

November 10, 2025

City of Toronto
100 Queen St W
Toronto, ON M5H 2N2

Dear Mayor Chow and Councillors (*via email*)

RE: OLT Decision – 155 St, Dennis Drive for the November 12, 2025, Council Agenda Item – CC34.3

As you are aware, ABC Residents Association is a volunteer organization committed to enhancing the quality of life of its neighbourhood and the City as a whole. In the public realm we have either conceived or been at the forefront of such initiatives as the land acquisition for the future expansion of Village of Yorkville Park from Belair to Bay Street, the creation of a Ramsden Park ‘gateway’ on Avenue Road, a soon to be announced park commemorating historically important Indigenous lands, and significant financial contributions for the remodelling of the Jesse Ketchum PS gymnasium and playing field. These are initiatives that will positively impact peoples lives and we thank Councillor Dianne Saxe and her predecessor Mike Layton for their visionary support.

It is for this reason that ABC joined the OLT appeal as a Party for a property municipally known as 155 St. Dennis Drive. ABC position was clear; the proposed conveyance of approximately 16 hectares / **38 acres** of privately held lands in the Don Valley to the City for purposes of parkland and re-naturalization is a singular, generational event of such historical importance that it could not and cannot be left to an individual Councillor or a handful of staff to decide.

ABC was very clear from the onset that should the TRCA present valid technical and legal evidence supporting the TRCA’s opposition to this project we would stand down and work with the City to seek other ways to acquire these lands. The TRCA failed to present such evidence as adjudicated by the OLT and, for the reasons set out below, ABC recommends you to ***not pursue an appeal of the OLT’s decision.***

The OLT’s decision results in the approval of a development that requires the dedication of 16 ha / 38 acres of land to the public comprising 95% of the subject site. This dedication of land, which is located within the Don Valley and located south of the Charles Sauriol Conservation Area and at the intersection with the brilliantly conceived Meadoway, will occur at no cost (i.e. dedicated free of charge) and without any parkland credit being granted to the developer. Further, it will result in the conversion of a privately run golf course into a publicly accessible naturalized area which will serve the residents of Flemington Park and the 1000’s of hikers, cyclists and naturalists who use the Don Valley trails daily.

Despite a multiplicity of environmental, housing, and public health virtues, City legal and the TRCA are seeking leave to appeal a decision that was clear and unambiguous. We take no satisfaction in stating the City and the TRCA presented an OLT case that was an embarrassment, and to continue to oppose the development by way of an appeal, which has virtually no chance of succeeding, will simply result in a decline in the

credibility of the City and the TRCA when making land use planning decisions.

With respect to the improvement of the City's Don Valley lands and its trail system, the decision by the OLT, which we urge you to read, contains the following finding regarding the 16 ha to be dedicated to the public:

...the Proposed Development will protect and enhance the natural features. The development will improve key ecological attributes, such as diversity and connectivity. The proposed ecological restoration is particularly noteworthy in this regard, including the decommissioning of the golf course, the restoration of landforms through a cut and fill exercise, significant riparian planting, the creation of a 30-metre ecological buffer along the Don River and its tributaries, and the protection of existing significant woodlots. As a result, wildlife and fish habitats will be enhanced.

Permitting the OLT's decision to stand will result in a 'win' for all involved. Housing will be developed in proximity to a Major Transit Station Area. The new dwellings will be a very short walking distance (less than 5-minute walk) to the Eglinton LRT. The public will gain ownership and access to 16 ha of re-naturalized lands within the Don Valley system. The City's trail system along the Don Valley can be extended and improved.

The objection to the development, as presented at the OLT hearing, was based primarily upon a concern that the residential development may not be safe from hazards due to its proximity to the valley. The OLT, having heard weeks of evidence from experts, entirely rejected the position put forward by the TRCA and the City. The OLT found that the proposed development of residential dwellings is safe and appropriate at this location. The OLT's finding could not have been any clearer:

The City and the TRCA presented no evidence that the Development Site is unsafe for development, including evidence of any identified hazard, or that development would aggravate those hazards. By contrast, the Applicant presented compelling evidence to the contrary.

The City and the TRCA also argued that permitting the development at the subject site would set an unacceptable precedent. As with all positions put forward by the TRCA and the City, the Tribunal rejected that argument. The OLT addressed this issue as follows:

The Tribunal finds that such concerns are unfounded. First, it is established law that decisions of administrative bodies, such as the Tribunal, do not create legal precedent. Moreover, any future proposed development within the Don Valley will be decided on site-specific evidence, considering the applicable policy environment in effect at the time. In addition, the Proposed Development is unique in many respects including the presence of a paleo terrace, the existing access to a public road, a proposed partnership with Indigenous communities, a conveyancing of a significant area of Public Open Space, and proximity to higher-order transit.

There is no reason to seek an appeal of this decision based upon a concern of precedent because the OLT has confirmed that this decision is not to set a precedent. Any future development appeals will be decided upon the merits of that case, as was confirmed by the OLT in this decision.

In summary, all arguments put forward by the TRCA and the City were completely rejected by the OLT. **The decision is based upon findings of fact, which cannot be appealed to the Court.** The decision also, quite simply, makes sense. The Tribunal member considered the risks and benefits of the entire proposal and determined that it should be approved.

We would urge the City to consider the entire proposal, just as the Tribunal member did, and allow the decision to remain in place without an appeal. The reasons for this should be obvious:

- i. 95% of the property will be dedicated to the public at no cost and will be re-naturalized from a private golf course to natural open space. This will add to the City's ravine and trail networks.
- ii. The residential development will result in much needed housing, and it will be proximate to the Eglinton LRT.
- iii. The re-naturalization of 16 ha will result in an improvement to the City's natural features, including the Don River.
- iv. The development of residential dwellings at this location has been determined to be safe by the OLT. The City and the TRCA presented no evidence that it is not safe.
- v. Allowing this decision to stand will not result in a precedent for future developments. The decision addresses that concern and makes it clear that this is not to be used as a precedent.

Enough time, resources and money have already been wasted to oppose a development that will result in a clear and unprecedented benefit to the citizens of the City, and beyond. We once again urge you to instruct City staff to abandon its efforts to appeal the OLT's decision.

An Alternative Way Forward?

If the City is intent on removing the development envelope from private hands we would remind you the City has other options that can be brought to bear to achieve the greater public good including using monies previously collected as cash-in-lieu of parkland to acquire these lands and potentially teaming up with the Federal government to advance their recently announced affordable housing initiatives.

Sincerely,

Austin Spademen

ABC Residents Association

CC via email: Mayor Chow, all Ward Councillors, City Clerk