

July 23, 2018

**By Same Day Courier and E-Mail**

Ulli S. Watkiss, City Clerk  
City Clerk's Office, Toronto City Hall  
13<sup>th</sup> Floor, West Tower  
100 Queen Street West  
Toronto, ON M5H 2N2

Dear Ms. Watkiss:

**Re: Proposed Zoning By-law Amendment and Draft Plan of Subdivision  
3000, 3004, 3008, 3012 and 3020 Kennedy Road**

We are counsel to 672006 Ontario Limited the owner of the lands immediately to the west of those municipally known as 3000, 3004, 3008, 3012 and 3020 Kennedy Road (the "Subject Property"), in the City of Toronto (the "City"). Applications for Zoning By-law Amendment (the "ZBLA") and Draft Plan of Subdivision (the "Draft Plan") have been submitted to the City to permit a residential development consisting of 42 detached dwellings and a public road extension of Fort Dearborn Drive to Kennedy Road.

We understand that the ZBLA and Draft Plan (together the "Applications") will be considered by City Council at its meeting on July 23 – 25, 2018. We are writing to outline our client's concerns regarding the Applications, specifically in relation to the impact the development of the Subject Property will have on our client's lands.

Our client's lands were developed in 1980 into what is now the established subdivision located to the west of the Subject Property. As a part of this development, a small triangular piece of land known as Block 45, which abuts the Subject Property, remained undeveloped as shown on Subdivision Plan 66M-2051. At the time that Subdivision Plan 66M-2051 was developed, it was expected that Block 45 would be incorporated into the future neighbouring development of the Subject Property.

On April 11, 2017 a Community Consultation Meeting was held to present the Applications and obtain preliminary comments on the development proposal. Our client did not receive notice of this meeting and for this reason was not present and did not make written submissions or comments. The statutory public meeting required under s. 34(12) *Planning Act* was held on July 4, 2018. On July 3, 2018 our client made a written submission to Scarborough Community Council via email advising the City of Block 45 and requesting that the Applications be amended to include the remnant

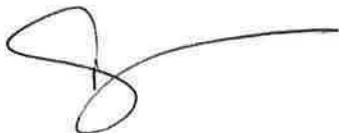
parcel. On, July 4, 2018 the Applications were approved by Scarborough Community Council, without the requested amendment.

The Applications have the potential effect of “land locking” Block 45, thereby rendering it permanently undevelopable. As such the effect of the Applications on our client’s land does not conform to the *Growth Plan for the Greater Golden Horseshoe, 2017* (the “Growth Plan”) or the City of Toronto’s Official Plan (the “Official Plan”) and is inconsistent with the *Provincial Policy Statement, 2014* (the “PPS”).

The PPS directs that land use must be carefully managed to both accommodate appropriate development and achieve efficient development patterns which optimize the use of land, resources, public investments in infrastructure and public service facilities. These objectives are further echoed in the guiding principles of the Growth Plan which direct that use of the existing urban land supply be optimized to make use of existing infrastructure. The Built Form policies of the Official Plan state that new development will be located and organized to fit with its existing context. Section 4.1 of the Official Plan directs that development in established Neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, in particular the size and configuration of lots.

It would be both contrary to above-reference policies and premature to proceed with the development of the Subject Property without consideration of its effect on our client’s lands. Given our client’s concerns with the proposed development and the fate of Block 45, we do not support the Applications in their current form. We therefore request that Council defer its consideration of the matter and direct City staff to meet with our client and the owners of the Subject Property in an effort to resolve and address our client’s concerns in a substantive manner.

Yours truly,  
**DAVIES HOWE LLP**



Daniel H. Steinberg

DHS:af

copy: Michael Smith – Planner  
Client