

Ontario Land Tribunal
Tribunal ontarien de l'aménagement
du territoire



ISSUE DATE: December 30, 2021

CASE NO(S): PL210215

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

Applicant and Appellant:	York-Kirtling Inc.
Subject:	Application to amend Zoning By-law No. 7625, as amended, of the former City of North York, and Zoning By-law No. 569-2013 of the City of Toronto - Neglect of the City of Toronto to make a decision
Existing Zoning:	"One-Family Detached Third Density Zone (R3)" under Zoning By-law No. 7625, as amended, of the former City of North York, and "RD (f21.0; a1375)" under Zoning By-law No. 569-2013 of the City of Toronto
Proposed Zoning:	To be determined
Purpose:	To permit a three-storey residential addition containing four units, and incorporating and converting the existing heritage building into a three-bedroom dwelling into the proposed development
Property Address/Description:	2 Valleyanna Drive
Municipality:	City of Toronto
Municipality File No.:	20 151274 NNY 15 OZ
OLT Case No.:	PL210215
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OLT Case Name:	York-Kirtling Inc. v. Toronto (City)

Heard: December 17, 2021 by Video Hearing

APPEARANCES:

Parties

York-Kirtling Inc.

Counsel

Michael Cara

Valleyanna Residents'
Association

Michael Melling

City of Toronto

Joanna Wice and Uttra Gautam

DECISION DELIVERED BY N.P. ROBINSON AND ORDER OF THE TRIBUNAL

OVERVIEW

[1] The within matter involves an application for a zoning by-law amendment by York-Kirtling Inc. ("Applicant") to maintain certain existing historic structures and to introduce a three-storey (9.6 metre) residential addition.

[2] The parties in the within matter were subject to prior case management and undertook extensive mediation in an attempt to resolve the matters before the Tribunal.

[3] Those mediation efforts were unsuccessful in resolving all matters before the Tribunal and the Tribunal was provided with a draft Procedural Order ("PO") for consideration.

[4] The Tribunal was informed that a further related appeal was possible on or before December 31, 2021 and that the PO might need to be further modified in order to account for that appeal.

[5] The Tribunal was informed that the evidence and issues in the further appeal would mirror those in the extant matter and, thus, would not have a significant impact on the time or evidentiary requirements of the hearing.

[6] The parties jointly requested that dates be set for a hearing in order to expedite the matter and agreed to file a final PO with the Tribunal on or before **Friday, January 14, 2022**.

[7] The Tribunal finds this approach to be expeditious given that there is agreement on all elements of the draft PO and minor revisions may be necessary subject to the further appeal being contemplated by the Applicant.

[8] The 10-day hearing is scheduled to proceed by video on **Monday, July 11, 2022 at 10 a.m.**

[9] 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/749384677>

Access code: 749-384-677

[10] 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>

[11] 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: **(Toll Free) 1 (888)-455-1389 or +1 (647) 497-9391**. The **access code** is **749-384-677**.

[12] 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.

ORDER

[13] **THE TRIBUNAL ORDERS** that the parties file a final Procedural Order with the Tribunal on or before **Friday, January 14, 2022**.

[14] **THE TRIBUNAL ORDERS** that the matter be set for a hearing from **July 11, 2022 to July 22, 2022**.

“N.P. Robinson”

N.P. ROBINSON
MEMBER

Ontario Land Tribunal

Website: olt.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

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 (“Tribunal”). Any reference to the preceding tribunals or the former Ontario Municipal Board is deemed to be a reference to the Tribunal.