

**Environment and Land Tribunals
Ontario**

Ontario Municipal Board

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**Tribunaux de l'environnement et de
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MM140063

PROCEEDING COMMENCED UNDER subsection 114(15) of the *City of Toronto Act*, 2006, S.O. 2006, c. 11, Sched. A

Subject: Site Plan
Referred by: 2301885 Ontario Inc.
Property Address/Description: 117, 121, 123 and 129 Roselawn Avenue
Municipality: City of Toronto
OMB Case No.: MM140063
OMB File No.: PL141099

PROCEEDING COMMENCED UNDER subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Appellant: 2301885 Ontario Inc.
Subject: By-law No. 438-86
Municipality: City of Toronto
OMB Case No.: MM140063
OMB File No.: PL141099

APPOINTMENT FOR HEARING

The Ontario Municipal Board hereby appoints:

at: 10:00 AM

on: Tuesday May 12, 2015

**at: Ontario Municipal Board
655 Bay Street, 16th Floor
Toronto, ON M5G 1E5**

for the commencement of the hearing of this appeal.

The Board has set aside **4 day** for this hearing.

All parties and participants should attend at the start of the hearing at the time and date indicated, irrespective of the number of days scheduled. Hearing dates are firm - adjournments will not be granted except in the most serious circumstances, and only in accordance with the Board's Rules on Adjournments.

ONTARIO MUNICIPAL BOARD RULES ON ADJOURNMENTS

61. Hearing Dates Fixed Hearing events will take place on the date set unless the Board agrees to an adjournment.

62. Requests for Adjournment if All Parties Consent If all of the parties agree, they may make a written request to adjourn a hearing event. The request must include the reasons, a suggested new date, and the signed consents of all parties. However, the Board may require that the parties attend in person or convene an electronic hearing to request an adjournment, even if all of the parties consent.

63. Requests for Adjournment Without Consent If a party objects to an adjournment request, the party requesting the adjournment must bring a motion at least 10 days before the date set for the hearing event. If the reason for an adjournment arises less than 10 days before the date set for the hearing event, the party must give notice of the request to the Board and to the other parties and serve their motion materials as soon as possible. If the Board refuses to consider a late request, any motion for adjournment must be made in person, at the beginning of the hearing event.

64. Emergencies Only The Board will grant last minute adjournments only for unavoidable emergencies, such as illnesses, so close to the hearing date that another representative or witnesses cannot be obtained. The Board must be informed of these emergencies as soon as possible.

65. Powers of the Board upon Adjournment Request The Board may,

- (a) grant the request;
- (b) grant the request and fix a new date or, where appropriate, the Board will schedule a prehearing conference on the status of the matter;
- (c) grant a shorter adjournment than requested;
- (d) deny the request, even if all parties have consented;
- (e) direct that the hearing proceed as scheduled but with a different witness, or evidence on another issue;
- (f) grant an indefinite adjournment, if the request is made by the applicant or proponent and is accepted by the Board as reasonable and the Board finds no substantial prejudice to the other parties or to the Board's schedule. In this case the applicant or proponent must make a request that the hearing be rescheduled;
- (g) convert the scheduled date to a mediation or prehearing conference; or
- (h) make any other appropriate order.

August 11, 2008

residential purposes in two single detached buildings, one semi-detached dwelling, and one 3-storey, 4-unit apartment building.

The Site is generally rectangular in shape and is approximately 0.1679 hectares in size, with approximately 41.15 metres of frontage on Roselawn Avenue.

PURPOSE AND EFFECT OF PROPOSED ZONING BY-LAW AMENDMENT

The applicant is proposing to redevelop the Site with twelve 3-storey townhouses with a shared underground parking garage. Building heights are proposed to be approximately 14.5 metres, inclusive of mechanical penthouses. Six townhouse units will front onto Roselawn Avenue and 6 units will be located within the interior of the Site, divided into two groups of three, each facing the proposed courtyard and pedestrian walkway. Access to the underground garage will be gained from the west side of Roselawn Avenue. Fourteen parking spaces, inclusive of 2 visitor stalls, are proposed.

The Site is zoned R2.Z0.6 with a height permission of 9 metres. Townhouses are a permitted building form in the City of Toronto's Zoning By-law 438-86, as amended, however, amendments are needed to permit the townhouse units for the Site as well as establish site-specific standards respecting building setbacks, height, density, and parking, among other standards.