

ISSUE DATE:

Jan. 26, 2009



PL070673

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

CF/Realty Holdings Inc. has appealed to the Ontario Municipal Board under subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to the Official Plan for the City of Toronto to redesignate lands respecting 939 Lawrence Avenue East, 49 The Donway West and 75 The Donway West to permit the redevelopment of a residential complex

Municipal File No. 01 036318 NMI 25 OZ

OMB File No. O070090

CF/Realty Holdings Inc. has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 7625 of the City of Toronto to rezone lands respecting 939 Lawrence Avenue East, 49 The Donway West and 75 The Donway West to permit the redevelopment of a residential complex

OMB File No. Z070070

APPEARANCES:

Parties

CF/Realty Holdings Inc.

City of Toronto

Don Mills Residents Inc.

Don Mills Friends

Counsel/Agent*

Jeffrey Davies/Kimberly Beckman

Brian Haley/Abbie Moscovich

John Mascarin

Rein Kuris*

**MEMORANDUM OF ORAL DECISION DELIVERED BY J. de P. SEABORN
ON JANUARY 16, 2009 AND ORDER OF THE BOARD**

The Applicant, CF/Realty Holdings Inc. (also known as Cadillac Fairview), has appealed refusals by the City of Toronto (City) to enact an Official Plan Amendment (OPA) and Zoning By-law Amendment (By-law) in connection with a mixed-use development proposal for the Don Mills Centre.

The Don Mills Centre has been recently renovated in accordance with previously approved development proposals. The matters before the Board represent additional development to complete the project. Referred to as the second phase of the Don Mills

redevelopment, the proposal includes residential units (including seniors' housing) at grade, and second-storey commercial space, a community centre and a public park.

Cadillac Fairview, the City, and the Don Mills Residents Inc. (Residents) have held discussions in respect of the project and requested that further time be permitted for their negotiations to continue. Accordingly, at the request of Counsel, the Board will convene a status hearing by way of telephone conference call on March 12, 2009 at 9:30 a.m. ((416) 212-0400 - CODE # 6251).

The Don Mills Friends is also granted Party status and may participate in the telephone conference call. In the interim, Counsel will discuss the status of their negotiations with Mr. Kuris. Mr. Kurk appeared and was given Participant status.

The purpose of the telephone conference call is to update the Board and to set a date for the next pre-hearing conference if issues are resolved. I am seized of the case management of this matter.

This is the Order of the Board.

"J. de P. Seaborn"

J. de P. SEABORN
VICE CHAIR