

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: June 30, 2021

CASE NO(S): PL210089

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Trolleybus Urban Development Inc.
Subject: Request to amend the Official Plan - Failure of City of Toronto to adopt the requested amendment
Existing Designation: Mixed Use Areas and Apartment Neighbourhoods
Proposed Designated: Site Specific (To be determined)
Purpose: To permit a 35-storey residential tower
Property Address/Description: 8-16 Locust Street and 15 Oxford Drive
Municipality: City of Toronto
Approval Authority File No.: 20 113215 WET 05 OZ
LPAT Case No.: PL210089
LPAT File No.: PL210089
LPAT Case Name: Trolleybus urban Development Inc. v. Toronto (City)

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

Applicant and Appellant: Trolleybus Urban Development Inc.
Subject: Application to amend Zoning By-law No. 1-83 - Refusal or neglect of City of Toronto to make a decision
Existing Zoning: RM1 S16 (237) and LCR
Proposed Zoning: Site Specific (To be determined)
Purpose: To permit a 35-storey residential tower
Property Address/Description: 8-16 Locust Street and 15 Oxford Drive
Municipality: City of Toronto
Municipality File No.: 20 113215 WET 05 OZ
LPAT Case No.: PL210089
LPAT File No.: PL210090

Heard: June 23, 2021 by Video Hearing ("VH")

APPEARANCES:**Parties****Counsel**

Trolleybus Urban Development
Inc. (“Applicant”)

J. Park/A. Frank

City of Toronto (“City”)

M. Crawford

MEMORANDUM OF ORAL DECISION DELIVERED BY BLAIR S. TAYLOR ON JUNE 23, 2021 AND ORDER OF THE TRIBUNAL

INTRODUCTION

[1] The Applicant had filed a development proposal for the lands known municipally as 8-16 Locust Street, and 15 Oxford Drive (“Subject Lands”) seeking an Official Plan Amendment (“OPA”) and a Zoning By-law Amendment (“ZBA”) to enable the development of a 35-storey residential building.

[2] As the City had failed to deal with the applications within the statutory time frames, the Applicant appealed to the Tribunal.

[3] The Tribunal held a Case Management Conference (“CMC”) at which time it canvassed for interested parties and participants, discussed alternative dispute resolution and Tribunal-led mediation, considered a draft Procedural Order (“PO”), heard submissions from counsel, and for the reasons set out below, set a 10-day hearing to commence on **Monday, June 13, 2022 at 10 a.m.**

DECISION

[4] The Tribunal had two requests for participant status: the first from Megan Croteau and Olsen Christian, and the second from Janna Heredia. On consent, the Tribunal granted participant status to both requests.

[5] The Tribunal raised alternative dispute resolution and mediation with the parties and was advised that the Applicant was open to Tribunal-led mediation and that the City had it under consideration and would advise the Tribunal shortly.

[6] The Applicant requested a 10-day hearing to be set, anticipating three or four expert witnesses in the fields of land use planning, urban design, transportation, and possibly, engineering.

[7] With the consent of the City, the Tribunal set a 10-day hearing commencing on **Monday, June 13, 2022 at 10 am** by VH.

[8] Parties and participants are asked to log into the video hearing at least **15 minutes** before the start of the event to test their video and audio connections:

<https://global.gotomeeting.com/join/947460357>

Access code: 947-460-357

[9] Parties and participants are asked to access and set up the application well in advance of the event to avoid unnecessary delay. The desktop application can be downloaded at [GoToMeeting](#) or a web application is available:

<https://app.gotomeeting.com/home.html>

[10] Persons who experience technical difficulties accessing the GoToMeeting application or who only wish to listen to the event can connect to the event by calling into an audio-only telephone line: **+1 (647) 497-9391 or (Toll Free) 1(888) 455-1389**. The access code is **947-460-357**.

[11] Individuals are directed to connect to the event on the assigned date at the correct time. It is the responsibility of the persons participating in the hearing by video to ensure that they are properly connected to the event at the correct time. Questions

prior to the hearing event may be directed to the Tribunal's Case Coordinator having carriage of this case.

[12] The Tribunal tasked the counsel for the Applicant to make revisions to the draft PO including: a provision with regard to any further revisions to the development application and 75 days notice for the City to seek further instructions, to amend the provision for a draft Hearing Plan to be provided at least 65 days in advance of the hearing, and to forward on consent the revised draft PO to the Case Coordinator by **Wednesday, June 30, 2021**.

[13] While the Tribunal had before it a draft PO (Exhibit 4), it contained no City issues as the City had not been able to get its report onto the City Council agenda for June 2021 and get its instructions. It now appeared that with the summer break, the City's report would likely be on the September City Council agenda.

[14] The parties had agreed that the City would provide its Issues List on or before **Friday, July 30, 2021** on a without prejudice basis: i.e. that the City issues to be provided could be reduced but not added to. This was agreeable to the Applicant, and the Tribunal directed on a peremptory basis that the draft Issues List will be provided to counsel for the Applicant by that date.

[15] Counsel for the Applicant will forward the completed draft PO to the Case Coordinator forthwith thereafter for consideration by the Tribunal.

[16] There will be no further notice.

[17] I am not seized.

[18] Scheduling permitting, I may be available for case management purposes.

[19] This is the Order of the Tribunal.

“Blair S. Taylor”

BLAIR S. TAYLOR
MEMBER

Ontario Land Tribunal

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The Conservation Review Board, the Environmental Review Tribunal, the Local Planning Appeal Tribunal and the Mining and Lands Tribunal are amalgamated and continued as the Ontario Land Tribunal.