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Our File No.: 221782

**Via Email**

City of Toronto Executive Committee  
Toronto City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

**Attention: Julie Amoroso, Secretariat**

Dear Sirs/Mesdames:

**Re: Item EX34.3 – Growth Funding Tools – Alternative Parkland Dedication Rate**

We are solicitors for Rimap & Main Developments Inc. in respect of the lands known municipally in the City of Toronto as 5238 Dundas Street West and 28 Jopling Avenue South (the “**Lands**”). On September 21, 2021, our client filed official plan amendment and rezoning applications in respect of the Lands. The proposed redevelopment would include new public parkland with an area of 340 square metres (14% of the Lands).

We write on behalf of our client to express its concerns with the draft official plan amendment relating to parkland dedication (the “**Draft OPA**”) and the associated draft parkland dedication by-law (the “**Draft By-law**”). As outlined below, technical revisions to the proposed instruments are required to ensure that an outdated provision of the Etobicoke Centre Secondary Plan (the “**Secondary Plan**”) is either deleted or does not apply to the Lands.

**Background**

Policy 3.9.8 of the Secondary Plan provides the same parkland dedication rate as set out in the Municipal Code but increases the maximum for all lands to 20% without regard to the size of the development site. This approach, however, is clearly outdated. The Secondary Plan was approved approximately two decades ago and predates the current City of Toronto Official Plan. Many of the provisions of the Secondary Plan, including Policy 3.9, were predicated on the Official Plan for the former City of Etobicoke and a planning strategy formulated in the 1990s. Policy 3.9 is not only antiquated but also it is restrictive and financially punitive for an area identified in the Growth Plan for the Greater Golden Horseshoe as both an urban growth centre and major transit station area and in the City of Toronto Official Plan as a Centre on Map 2 (Urban Structure). There is simply no valid planning reason to continue this outdated approach to parkland in the Secondary Plan, especially as it could apply to the Lands.



### **The Draft Parkland Instruments**

In light of long-standing concerns regarding Policy 3.9.8 in the Secondary Plan, our client followed City staff's study process regarding its proposed parkland instruments closely. Our client was pleased that the draft instruments released for public consultation in April of this year proposed to delete policy 3.9.8 of the Secondary Plan (and similar policies in other Secondary Plans). The draft by-law released at that time also appropriately did not include any provisions that allowed the parkland dedication rate in Secondary Plan to prevail over the City-wide rates in the by-law. If these aspects of the instruments were approved as proposed in April, it would have had the effect of ensuring that the City-wide parkland dedication cap applies to the Lands.

However, the Draft OPA that is now before the Committee no longer deletes Policy 3.9.8 of the Secondary Plan. The Draft By-law also now includes the provisions that allow Policy 3.9.8 in the Secondary Plan to prevail over the City-wide caps parkland dedication by-law (see §415-31(D) of the Draft By-law). Further, even though the Draft By-law includes site-specific parkland provisions for certain properties, there are no such provisions included for the Lands.

We recognize that the Draft OPA and Draft By-law are proposed as "interim measures" until City staff report to Council further in 2023 with further recommendations on parkland matters. However, even in the interim, there is no basis to continue the outdated approach to parkland that is found in the Secondary Plan or otherwise exclude the Lands from the parkland dedication caps that apply City-wide.

### **Requested Revisions to the Draft Instruments**

City staff initially appeared to recognize that there is no basis to treat parkland dedication for lands within the Secondary Plan differently than other lands within the City that are subject to the City-wide parkland dedication caps. In these circumstances, we respectfully request that the Draft OPA be revised to delete Policy 3.9.8 from the Secondary Plan, as staff proposed in the draft materials released for consultation in April 2022. Further, the Draft By-law should be revised to delete §415-31(D). At a minimum, the Draft By-law could include a site-specific provision providing that the parkland dedication rates in §415-23 of the Draft By-law, including the caps, apply to the Lands notwithstanding the Secondary Plan.

We appreciate the opportunity to provide these comments on behalf of our client and would be pleased to meet with City staff to discuss further. Please also accept this letter as our request for notice of any decisions relating to this matter.

**Goodmans**<sup>LLP</sup>

Yours truly,

**Goodmans LLP**



David Bronskill

DJB/

cc: Client

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