February 12, 2018 at 10 a.m.** for a further Pre-hearing conference at:

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

No further notice is required and this member is not seized.

[5] Riverking expressed a desire for a Board led mediation. All the remaining parties indicated that they would be willing to participate in mediation.

[6] Should Riverking wish to pursue mediation, it will contact the Case Coordinator to commence the mediation assessment process.

*Ian Rowe*

IAN ROWE  
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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