

October 30, 2015

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VIA E-MAIL

File 16153.00002

Mayor and Members of Council
City of Toronto
Toronto City Hall
100 Queen Street West, 2nd Floor
Toronto, ON M5H 2N2

Attention: Ulli Watkiss, Clerk

Dear Ms. Watkiss:

**Re: Zoning By-law Amendment Application (the "Costco Application")
42-46 Overlea Boulevard, City of Toronto (the "Costco Lands")**

We are counsel for Iqbal Foods Corporation, owner of Iqbal Halal Foods, an Asian grocery store located at 2 Thorncliffe Park Drive in the City of Toronto (the "**City**"). Our client's business is located in proximity to the Costco Lands and as such has an ongoing interest in the above-noted matters and has been actively involved in the City's processing of the Costco Application.

The Costco Application was considered by the North York Community Council ("**Community Council**") on October 6, 2015 where several members of the community made oral and written submissions expressing concerns with the Costco Application. Our client supports its neighbours' concerns that have been raised and provides herein a further explanation of its reasoning to oppose the Costco Application. It is clear Community Council also has concerns with the Costco Application since this matter has now come to Council without recommendation following a tied vote at Community Council. Given this lack of clear direction from Community Council, it is important that Council give careful consideration to all of the issues raised by the community to ensure the appropriate decision is made for the Costco Application. Our client is primarily concerned with the negative economic impact of a big box retailer on smaller local businesses and the increased traffic on Overlea Boulevard.

Section 4.6 of the Official Plan includes policies which protect against the negative impacts of big box stores or power centres on smaller local businesses. An Economic Impact Assessment ("**EIS**") was submitted with the Costco Application. As set out in Planning Staff's Final Report in this matter, the Peer Reviewer of the EIS explains that the conclusion that the Costco store will not adversely affect the continued operation of the existing and other employment uses in the area is "subject to some uncertainty". The Peer Reviewer also explains that while the

functioning of other economic activities in the Employment District would not be a problem in year one of operation, issues could develop in subsequent years. Finally, the Peer Reviewer describes the Costco store as a major magnet for other commercial uses which would set a precedent for the approval of other big box retailers in the future. Our client feels these concerns, which will cause undue strain on local small businesses, have not been appropriately mitigated and therefore opposes the Costco Application.

Our client also has several traffic volume concerns that have yet to be sufficiently addressed in the community consultation process for the Costco Application. City Staff have acknowledged the community's concerns with the additional traffic volumes, particularly during peak rush hour periods and weekends, and the lack of capacity on Overlea Boulevard to accommodate the increased volume. There are also concerns that the large number of vehicles entering the site from the signalized entrance driveway at Overlea Boulevard will create vehicle queues and congestion resulting in delays and safety concerns on the street and Overlea Boulevard municipal sidewalk. From the Planning Staff's Final Report on this matter, it appears that the suggested solution to these problems is to increase traffic signal cycle length at the Overlea Boulevard intersections and to establish a left turn lane. These auto-centric solutions address only those who drive and are insufficient to mitigate the negative impact on pedestrians. There are many in the community that walk to their retail destinations, which are in proximity to the Costco Lands. The increased traffic volume will create an environment that does not support pedestrian movement and would compromise the safety of local residents and retail patrons. In addition, those who currently walk may in the future choose the automobile out of safety concerns thereby compounding the traffic volume issues. These issues require further consideration and until an appropriate solution is proposed, our client continues to oppose the Costco Application.

We hope that Council takes our client's above concerns as well as the concerns of others in the community into consideration and decides to refuse the Costco Application.

Thank you for your ongoing attention to this matter. If you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

WeirFoulds LLP



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c: Client

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