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June 12, 2023

Toronto City Council
City of Toronto
100 Queen Street West
Toronto, ON
M5H 2N2

REFUSE : MM 7.21 - Reconfiguration & Additional Improvements to the Modular Housing at 175 Cummer Ave

Members of Toronto City Council:

Volunteers from our **HousingNowTO.com** civic-tech and open-data project are disappointed but unsurprised by Councillor Cheng’s motion to further delay the completion of the modular supportive housing project at 175 Cummer Avenue in Willowdale that has already been approved a number of times by City Council. It is imperative that this long-delayed and needlessly politicized affordable housing project be both completed and occupied before another winter arrives in Toronto in the next 6-months.

Your vote on this member’s motion is a clear test to determine if your current Council members are in any way serious about meeting the City’s target of “**18,000 new units of Supportive Housing by 2030**” – which was committed to as part of City Council’s approval of the [HousingTO 2020-2030 Action Plan](#) in 2019 -



Your Council needs to create more than 2,000+ new units of supportive housing every single year for the rest of the decade to meet your stated supportive housing goals. Voting in support of any further delays, consultations or redesign of this 59-unit rapid housing development in Willowdale at the request of Councillor Cheng would undermine your commitment to the urgency that our City needs to deliver new supportive housing at speed and at scale. This Council approved project needs to proceed quickly, despite the recurring NIMBY objections that are presented by local residents for every single proposal for new supportive housing in the City of Toronto.

This grid provides some context and comparison between the Willowdale site – and the other modular housing sites that have been approved by Council as part of Toronto’s rapid housing program –

#	Address	Unit Count	Status
1	11 Macey Ave	56	Occupied (2020)
2	321 Dovercourt Road	44	Occupied (2021)
3	540 Cedarvale Ave	59	Occupied (2022)
4	175 Cumber Ave	59	OLT Appeal / MZO Refused
5	7 Glamorgan Ave	57	Active Construction
6	4626 Kingston Rd	64	Active Construction
7	150 Dunn Ave	51	Active Construction

Every other City of Toronto modular supportive housing site where Toronto City Council requested the use of a provincial Minister’s Zoning Order (MZO) to accelerate their delivery of the project was approved by Minister Clark – and comparable projects were completed and occupied, sometimes within a single calendar year. In comparison, City Council requested a provincial MZO for 175 Cumber Avenue in Willowdale ([2021.PH23.3](#)) more than 2-years ago on June 8, 2021. To date, the Minister has yet to “*Get It Done*” by signing the MZO, despite his many other actions to accelerate much needed new housing development in the GTA.

We agree with Councillor Cheng that the delays caused by the lack of the requested MZO – and the Ontario Land Tribunal (OLT) appeal filed by **Bayview Cumber Neighbourhood Association Inc.** (BCNA) and **LiVante Holdings (Cummer) Inc.** [a neighbouring McMansion developer] have added over a million-dollars to the cost of this modular housing project at 175 Cumber Ave. Therefore, we would request that City Council direct staff and City legal to ensure that should BCNA and LiVante lose their OLT appeal, the City would ask the Tribunal to require the losing parties to cover all of the City’s costs for both litigating the appeal-process and the additional costs to the project caused by their specious appeal.

We would also suggest that City Council should request that the Housing Minister increase the cost of filing an OLT appeal against a City supported affordable housing project to an amount much higher than the current \$400 (four-hundred dollar) value.

Our volunteers are always willing to share open and accurate data on affordable-housing with any City Councillor or community group that requires it to help ensure your on-going success in meeting the City of Toronto’s HOUSING 2030 approved targets.

Yours,



Mark J. Richardson
 Technical Lead – HousingNowTO.com

APPENDIX 1 – OLT “Request for Lower Fee” (\$400) filed by Bayview Cummer Neighbourhood Association Inc.



Ontario Land Tribunal
 655 Bay Street, Suite 1500, Toronto, ON M5G 1E5
 Tel: 416 212-6349 | 1 866 448-2248
 Web Site: olt.gov.on.ca

Request for Lower Fee

Instructions:

- This form can be used to request a reduction of OLT’s appeal fee.
- Prepare this form and submit with your Appeal Form at the time of filing your appeal.
- Note: An appeal fee reduction may **only** be requested if the appeal fee for the matter you are appealing is \$1,100 AND you are a private citizen, a registered charity or a non-profit ratepayers’ association.
- This form is to request the appeal fee be reduced to \$400.
- Please submit \$400 appeal fee with your appeal. If your request is denied you will be required to pay the balance owing.

Date Stamp - Received by OLT

Appeal Information


Municipal File Number:	Appeal Type (<i>Official Plan Amendment, Zoning By-law, Development Charges, etc.</i>)	Date of Municipal Decision:
2022 109344 NNY 18 OZ	Zoning By-law	May 11/12, 2022
Address and/or Legal Description of Property Subject to the Appeal:		
175 Cummer Avenue		
Municipality:	Upper Tier (Region, County, District):	Date Appeal Filed:
City of Toronto	Province of Ontario	August 17, 2022

Requester Information

Last Name:	First Name:
Gomes	Nathan
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation):	
Bayview Cummer Neighbourhood Association Inc.	
Email Address:	Nathan.gomes [REDACTED]
Daytime Telephone Number:	Alternative Telephone Number:
647-298-5708	N/A
Ext.	

Rev. 06/01/2021

APPENDIX 2 – OLT Hearing delays during Mayoral By-Election period (Q1/Q2-2023)



Ontario Land Tribunal

Case Details

Case Number *	Property Address	Act *
OLT-22-004678	175 Cummer Avenue Toronto	Planning Act
Legacy Case Number	Municipality	Section No *
—	Toronto	34(19)
Case Title *	Case Process *	Status
BL 818-2022, 3-storey apartment w/ 60	Bill 245	Pre-merit hearing
Reference No		Case Coordinator/Planner
BL 818-2022		Alexandra Portnoy

Hearing and Decision Information

View Decision(s) ↓	Hearing Type	Hearing Method	Start Date (MM/DD/YYYY) & Time	Hearing Status	Hearing Location
0007449	Case Management Conference	Video hearing	6/29/2023 10:00 AM		Contact the case coordinator/Planner <input type="button" value="v"/>
0006945	Motion	Video hearing	4/12/2023 10:00 AM	Cancelled X	Contact the case coordinator/Planner <input type="button" value="v"/>
0006639	Motion	Video hearing	3/16/2023 10:00 AM	Cancelled X	Contact the case coordinator/Planner <input type="button" value="v"/>
0005954	Motion	Video hearing	2/24/2023 10:00 AM	Cancelled X	Contact the case coordinator/Planner <input type="button" value="v"/>

OLT Case Number (OLT-22-004678) Status -

<https://jus-olt-prod.powerappsportals.com/en/e-status/details/?id=4b7f3084-0070-ed11-81ac-0022483ddd8e>