

## Wellington Village Community Association



E. of Island Park Dr. / W. of Holland Ave / S. of Scott St. / N. of the Queensway

24 June 2011

Dear Mayor Watson,

We would like to invite you to a fall meeting of the Wellington Village Community Association. We have been disappointed by almost every aspect of the convent site re-development in neighbouring Hampton-Iona and would like to discuss community development and how the recently-approved Wellington Street West Community Design Plan works with the City's Official Plan. Or, more pointedly, is there any reason for our community to put any faith in the newly-approved Wellington Street West Community Design Plan?

In particular, we note that section 4.1 of the Official Plan states that "These plans [community plans] can be more restrictive than this Plan but they must conform to the policies of this Plan." We are not entirely sure what this statement means - especially in light of policy 1 to section 4.1. That policy states that "the secondary plans, Village plans and site-specific policies in Volume 2 may be more restrictive than the policies in Volume 1 of the Plan."

We contrast the wording of section 4.1 and its accompanying policy with the wording of policies 5.6.1 and 5.6.6 of the City of Toronto's Official Plan. Those policies state that:

5.6.1 The plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for decision making.

5.6.6 The policies of this Plan apply to the areas subject to Secondary Plans contained in Chapter Six, except in the case of conflict, the Secondary Plan will prevail.

The clear language of Toronto's policy 5.6.6 seems, at least on one occasion, to have been a deciding factor in overturning the Ontario Municipal Board (see *Toronto v. Romlek Enterprises*, 2009 CanLII 27819 (ON S.C.D.C.)). Is there a similar conflict rule in Ottawa for interpreting the relationship between the Official Plan and a Community Design Plan? If not, why not?

Our September meeting is tentatively scheduled for Tuesday, September 13 (7:30pm, location to be determined), and the meeting schedule for our remaining fall meetings will be set soon. If you agree to come speak to us, we would be pleased to pick a date that works for you.

Sincerely,

Duff McLeod, WVCA Board Member, and Jason Thomson, WVCA President