



LAKESHORE PLANNING COUNCIL CORP.

Email: lpcc.lakeshoreplanningcouncil@gmail.com

June 13, 2016

TO: Councillors - Etobicoke York Community Council

Re: EY 15.5 – 2445 Lake Shore Blvd West – Official Plan Amendment

We object to the recommendation by City Staff to re-designate this property from Parkland to Site and Area Specific Policy 265 (SASP 265) for the following reasons:

1. The assertion by City Staff that the property must be re-designated in order to sign a new 5-year lease with Storefront Humber is incorrect and misleading.
2. We challenge the claim by City Staff that they have a “legal opinion” that this re-designation must be completed before a new 5-year lease can be provided to Storefront Humber Inc. We have filed a Freedom of Information request with the City to provide us with a copy of this “legal opinion”.
3. Any such “legal opinion” does not comply with the law, common law and case law.
4. The proposed re-designation by City Staff from Parkland to SASP 265 effectively removes all public consultation and City Council review of “sale or disposal” of this property.
5. Under the law, and under the Toronto Municipal Code, City Council can decide that the property can continue to remain designated as City Parkland and the City can legally provide a new 5-year lease for Storefront Humber to continue rental of the property.
6. City Council has the authority to over-ride any existing Municipal Code By-law provision that delegates the “sale or disposal”, including lease, of this property, or any other property, to City Staff and the Ward Councillor. The passing of this Municipal Code By-law was based on the provision that City Council can at any time over-ride this delegation of “sale or disposal” of City property to City Staff and the Ward Councillor.

7. Residents consider this property to be in a strategic location in/adjacent to Amos Waites Park and have for many, many years tried to have input into its use and “disposal”. The proposal to re-designate the property from Parkland to SASP 265 specifically, and needlessly in law, frustrates residents’ objectives that, in the shorter and long-term, this building and property at 2445 Lake Shore Blvd West will be opened to the public/area residents to serve as a Community Centre or some similar purpose.
8. The purpose of the delegation of “sale and disposal” of City real estate to City Staff was to relieve City Council of the burden of reviewing routine, ordinary transactions, such as acquiring a small strip of land to increase the width of a sidewalk or other minor but necessary transactions. The intention was not (and should not be) to remove public consultation and City Council decisions concerning more important, valuable public assets such as 2445 Lake Shore Blvd West.
9. The proposed re-designation of 2445 Lake Shore Blvd West from Parkland to SASP 265 is not in the public interest. It will permit City Staff and Ward Councillor to do whatever they choose with this property in the future, including selling it, without public consultation and without City Council review.
10. We trust that members of City Council will listen and act in the public interest, which is the interests of residents of our community. We trust City Council will see fit to protect the interests of residents and that this matter will not have to be reviewed at the Ontario Municipal Board.

Thank you for your consideration.

Sincerely,

Timothy Dobson, OALA, ISA, Landscape Architect & Arborist
Chairman
LAKESHORE PLANNING COUNCIL CORP.