

Stephen F. Waqué  
T 416.367.6275  
F 416.361.2708  
swaque@blg.com

Borden Ladner Gervais LLP  
Scotia Plaza, 40 King St W  
Toronto, ON, Canada M5H 3Y4  
T 416.367.6000  
F 416.367.6749  
blg.com



June 13, 2013

**Delivered by Email**

City of Toronto City Clerk's Office  
Etobicoke Civic Centre  
399 The West Mall  
Toronto, ON M9C 2Y2

Attention: Ms. Rosemary MacKenzie, Administrator  
Etobicoke York Community Council

Dear Ms. MacKenzie

**Re: City Initiated Official Plan Amendment  
Application No: 07 103514 STE 30 TM  
Item EY25.15, 11:00 am - June 18, 2013 Community Council**

On April 8, 2013 we wrote to you and Etobicoke York Community Council expressing concerns with the above noted City Initiated Official Plan Amendment application. Peter Swinton of PMG Planning Consultants (PMG) also made a deputation at Community Council on April 9, 2013 expressing our client's concerns. On April 9<sup>th</sup>, Community Council passed the following motion by Councillor Grimes:

1. Defer its decision regarding the Final Report – Mimico-by-the-Lake Secondary Plan, until June 18, 2013, in order to allow the Director, Community Planning, Etobicoke York District, to respond to comments received at the April 9, 2013 Public Meeting.

Since that time, neither our office, nor our planning consultants, PMG, have been contacted by Staff to discuss their response to our client's concerns. In reviewing the Staff Report dated May 30, 2013, it appears that there has been very little regard for the issues we have raised. Specifically:

1. The May 30<sup>th</sup> report speaks to a "community identified priority" for additional parkland along the waterfront. They have not addressed the absence of justification for this parkland in their own background studies, nor the fact that waterfront park land was recently taken and developed, or the impacts of taking this additional land on development;
2. Staff has indicated that the waterfront road north of Superior Avenue should remain to "provide access to new development, parking opportunities for visitors and increase the extent of the public realm buffer that separates the park from private development. As redevelopment occurs, landowners would be required to construct the roadway and then

transfer the lands to the City for public road purposes.” It appears as though Staff have either overlooked or chosen to ignore our concerns that the road is not needed for development, would constrain a number of sites and in combination with the park dedication requirement to remove the potential for their redevelopment, and could therefore not be implemented through the development process;

3. The discussion about massing does not address the issue of recognizing the heights of existing buildings, nor the concerns of repeating the problematic massing pattern of the first phase of the Humber Bay Shores development area;
4. Changes were not made to either reduce the obligations associated with rental housing protection, or to increase the ability of a developer to carry the costs associated with the replacement of rental housing and rental housing parking;
5. Staff have neither discussed nor changed the implementation policies, which form significant roadblocks to redevelopment.

As indicated in our April 8<sup>th</sup> letter, we feel that the Mimico 20/20 study and the resultant Secondary Plan and Urban Design Guidelines have strayed significantly from the original mandate to encourage the revitalization of the Mimico area through re-investment and development. The May 30<sup>th</sup> Supplementary Report and revised Secondary Plan have done nothing to change this opinion. Based on Staff’s reluctance to address these issues in this supplementary report, we believe that another referral to Staff would be equally pointless. We therefore request that the Staff Report be received by Community Council, and that no further action be taken.

Yours very truly,



Stephen F. Waqué  
SFW:cm

cc. Councillor Mark Grimes  
Mr. Neil Cresswell, Director, Community Planning, Etobicoke York District  
Shoreline Towers Inc.  
Mr. Peter Swinton, PMG Planning Consultants