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# AIRD & BERLIS LLP

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Barristers and Solicitors

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November 20, 2013

BY EMAIL

File No. 113157

Planning and Growth Management Committee  
c/o Nancy Martins (Secretariat)  
10th floor, West Tower, City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

Dear Committee Members,

**Re: PG28.2 Official Plan and Municipal Comprehensive Reviews: Amendments to the Official Plan for Economic Health and Employment Lands Policies and Designations and Recommendations on Conversion Requests**

**CR Islington Inc.**

**2200 Islington Avenue**

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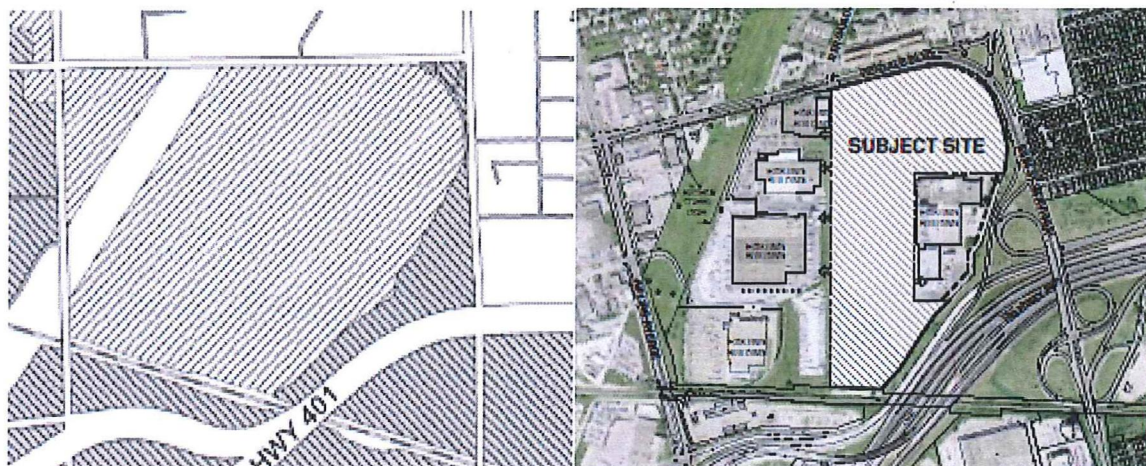
Aird & Berlis LLP is counsel to CR Islington Inc. with respect to their lands located at 2200 Islington Avenue (the "Site"). The Site is located in the southwest quadrant of the intersection of Islington Avenue and Rexdale Boulevard, just north of Highway 401. The Site is approximately 21 hectares and is currently occupied by a Sears retail store with a significant amount of surface parking and greenspace. The Site wraps around the north and south side of its neighbour to the east, 2250 Islington Avenue, which is currently occupied by Quebecor Media Inc.

The Site is presently designated *Employment Areas* and is located within an Employment District under the in-force Toronto Official Plan. The Site is subject to Etobicoke Zoning Code V131 and is zoned Class 1 Industrial Zone (I.C1).

CR Islington Inc. has undertaken preliminary consultations with City Staff in respect of proposed applications for rezoning and site plan to permit the development of the Site for approximately 773,000 square feet of retail and service commercial space, including up to three anchor tenants, and approximately 185,000 square feet of office space. A complete application for the required rezoning is anticipated to be filed with the City shortly.

We have reviewed the draft Official Plan Amendment prepared by City Staff pertaining to the City's Employment Areas. We have also reviewed the City Staff Report, which was released to the public on or about November 13, 2013. City Staff are recommending a dual-designation of the lands forming the southwest quadrant of Islington Avenue and Rexdale Boulevard. The majority of the quadrant is to be designated as *General Employment Area*. However, the quadrant's flankage along Highway 401 and Islington Avenue is proposed to be designated as *Core Employment Area*. The prime difference between these two designations is that while major retail uses will be permitted within *General Employment Areas*, such uses will not be permitted within the *Core Employment Areas*.

An excerpt from Map 11 to the draft Employment Areas OPA is included below to show how the proposed dual designation of the quadrant affects the Site:



It is not clear to CR Islington Inc. why a dual designation of the quadrant is necessary, particularly where all employment uses permitted under the *Core Employment Area* designation are permitted under the *General Employment Area* designation, meaning that any existing employment uses within the quadrant would continue to be permitted under a *General Employment Area* designation. For these reasons, and others, CR Islington Inc. is requesting that the designation of the above-noted quadrant be modified so that the entire quadrant is *General Employment Area*.

CR Islington Inc. also has concerns with proposed policy 4.6.4 – in particular, the requirements of (g) and (h). 4.6.4(g) would require all major retail use buildings to be a minimum of two storeys, while 4.6.4(h) would require the majority of major retail parking to be located below grade and/or in a parking structure that has limited visibility from the street. While there will be sites developed for major retail uses where (g) and (h) will be appropriate, these should not be made requirements for *all* major retail uses. At a minimum, the policy should provide for site-specific relief from these requirements where relief is demonstrably appropriate.

CR Islington Inc. takes a similar position with respect to proposed policy 4.6.5. Wording changes are needed in the listed requirements to address site-specific situations. For example, requirement (g) ought to be revised to “sharing driveways and parking areas wherever *practical*”, not “wherever possible”.

Please accept this written submission pursuant to subsection 26(5) of the *Planning Act*. Please also provide my office with notice of any decision regarding the proposed Employment Areas OPA. My office and my client’s planner, Mr. Tony Volpentesta of Bousfields Inc., remain available to meet with City Staff at their convenience.



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If you have any questions please do not hesitate to contact the undersigned.

Yours truly,

AIRD & BERLIS LLP



Patrick J. Harrington  
PJH/

cc: Keri Voumvakis, Acting Director, Strategic Initiatives, Policy and Analysis, City Planning  
Toronto City Clerk  
Client

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