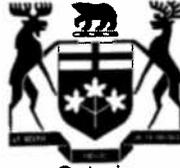


ISSUE DATE:
DEC. 2, 2009



PL090404

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

Dunpar Developments 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 neglect to enact a proposed amendment to the Official Plan for the City of Toronto to permit "semi-detached units" as a permitted use and to define the boundary between the "Neighbourhoods" and "Parks and Open Space Areas - Natural Areas" designations at the southwest corner of Lake Shore Drive and Fourth Street to permit six semi-detached residential dwelling units and one single detached residential unit
OMB File No. PL090404

Dunpar Developments 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 neglect to enact a proposed amendment to Zoning By-law 3754 of the City of Toronto to rezone lands respecting 51 Lake Shore Drive from Second Density Residential (R2) and Parks (G) in order to allow "semi-detached units" as a permitted use
OMB File No. PL090405

APPEARANCES:

Parties

Counsel

City of Toronto

B. Haley

Dunpar Developments Inc.

B. Ketcheson

Toronto and Region Conservation Authority

J. Wigley

Kenneth Tilden

**MEMORANDUM OF ORAL DECISION DELIVERED BY J. R. AKER
ON NOVEMBER 25, 2009 AND ORDER OF THE BOARD**

At the outset of the hearing, the Board determined party status as set out on the first page of this disposition. Similarly, sixteen individuals were granted participant status.

Through the course of the hearing, there was evidence of a significant discrepancy between two land surveys respecting 51 Lake Shore Drive. An earlier

survey dated July 6, 1909 (Exhibit 16), was different from a later survey dated October 4, 2006 (Exhibit 17). The parties all made submissions as to whether the hearing could or could not proceed.

Mr. Ketcheson, counsel for Dunpar Developments Inc. (Applicant/Appellant), after reviewing the circumstances, reluctantly requested an adjournment and requested a future prehearing date be scheduled. All parties agreed to this request but the Board notes that the City of Toronto was prepared to proceed with the hearing as scheduled.

With the consent of all parties, the hearing was adjourned sine die. After canvassing the parties, a prehearing conference is now set to commence at 9:30 a.m. on March 12, 2010. The location is the Board's Offices at 655 Bay Street, Toronto.

No further notice is required.

This Member is seized.

Mr. Ketcheson reserves the right to bring a Motion for Costs on these proceedings. The Motion will be brought in accordance with the Rules of Practice and Procedure of the Ontario Municipal Board.

The Board so Orders.

"J. R. Aker"

J. R. AKER
MEMBER