



Joe Cressy 周凱捷

City Councillor | Ward 20, Trinity-Spadina

November 2016

Dear Neighbours,

As we grow as a city, we must ensure that we are building liveable neighbourhoods, rather than just adding density. We worked together to develop a community vision - the Dupont Street Study (Ossington to Kendal Avenues) - to guide development and change in our community. Thanks to the leadership of the Annex Residents' Association, the Seaton Village Residents' Association and the Christie Pitts Residents' Association, our communities came together and set out a plan for the future. I am writing today to update you on the site-specific Ontario Municipal Board (OMB) appeal at **328 Dupont Street** (between Walmer and Kendal).

As you may know, in December 2013, City Council, following a request from the Ward 19 and 20 Councillors and the local community, directed City staff to undertake a study of the Dupont Corridor from Kendal Ave. to Ossington Ave. The study examined land uses, possible streetscape improvements, urban design and built form guidelines, transportation options, the function and design of Dupont St. and the impact of the rail corridor on potential development options. Public meetings were held throughout 2014 and City Council adopted a final report at its meeting on August 25, 2014, thereby enacting both an Official Plan Amendment and Zoning By-law Amendment.

The plan for Dupont St. was subsequently appealed to the Ontario Municipal Board (OMB) by multiple property owners along Dupont. The parties agreed to engage in an OMB-led mediation process to try and reach a negotiated settlement. Earlier this year, settlements were reached, and approved by City Council, on both the Official Plan Amendment (OPA 271) for Dupont Street and site-specific applications for 840 Dupont, 740 Dupont, 500 Dupont, 420 Dupont/275 Albany Ave. A settlement was not reached for the site located at 328 Dupont, between Walmer Rd. and Kendal Ave. (328, 330, 332, 344, 358, 374, and 388 Dupont St.).

I, along with Councillor Mike Layton (Ward 19), distributed a joint letter to the community in March 2016, detailing the outcome of the settlements and the protection of our community's vision. For more information on these settlements, please visit my website at joecressy.com.

As mentioned above, a settlement was not reached on the appeal at 328 Dupont St. The site is partially located within the Dupont Street Study area, and partially outside of it. City staff have been working hard to ensure that the principles of the Study were protected within the Study area – appropriate heights, rail setbacks to ensure safety, maximizing the public realm, and more – but also to ensure appropriate development on the portion of the site outside of the study area as well.

Discussions with the appellant, through mediation at the OMB, continued throughout the summer. In October, the City received a without prejudice settlement offer from the proponent. As is the case with any without prejudice discussions that occur in the context of pending litigation, the content of these discussions must remain confidential, which means details cannot be made readily available to the local community.

I insisted on holding a without prejudice public meeting to consult with local residents on the settlement offer on October 25, 2016. Although I am not able to discuss the details of the offer, I can say that at the meeting, I heard a number of priorities loud and clear: maintaining appropriate height, preventing overdevelopment of the site, transportation impacts of the proposed settlement, and the need to ensure safe setbacks from the rail corridor to protect those within any future building.

Our City of Toronto Planning and Legal staff who attended the meeting worked hard to consider and take into account the perspectives they heard from the community.

At the November 8th and 9th meeting of City Council, City staff brought forward a report recommending refusal of the settlement offer, which was adopted by City Council. Although I am not able to discuss the reasons for the recommendation to refuse the settlement – as it is legal advice - I agree that the settlement offer did not represent an appropriate proposal, and was not in our community's best interest.

It is likely that the matter will now proceed to a full OMB hearing, although at this time no date has been requested for a hearing. Our City staff will vigorously defend the interests of the community and work to protect our vision for the neighbourhood. I will continue to keep the community updated on the status of the appeal as we move forward.

Managing development to ensure we are building neighbourhoods is critical. Being forced to the OMB to negotiate development proposals is frustrating for all of us, but I believe we have made a critical decision to ensure we protect the interests of our community.

Let me be clear - **our planning process is broken**. Working together with our neighbours through the development process is critical in ensuring we plan our neighbourhoods for the future. Far too often, appeals to the OMB remove the local development process from the hands of our community. Additionally, the confidential mediation process prevents us from discussing the details of any proposed settlements.

I will continue to fight to abolish the OMB, to ensure that the future of our communities is managed at the local level, not by an unaccountable, unelected OMB.

If you have any questions, please feel free to contact my office at any time.

Sincerely,



Joe Cressy
City Councillor
Ward 20, Trinity-Spadina