

AIRD BERLIS

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September 29, 2017  
Our file: 129970

Chairman and Members  
Planning and Growth Management Committee  
City of Toronto, City Hall, 100 Queen Street West  
10th Floor, West Tower  
Toronto, ON M5H 2N2

Attention: Nancy Martins, Secretariat, Planning and Growth Management Committee

Dear Chair and Members:

### **Proposed Official Plan Amendment No. 387**

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We act on behalf of General Motors of Canada Company ("GM Canada"), the owner of the property known municipally as 721 Eastern Avenue (the "Subject Property"), located north of Lake Shore Boulevard East and west of Leslie Street, in the City of Toronto.

We thank you for inviting us to comment on the City's proposed Official Plan Amendment No. 387 for the area known as South of Eastern. It is our understanding that these amendments would implement the recommended preferred street network, transit priority segments, and street rights-of-way for the South of Eastern Area that were identified in Phases 1 and 2 of the Port Lands and South of Eastern Transportation and Servicing Master Plan (TSMP) Environmental Assessment, as reported to City Council on July 4, 2017.

We understand that the proposed amendments (outlined below) will go to a statutory public meeting of Planning and Growth Management Committee on October 12, 2017.

### **Background**

It is my client's intention to develop the Subject Property in phases and over the long-term as an employment generator for the immediate community and the broader City.

On March 31, 2017, GM Canada submitted an application for a Zoning By-law Amendment along with a Plan of Subdivision (file 17 137240 STE 30 OZ and 17 137249 STE 30 SB respectively) to permit the development of office, research and development, ancillary retail and an auto dealership on the Subject Property. A Notice of Complete Application and Assignment of Application under the City's STAR Process was received on **May 18, 2017**. We note that GM Canada participated in a lengthy pre-application process with City staff starting in July 2016. At each meeting, the proposed development included a new public street connecting Eastern Avenue to Lake Shore Blvd. E.

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The Planning and Growth Management Committee received and adopted, with amendments, the recommendations in the Preliminary Staff Report on September 7, 2017.

On September 1, 2017, my client was notified of the property owners meeting on September 12, 2017. GM Canada sent three delegates to the meeting: Inger Squires from Urban Strategies Inc., and Sharon Sterling from WSP, and myself.

We, along with my client, have now had an opportunity to review the draft amendment No. 387 to the Official Plan in addition to the land owners' meeting held on Tuesday, September 12, 2017.

### **GM Canada's Comments**

Based on our review of the proposed OPA, we are writing to express my client's comments regarding with the proposed amendments:

- Given that the zoning bylaw and plan of subdivision applications for 721 Eastern Avenue received a notice of complete application prior to the proposed draft OPA, GM Canada is not obliged to meet the proposed road widening requirement. However, through the pre-application process GM Canada was advised that the City desired a 3.0m road widening. Accordingly, and based on goodwill, GM Canada included the requested road widening in its March 31, 2017 applications. My client will continue to have discussions with City staff to determine compensation for providing this non-statutory requirement as part of its applications.
- Schedule 2 to OPA 387 is proposed to outline new road links in South of Eastern. Given that GM Canada's applications were submitted prior to the reports being considered by Planning and Growth Management Committee (May 31, 2017) or City Council (July 4), we note that Schedule 2 does not include the proposed new public street proposed in my client's applications.

As a result, we ask that the text of the OPA be revised to reflect the assurances provided by staff at the September 12<sup>th</sup> meeting that Schedule 2 does not prohibit new streets, not listed in Schedule 2, from being planned and approved.

Furthermore, we formally request that the undersigned be provided with notice of any meetings of Council, Committees of Council, Community Council or Public/Community Consultation Meetings, where reports related to the Draft OPA are to be considered, and we request that the undersigned be notified of any decision of Council, Committees of Council or Community Council respecting the Draft OPA.

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Should you require any further information, please do not hesitate to contact the undersigned.

Yours truly,

**AIRD & BERLIS LLP**

A handwritten signature in cursive script, appearing to read "N. Jane Pepino".

N. Jane Pepino, C.M., Q.C., LL.D.

NJP/sh

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