

ISSUE DATE:

Nov. 20, 2008



PL080764

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

2133716 Ontario Ltd. and HP Bloor Street Ltd. have 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 438-86 of the City of Toronto to rezone lands composed of 1638-1650 Bloor Street West to permit a mixed use building with 108 residential units with commercial uses on the ground floor that exceeds the by-law standards on height limit, density and angular plane

OMB Case No. PL080764

OMB File No. PL080845

IN THE MATTER OF subsection 41(12) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

Subject	Site Plan
Referred by	2133716 Ontario Ltd. and HP Bloor Street Ltd.
Property Address/Description	1638-1650 Bloor Street West
Municipality	City of Toronto
OMB Case No.	PL080764
OMB File No.	PL080764

APPEARANCES:

Parties

2133716 Ontario Ltd. and
HP Bloor Street Ltd.

City of Toronto

Counsel

W. Friedman

A. Moscovich

DECISION OF THE BOARD DELIVERED BY S. W. LEE

No one appeared to oppose the appeals. The Board was advised at the commencement of the hearing that a settlement had been arrived at between the appellant and the City and that a proposed development at the northeast corner of Bloor Street West and Indian Road for a 12 storey condominium building with retail at grade will be considered satisfactory and appropriate.

The Board heard from a planner/urban design and the architect from the appellant, whose testimony was uncontradicted. It is plain and obvious that such a development, which has undergone a thorough and detailed community process, and a

fine-tuning and calibration from both staff and community is acceptable from many standpoints.

In an area context, the proposal will revitalize and rejuvenate an area of this segment of Bloor Street West between Dundas and Keele. Its massing, height and the urban design seem to be fitting and appropriate. It does not set a bad precedent for this precinct and it fulfils the larger policy context which I will address below.

In terms of the Provincial Policy Statement and the Growth Plan, the development will be in keeping with the policy thrusts in two respects. Firstly, it is within the area where growth is encouraged by both of these documents. Secondly, it is well served by a range of urban infrastructure and facilities, including a host of transit, including some high order inter-modal transportation facilities.

Within the City Plan context, the proposal has had the benefit of the Avenue Segment Study. The site is located within the mixed use area, and within the "Avenue" area. The latter designation encourages reurbanization. It is located within the High Order Transit Corridor.

All these policies speak well in favour of the proposal.

The Board finds that the proposed by-law (Exhibit 3) and the proposed site plan (Exhibit 4 and Exhibit 14 (23 drawings)) are appropriate and in order. The Board therefore allows the appeal to the zoning by-law and amends the City zoning by-law in accordance with Exhibit 4.

The Board will determine the site plan in accordance with Exhibit 4 and Exhibit 14, subject to the minor tinkering that is needed and appropriate.

The Board will withhold the order until so advised by counsel that it is appropriate to do so.

I can be spoken to in matters of mechanics.

"S. W. Lee"

S. W. LEE
EXECUTIVE VICE-CHAIR