

Plans for Wellington and Leslie Street lands up for Tribunal review in 2024

A firm decision on what might ultimately be built in the southwest quadrant of Leslie and Wellington Streets could come as late as 2024 following a decision by the Ontario Land Tribunal on last Thursday.

Following Council's passage of an Interim Control Bylaw last month which is intended to halt any development on the site until a full review can be undertaken, the Ontario Land Tribunal (OLT) has set a 10-day hearing on development proposals from February 26 to March 8, 2024.

At issue is 1289 Wellington Street East, which is subject to a development application of three seven-storey residential apartment buildings and 12 townhouse blocks.

The proposal was rejected earlier this year by the 2018-2022 term of Council following concerns raised by lawmakers and residents alike over density, massing, and environmental impacts.

Council's voting down of the proposal prompted an appeal to the OLT but the situation became more complicated on October 27 when Ontario's Minister of Municipal Affairs and Housing amended the Region of York's Official Plan to prescribe building heights of a minimum 12 storeys.

Council members questioned how this Ministerial decision would impact the file that was already before the OLT for a conference on December 1, but following its decision on December 8, the appeal will continue to a hearing.

"For a variety of reasons, including the enactment of an Interim Control Bylaw (ICBL) by Aurora on November 22, 2022 that impacts the site and development, the parties sought a 10-day hearing in 2024 rather than 2023," said OLT Vice-Chair William R. Middleton in his decision last week. "Aurora will conduct a one-year ICBL study which will unlikely be completed much before the end of 2023. This study could well impact the view of Aurora concerning the development and also the instructions that counsel for Aurora may receive in respect to this appeal. However, understandably, the Appellant wishes to advance this matter in an appropriate manner and all Parties are in agreement with this hearing request."

The issue will next come before the OLT on July 10, 2023 with a Case Management Conference where all parties, including the Town, are requested to provide the tribunal a list of issues and a status update on the ICBL study.

When the proposal, along with the Minister's changes, were last before Council, members questioned why this specific quadrant of Yonge and Wellington had received special attention from the Ministry.

"When it came to us, this Council stood strong and opposed that application," said Councillor John Gallo at the time of the original seven-storey proposal and the now-passed Interim Control Bylaw. "Now what we have is a Minister that feels they know better than us around the table, the staff, public and has circumvented the entire process and has given them the green light, and you can bet that they're going to appeal whatever we're doing tonight."

Mayor Tom Mrakas shared these concerns, saying it "boggles the mind" why this piece of land was "cherry picked."

Prior to the meeting, Mayor Mrakas sent a letter to the Minister requesting further communication on how this had come to pass.

"I would like to arrange a conversation with yourself in regards to this provision," wrote Mayor Mrakas in a letter shared with The Auroran, outlining the new targets of 330 units per hectare and the 12-storey minimum building height. "I am particularly concerned as there was no consultation with the Town or any support from the Town for such a provision that would see double the height in an area that is not a MTSA (Major Transit Station Area). I would like to better understand the rationale for the provision given the impact on our community and the precedent it could set for future planning decisions."

By Brock Weir Editor Local Journalism Initiative Reporter