

## Blame game over city's missed filing

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Fingers were still being pointed at Toronto City Hall yesterday after the city missed an important deadline in Mayor David Miller's battle to stop a west-end development.

One councillor said the city's planning staff is simply overwhelmed and Miller needs to hire more staff. Another said city politicians themselves were to blame. And the city's lead solicitor vowed it won't happen again.

Miller has said the Ontario Municipal Board erred in approving a large project in the Queen West Triangle. The city wants the area retained for employment and artist space and says that the OMB ignored the city's wishes when it approved a series of highrise condos.

The city vowed to fight the decision, but Toronto's legal department missed last Friday's deadline to ask the OMB to reconsider. The city was supposed to have filed its appeal to the OMB itself, but the city solicitor responsible for the file had to undergo surgery and the case wasn't sent along to a colleague.

After Miller said protecting the area was a priority, council last week said it would petition the OMB as well as seek a so-called zoning order from provincial cabinet and file a notice of appeal in divisional court.

The city should have filed to the appeal court by Jan. 31 – five working days after it notified other parties it would appeal the OMB decision. Instead the city filed yesterday, prompted by a letter from Verdiroc, one of the developers involved, pointing out it had missed that deadline.

"We are prepared to co-operate to correct the city's late filing, provided that the city agrees to file any additional materials on time," Verdiroc lawyer David Bronskill said yesterday.

A court official said the missed deadline didn't matter as long as the city and developer were okay with it.

City spokesperson Brad Ross said the city has to file details of its case with the court and other parties by March 2, and he said the city will meet that date.

Councillor Adam Vaughan yesterday said city staff is overwhelmed. "They have shrunk the size of the planning department. Is it any wonder that deadlines get missed, that planners are stressed out?"

The planning committee chair Brian Ashton agreed the Friday deadline miss was a "one-off" mistake but pointed a finger at a colleague.

"I'm not sure if Councillor (Adam) Giambrone (whose ward includes the development site) was ahead of the file. Staff is getting the blame but somebody dropped the ball at the beginning."

City solicitor Anna Kinastowski said she'll remind her staff of the need to keep reminder systems so deadlines aren't missed.

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