

Province offers Miller no help in stopping condo plan

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The province won't help Mayor David Miller stop a development in a Queen St. W. neighbourhood that he says will destroy a creative employment area.

Last week, Miller asked the province to issue a zoning order to stop a condominium project – approved by the Ontario Municipal Board – from going up in an area near Dovercourt Rd., known as the Queen West triangle.

Yesterday, Municipal Affairs and Housing Minister John Gerretsen sent his reply.

"Since the matter is still before the Ontario Municipal Board, we're certainly not prepared to interfere with that process," Gerretsen said in an interview yesterday, referring to the city's request that the OMB reconsider its decision.

In his letter to Miller, Gerretsen also pointed out that the city had numerous options, which it didn't exercise, to change, delay or stop the development, before it got to the board.

"In order to secure and protect the vision for this neighbourhood in a timely manner, the city could have enacted an interim control bylaw... . As well, city council had an opportunity to take a position on the three proposals for development in advance of any appeal to the OMB," the letter states.

This is just the latest of numerous criticisms the city has faced over its handling of developers' plans to fill an area known for artist studios and old warehouses with high-rise condos.

This month, the city forgot to ask the OMB to reconsider its decision within the time allowed. The city said it missed the deadline because the lawyer on the file was having surgery and none of the other 18 lawyers in the department knew about the need to file the papers. The OMB allowed the city to file late.

The next day came allegations that the city had missed another deadline, this time dealing with the court appeal.

Miller said it was "unfortunate" the province isn't prepared to issue a ministerial zoning order and countermand the action of the OMB, a provincial agency.

"They've already acknowledged the need for reform of the OMB by bringing in some changes, and I think it's incumbent upon them to act. Otherwise, it sends a terrible message that there is no planning in Toronto. It's just whatever the OMB happens to think on a particular day," Miller said.

Under the planning act, Gerretsen can prohibit certain types of buildings or regulate the use of land through a ministerial zoning order. The area surrounding the proposed site of the Pickering airport, for example, is under an order that prevents housing from being built too near the site.

Gerretsen refused to say whether he would consider Toronto's request for a zoning order if the city doesn't get anywhere with either the court appeal or the OMB review.

with files from Jim Byers

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