

February 25, 2019

By E-Mail to councilmeeting@toronto.ca

Toronto City Council
Toronto City Hall
100 Queen Street West
Toronto, Ontario
M5H 2N2

Attention: Marilyn Toft, Council Secretariat

Dear Mayor Tory and Members of Council:

**Re: Proposed Amendments to the *Growth Plan for the Greater Golden Horseshoe, 2017*
City Council Agenda Item PH2.4 – February 26, 2019**

We are counsel to Global Fortune Real Estate Development Corporation (“Global Fortune”), the owner of lands within the Steeles/Kennedy area of the City of Toronto, including lands municipally known as 4665 Steeles Avenue East and 3447 Kennedy Road (Rear).

On behalf of Global Fortune, we are writing in response to the Supplementary Report of the Chief Planner and Executive Director, City Planning, dated February 25, 2019 (the “Supplementary Report”). The Supplementary Report was only made available to the public earlier this afternoon, less than 24 hours prior to tomorrow’s Council meeting.

In the Supplementary Report, staff recommend that City Council request the Province to include additional *Employment Areas* within the City as “Provincially Significant Employment Zones” as part of the Province’s proposed amendments to the *Growth Plan for the Greater Golden Horseshoe, 2017*. Further, staff indicate that they have reviewed the Province’s proposed mapping against the City’s most updated maps and have identified and recommended a number of “technical amendments” in Attachments 1 through 6 of the report.

Despite identifying certain “technical amendments” to the Province’s mapping, City staff have not identified the fundamental error in the Province’s mapping for the proposed Milliken Provincially Significant Employment Zone (see Attachment 5 to the Supplementary Report), as described below.

Accordingly, we ask that City Council direct staff to request that the Province correct this mapping error for the Milliken Employment Zone as part of any final mapping of the proposed Provincially Significant Employment Zones.

As noted in the Supplementary Report, we understand that the Province used a number of criteria to map the proposed Provincially Significant Employment Zones, with the first criteria being that the lands are actually designated as employment areas.

On this first criteria alone, the proposed mapping of the Milliken Employment Zone is fundamentally in error, as it fails to recognize that certain lands within this broader area were previously removed from the employment area and designated “*Regeneration Areas*” in the City’s Official Plan, which is a land use designation that permits a “broad mix” of uses, including both residential and institutional uses.

More specifically, as a result of Toronto City Council’s decision to adopt Official Plan Amendment No. 231 (OPA 231) on December 16, 2013, which was subsequently approved by the Ministry of Municipal Affairs on July 9, 2014, and then confirmed in an Order of the former Ontario Municipal Board dated June 22, 2015 under Case No. PL140860, the lands south of Steeles Avenue East and east of Redlea Avenue (including the Global Fortune lands at 4665 Steeles Avenue East and 3447 Kennedy Road (Rear)) were redesignated from *Employment Areas* to *Regeneration Areas* and, at the same time, Site and Area Specific Policy No. 395 (SASP 395) was approved for these lands, referred to as the “Steeles-Redlea Regeneration Area”. Copies of the relevant excerpts from OPA 231 are appended to this submission.

We also note that the Supplementary Report indicates that it is City staff’s understanding that the Provincial staff used 2013 maps to produce the mapping of the proposed Provincially Significant Employment Zones. Using such outdated maps would explain the mapping error made by the Province. However, this does not explain why City staff has not identified this fundamental mapping error as part of their review of the Province’s mapping against the City’s most updated maps.

In any event, in light of the information provided in this submission, we ask that City Council direct staff to bring this mapping error of the Milliken Employment Zone to the attention of the Province and request that it be corrected as part of any final mapping of the Provincially Significant Employment Zones.

Please do not hesitate to contact us if you have any questions concerning this submission, or if you require anything further.

Kindly ensure that we receive notice of any decision of City Council regarding this matter.

Yours truly,
DAVIES HOWE LLP



Mark R. Flowers
Professional Corporation

encl.

copy: Kerri Voumvakis, Director, Strategic Initiatives, Policy & Analysis, City of Toronto
Jeffrey Cantos, Project Manager, Strategic Initiatives, Policy & Analysis, City of Toronto
Global Fortune Real Estate Development Corporation
Louis Tinker, Bousfields Inc.

Authority: Planning and Growth Management Committee Item 28.2, adopted as amended,
by City of Toronto Council on December 16, 17 and 18, 2013

CITY OF TORONTO

BY-LAW No. 1714-2013

**To adopt Amendment No. 231 to the Official Plan of the City of Toronto with respect to
the Economic Health Policies and the Policies, Designations and Mapping for
Employment Areas.**

Whereas authority is given to Council under the *Planning Act*, R.S.O. 1990, c. P.13, as amended,
to pass this By-law; and

Whereas Council of the City of Toronto has provided information to the public, held a public
meeting in accordance with Section 17 of the *Planning Act* and held a special public meeting in
accordance with the requirements of Section 26 of the *Planning Act*;

The Council of the City of Toronto enacts:

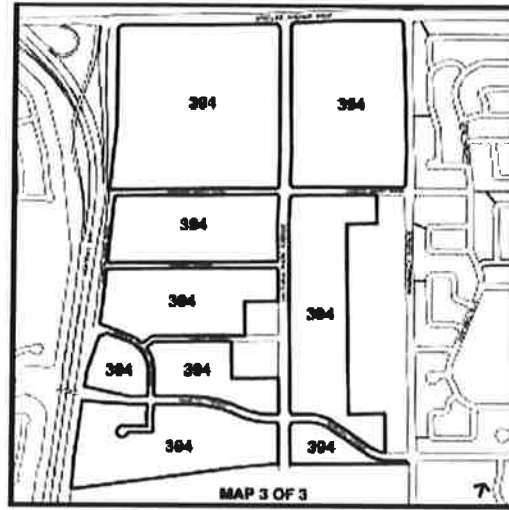
1. The attached Amendment No. 231 to the Official Plan of the City of Toronto is hereby
adopted.

Enacted and passed on December 18, 2013.

Frances Nunziata,
Speaker

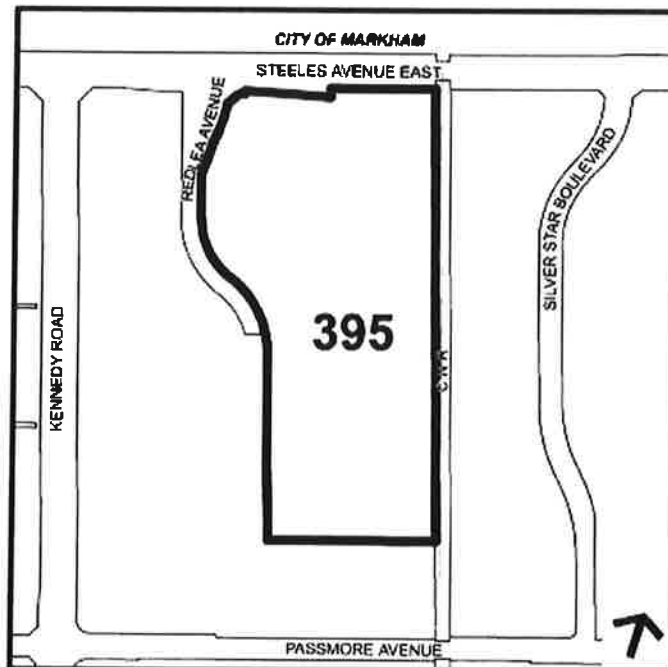
Ulli S. Watkiss,
City Clerk

(Seal of the City)



Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 395 for the lands bounded by Steeles Avenue East, Go Train Corridor, Redlea Avenue Extension and the north boundary of properties on Passmore Avenue, as follows:

- '395. Lands bounded by Steeles Avenue East, Go Train Corridor, Redlea Avenue Extension and the north boundary of properties on Passmore Avenue**



- a) Development of the lands will proceed in accordance with a framework to be established through a study of the area that addresses the matters

identified in Section 4.7.2 of the Official Plan and also the following matters:

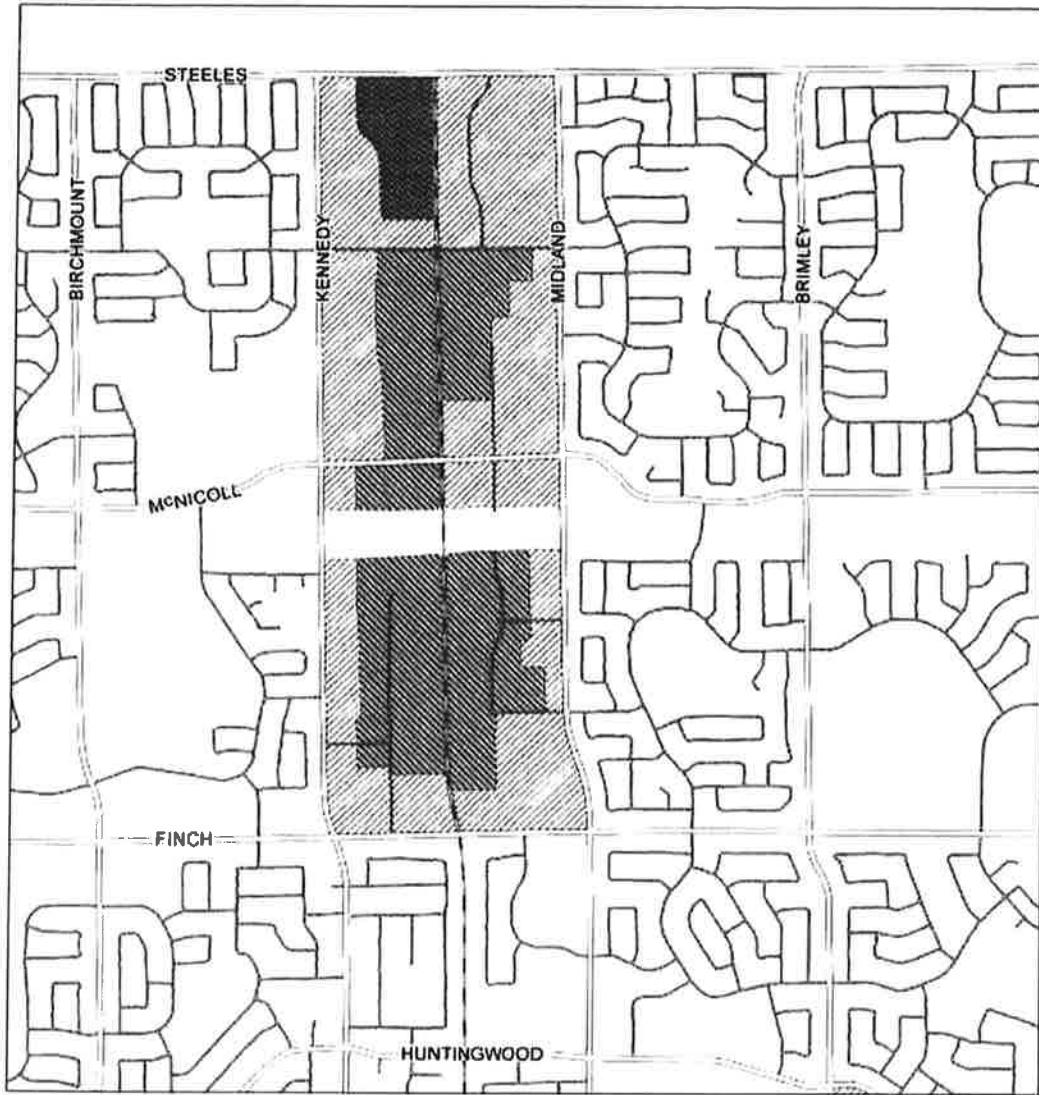
- i) a land use buffer to appropriately separate residential and sensitive non-residential uses from nearby *Employment Areas*;
 - ii) appropriate separation to the GO Train corridor on the east boundary of the study area;
 - iii) the design of any sensitive uses and buildings containing residential and other sensitive uses to mitigate noise, vibration and other adverse effects from the *Employment Areas* lands and the GO Train corridor;
 - iv) a street and block plan that includes the Redlea Avenue Extension and other appropriate connections;
 - v) a requirement that development of residential units also provide the gross floor area of office employment uses; and
 - vi) a requirement that Redlea Avenue is extended to Passmore Avenue prior to new development within the lands subject to Site and Area Specific Policy No. 395.
- b) The above noted study is deemed to satisfy the requirement for a secondary plan pursuant to Section 4.7.2 of the Official Plan.'

Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 396 for the lands bounded by Eglinton Avenue East, Brentcliffe Road, Vanderhoof Avenue and Laird Drive, as follows

'396. Lands bounded by Eglinton Avenue East, Brentcliffe Road, Vanderhoof Avenue and Laird Drive

- a) *General Employment Area* uses in Area "A" are limited to those that are compatible with residential and sensitive non-residential uses permitted in the adjacent *Mixed Use Areas* and *Neighbourhoods*.
- b) Major retail developments with 6,000 square metres of retail floor area are not permitted in Area "A".





Toronto City Planning
 Redesignate from 'Employment Areas' to Official Plan
 Designations Shown on Maps 1 to 48 inclusive

Map 7

- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------|
| Neighbourhoods | Parks & Open Space Areas | Employment Areas | Utility Corridors |
| Apartment Neighbourhoods | Natural Areas | Core Employment Areas | |
| Mixed Use Areas | Parks | General Employment Areas | |
| Regeneration Areas | | | |

↑
 Not to Scale
 12/18/2013