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March 9, 2021

City of Toronto
Community Liaison Office, Leah Snowden, LURA Consulting

and to

City of Toronto
Councillor John Filion, Ward 18, Willowdale

and to

City of Toronto
City Planning, Gregg Lintern, Chief Planner

and to

City of Toronto
City Planning, Giulio Cescato, Manager Central Section, North York District

Regarding: MODULAR HOUSING PROPOSED AT 175 CUMMER AVENUE

Dear Sirs and Madams:

We are the developers and builders of 14 single detached residential lots situated on the north side of Cummer Avenue, directly across the street from this proposed Modular Housing proposal.

We wish to register our objection to this proposal specifically as we understand it to be for 64 single occupant housing units with communal services in a 3 storey building, for several reasons listed below.

LAND USE PLANNING

First, the lands upon which the proposal is situated, like the lands upon which our development is situated, is designated 'NEIGHBOURHOODS' in the Official Plan, similar to much of the areas of the City which are interior to arterial roads. This is in contrast to areas along arterial roads which are designated 'MIXED USE AREAS' or 'APARTMENT NEIGHBOURHOODS'.

A proposal for 64 single occupancy communal units on a parcel of land approximately 0.5 hectares in size results in a density of 128 units per hectare. This is not a low density proposal.

It has been the City's policy to only support development in the Neighbourhoods designation which respects and reinforces the existing physical character of the geographic neighbourhood, and which proposes building types and orientations, lot patterns and zoning provisions which are in keeping with the character of the neighbourhood and the policies of the Official Plan.

We point to our own experience in seeking the City's approval for our single detached lots on the north side of Cummer right across the street. We initially sought permission for 16 single detached lots, but were told by the City that our setbacks and design did not meet the character of the area and with the City's requested increase in setbacks our development lost 2 lots – from 16 to 14 lots. The density for our development is 0.877 ha for 14 units = 16 units per hectare.

We cannot understand how the City can suggest that on the north side of Cummer Avenue there must be 14 single detached lots at 16 units per hectare, not 16 lots, due to the need to reinforce the character of the neighbourhood, but on the south side of Cummer Avenue a development which houses 64 single occupant units, not family units, at a density of 128 units per hectare is appropriate.

We also point to many examples in this area and across the City has refused even townhouse development proposals within the Neighbourhood designation on the basis of incompatibility with the surrounding area. Many of these refusals are for lands which are adjacent to an arterial road – not interior to a community such as 175 Cummer Avenue is.

For many years now the City has imposed upon dozens of development proposals its view of the principle of compatible development in the Neighbourhoods, and in fact the City has, on many occasions, refused to approve even single detached dwelling proposals in the Neighbourhoods designation which its feels are out of character with surrounding single detached dwellings.

One may agree or disagree with the City having set up its Neighbourhoods as such homogeneous and strictly controlled areas – as you all know this is the subject of much debate in the City in the last several years. But one thing is clear – the City has enforced a homogeneousness within the Neighbourhoods that clearly does not support the City's own development proposed at 175 Cummer Avenue. The City cannot and should not, in our opinion, force all other development proponents to play by one set of rules, and now totally contradict its own planning policies. This is a complete undermining of what has been established, confirmed and applied planning policy in the city's neighbourhoods.

COMPATIBILITY

The surrounding neighbourhood is comprised of single detached dwellings with a base minimum frontage of 15m (49 feet). This has been established and we submit protected and enforced by the City to be a neighbourhood of large single detached dwellings.

175 Cummer Avenue is interior to the neighbourhood, not adjacent to or in close proximity to the surrounding arterial road network.

The proposal for 64 single occupant units with communal facilities is not compatible with the existing area context which contains housing for families – even the units for seniors at Willowdale Manor contain single and double occupancies.

A proposal for FAMILY units with a resultant much lower density could be considered more appropriate and potentially more compatible with this area.

HOUSING ACCESS AND SUPPORT

Information from the City on how residents of city housing are selected, screened and the support offered to them, to the employees of the facility and to the community is required to fully understand this proposal.

MZO TO BY-PASS PLANNING ACT REQUIREMENTS

It is our opinion that it is highly inappropriate for the City to embrace the use of a MZO to by-pass Planning Act requirements and community engagement, and, to do so under the guise of 'Covid relief'. We note that the City has in the past opposed and resented provincial interference in its local decision-making for land use, evidenced by the City's long-standing opposition to the OMB / LPAT and to its opposition to the province's use of MZO's in other contexts. To embrace the use of an MZO in this case to implement a proposal which is out of keeping with the City's planning regime and a proposal which circumvents public participation goes against everything this City has said and done for many years now.

It is our opinion that if the City were to propose a housing project of a nature, form, density and type that is appropriate to the site it selects, that it would not face the resident opposition that it has caused, and, it would not require the extra-ordinary step of asking the Province to step in and apply a MZO to force a situation which clearly does not fit.

ADDITIONAL INFORMATION

We request the following information be provided to the community for its review ASAP:

1. Site plan of the proposed housing project, including unit sizes, lot size, building details and typical statistics found on a site plan
2. Resident selection, screening and support information as detailed above.

And finally, we ask that we be added to all community consultation lists for this proposed development.

LIVANTE HOLDINGS (CUMMER) INC.

Per: 

Name: Elio Valente

Title: Principal