

January 7, 2019

Our File No.: 183278

Via E-mail

Scarborough Community Council
Scarborough Civic Centre
150 Borough Drive, 3rd Floor
Toronto, ON M1P 4N7

Dear Sirs/Mesdames:

Re: Agenda Item SC2.8 – Golden Mile Secondary Plan Study Status Update and Proposed Boundary Expansion
Follow-up re: Request for Alteration of Study Boundary on Behalf of Scotia Realty Limited: 2201 Eglinton Avenue East and 888 Birchmount Road

We are solicitors for Scotia Realty Limited, a corporation affiliated with the Bank of Nova Scotia (the “**Bank**”) and the owner of the property known municipally as 2201 Eglinton Avenue East and 888 Birchmount Road (the “**Property**”), in the City of Toronto (the “**City**”). The Property is located along the strip of Eglinton Avenue East known as the Golden Mile, at the southwest corner of Eglinton Avenue East and Birchmount Road, in direct proximity to a proposed Eglinton Crosstown LRT station known as Birchmount Station. A map of the Property is attached as Schedule “A”.

On December 19, 2018, prior to the publication of the Scarborough Community Council meeting agenda, we submitted a letter to City planning staff on behalf of our client requesting that the boundaries of the Golden Mile Secondary Plan Study (the “**Study**”) be expanded to include the entire Property (the “**December 2018 Letter**”). We are pleased to see that Community Council will be considering an expansion to the Study boundary further to the above mentioned Item SC2.8, as outlined in the staff report dated December 17, 2018 (the “**Staff Report**”).

We are writing to request that, consistent with the objectives of the Study and the rationale set out in the Staff Report, the Study boundary be further expanded to include the entire Property.

Background:

The current Study boundary bisects the Property, and an existing building located on the Property, such that only a small portion of the large, underdeveloped block is within the Study area. A map of the current Study boundary as it relates to the Property is attached as Schedule “B”.

In our December 2018 Letter, a copy of which is enclosed as Schedule “C”, we expressed our concern that this approach does not properly reflect the objectives and guiding principles of the Study, and squanders opportunities to comprehensively plan a key segment of the Golden Mile.

Analysis and Request:

In light of our submissions to City staff, we are pleased to see that Community Council will be considering an expansion to the Study boundary. While the expanded Study boundary recommended in the Staff Report does not alter the Study boundary as it pertains the Property, we expect that this is because City staff did not have an opportunity to consider the December 2018 Letter in advance of preparing the Staff Report. Nevertheless, the expansion of the Study boundary as recommended in the Staff Report is consistent with and supports the rationale outlined in the December 2018 Letter for altering the Study boundary to include the entire Property.

In particular, as explained in more detail in the December 2018 Letter:

- The entire Property, even the southern portion that falls outside the existing Study boundary, is within 500 metres of Birchmount Station and therefore falls within a Major Transit Station Area under the Growth Plan for the Greater Golden Horseshoe, 2017. In these circumstances, provincial policy directs that the planning framework for the entire property be updated through the Study.
- The Property is a large, neighbourhood-defining block under one ownership. By excluding a large portion of the Property from consideration, the current Study boundary squanders the opportunity for the Property to be planned in a comprehensive manner that could incorporate road network improvements, appropriately sized parks and/or open spaces, and pedestrian and cycling infrastructure to further the Study’s objectives.
- The Study recognizes the opportunities that existing underdeveloped surface parking areas present for transit-supportive development. Despite this, the existing Study boundary effectively disregards over 2.5 hectares of land on the Property used for surfacing parking.
- The Study boundary on the south side of Eglinton Avenue East generally follows the rear lot lines of the properties fronting on Eglinton Avenue East. Further, the expansions to the Study boundary recommended in the Staff Report regularize the southern study boundary to more closely align with rear property lines on the south side of Eglinton Avenue East. It is unclear why there has been a deviation from this approach for the Property. A map of the proposed expansion to the Study boundary as recommended by Staff is included as Schedule “D”.
- Extending the Study boundary southward to capture the entire Property would appropriately reflect the Property’s position as the eastern gateway to the Golden Mile

and would create symmetry with the Study boundary at the western gateway as proposed to be expanded in the Staff Report.

For the reasons set out above and elaborated upon in the December 2018 Letter, and in keeping with the expansions to the Study boundary recommended in the Staff Report, it is our submission that the boundaries of the Study area should be amended to include the entire Property. We would be pleased to discuss this request with City staff and Councillor Crawford at their earliest opportunity.

Yours truly,

Goodmans LLP



Anne Benedetti
AKB/MXL

encl.

cc. Councillor Gary Crawford (councillor_crawford@toronto.ca)
Emily Caldwell (emily.caldwell@toronto.ca) and Rod Hines (rod.hines@toronto.ca),
City of Toronto Planning Staff
Jason Petrunia, SvN Planners + Architects (jpetrunia@svn-ap.com)

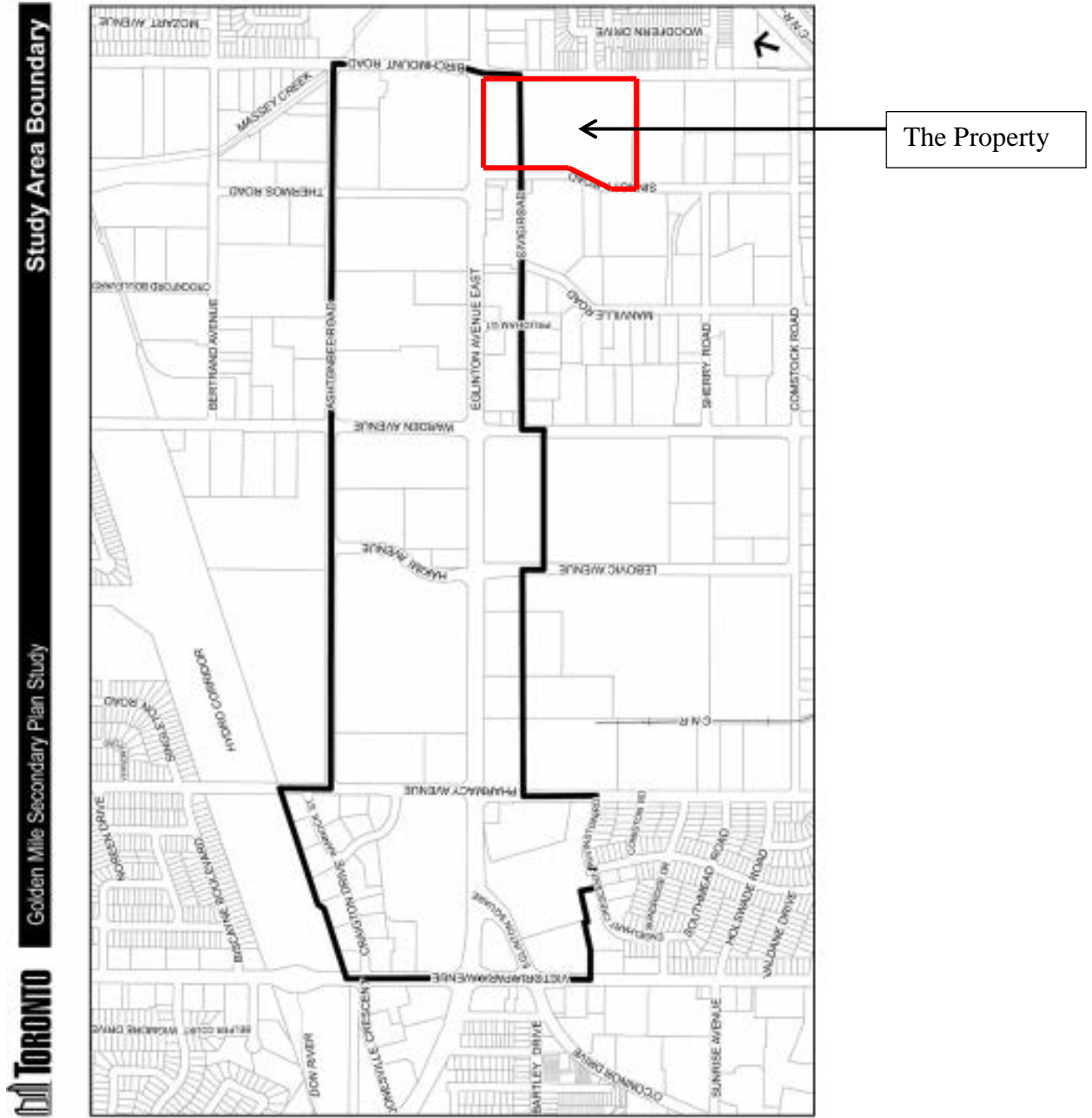
SCHEDULE A

MAP OF THE PROPERTY



SCHEDULE "B"

THE STUDY AREA BOUNDARY AND THE PROPERTY



SCHEDULE "C"
THE DECEMBER 2018 LETTER

[See next page]

December 21, 2018

Our File No.: 183278

Via E-mail

City of Toronto
Community Planning, Scarborough District
150 Borough Drive, 4th Floor
Toronto, ON M1P 4N7

Attention: Emily Caldwell and Rod Hines

Dear Ms. Caldwell and Mr. Hines:

**Re: Golden Mile Secondary Plan Study: Request for Alteration of Study Boundary
City of Toronto File No. 17 134997 EPS 00 TM
Bank of Nova Scotia: 2201 Eglinton Avenue East and 888 Birchmount Road**

We are solicitors for Scotia Realty Limited, a corporation affiliated with the Bank of Nova Scotia (the “**Bank**”) and the owner of the property known municipally as 2201 Eglinton Avenue East and 888 Birchmount Road (the “**Property**”), in the City of Toronto (the “**City**”). The Property is located along the strip of Eglinton Avenue East known as the Golden Mile, at the southwest corner of Eglinton Avenue East and Birchmount Road, in direct proximity to a proposed Eglinton Crosstown LRT station. A map of the Property is attached as Schedule “A”.

Currently, the boundary of the Golden Mile Secondary Plan Study (the “**Study**”) bisects the Property (as well as an existing building located on the Property) such that only a small portion of the large, underdeveloped block is within the Study area. We are concerned that this approach does not properly reflect the objectives and guiding principles of the Study, and squanders the opportunity to comprehensively plan a key segment of this important intensification corridor.

On behalf of our client, we request that the boundaries of the Study area be amended to include the entire Property. Further to a review of the key planning policies and Study reports released to date, including the entire Property in the Study area would:

- be consistent with provincial policy direction;
- be consistent with the approach the City has taken to elsewhere in the Study area; and
- improve the City’s ability to achieve the stated objectives of the Study in both the short and long term.

These matters are outlined in more detail in the sections that follow. As explained below, we would appreciate the opportunity to discuss our request at your earliest convenience.

The Property

The Property, which is designated *Employment Areas* in the City's Official Plan, is a large, 7.25 hectare, generally rectangular parcel with approximately 205 metres of frontage on Eglinton Avenue East, spanning the entirety of the block from Birchmount Road to Sinnott Road, and 340 metres of frontage on Birchmount Road. The Property is occupied by a large, 2-storey commercial building located on the Eglinton Avenue East frontage (the "**North Building**"), a 7-storey office building fronting on Birchmount Road (the "**South Building**") and a significant amount of surface parking. Both buildings currently accommodate Bank operations, including call centre and information technology services.

Although the Property has two municipal addresses, it is a single parcel and operates as a cohesive block. For example, the two existing buildings are connected through an enclosed bridge and the large amount of surface parking on the Property serves both buildings.

The Property's location places it directly on the route of the new Eglinton Crosstown LRT and steps from the above-ground station planned for the intersection of Eglinton Avenue East and Birchmount Road ("**Birchmount Station**"). Based on available design information, the boarding platforms for Birchmount Station are planned as little as 50 metres (or less than a one minute walk) from the Property.

The Property is also situated at what could be considered the eastern gateway to the Golden Mile, mirroring the area illustrated as the western gateway to the Golden Mile, at Eglinton Avenue East and Victoria Park Avenue. The Property provides a unique opportunity to transition from the *Mixed Use Areas* to the north, and the *Neighbourhoods Areas* and *Apartment Neighbourhoods Area* to the east, to the *Employment Areas* to the west.

The Study Boundary Should be Amended to Include the Entire Property

In recognition of the significant public investment in transit along the Golden Mile, the City is undertaking the Study to develop a comprehensive planning framework to guide transit-supportive intensification within the Golden Mile. In our submission, the boundaries of the Study area should be amended to capture the entire Property.

The Study boundary currently bisects the Property in an east-west fashion, such that only the northernmost quarter of the Property falls within the Study area. In fact, the current Study boundary cuts through the North Building and is otherwise occupied by approximately 0.8 hectares of surface parking. As a result, the northern portion of that building is within the Study area, while the southern portion of the building falls outside the Study area. A map of the current Study area as it relates to the Property is attached as Schedule "B".

In our view, this approach does not properly reflect the objectives and guiding principles of the Study, and squanders the opportunity to appropriately plan a key segment of this important intensification corridor. In particular, we note the following.

Provincial Policy Strongly Supports Updating the Planning Framework for the Entire Property

In order to maximize the benefits associated with the significant public investment in transit along Eglinton Avenue East, provincial policy promotes updating the planning framework for the entirety of the Property. The Provincial Policy Statement 2014 promotes the efficient use of land and transit infrastructure in order to minimize the length and number of vehicle trips, and sustain healthy, liveable, and safe communities.

Similarly, the Growth Plan for the Greater Golden Horseshoe, 2017 (the “**Growth Plan**”) promotes the development of transit-supportive communities that make efficient use of infrastructure. With respect to transit infrastructure in particular, the Growth Plan provides that areas within a within a 500 metre radius of existing or planned higher order transit stations, known as Major Transit Station Areas (“**MTSAs**”), are to be planned as transit-supportive, featuring compact, high density development. Further, the Growth Plan directs that, for MTSAs on Priority Transit Corridors such as the Golden Mile, the updating of planning frameworks is to be prioritized.

The Golden Mile is identified as a Transit Priority Corridor in the Growth Plan and the 500 metre radius around Birchmount Station is an MTSA. The entirety of the Property falls within 500 metres of Birchmount Station and is within the MTSA. In these circumstances, provincial policy, and the Growth Plan in particular, direct that the planning framework for the entire Property be updated. Since the Study is the means by which the City is updating the planning framework for the Golden Mile, the Property should be included within the Study area to facilitate appropriate planning in light of the Province’s significant investment in higher-order transit infrastructure located at the Property’s doorstep.

The Current Study Boundary Squanders Opportunities to Comprehensively Plan a Neighbourhood-Defining Large Block

Large blocks like the Property are one of the Golden Mile’s defining features and are recognized as its best opportunities. The January 2018 Background Report (the “**Background Report**”) prepared in connection with the Study notes that the blocks along the Golden Mile have large frontages and depths that distinguish them from other transit-oriented planning projects in Ontario and beyond. The Background Report recognizes that these large blocks present unique opportunities for comprehensive planning that would allow for neighbourhood-defining projects, with new public space and street network improvements, among other things. The Background Report also notes that these large blocks provide opportunities for gradual redevelopment, taking advantage of space currently dedicated to surface parking.

The Property is a prime example of a block that offers these unique opportunities. As a very large parcel under single ownership, the Property can be comprehensively and thoughtfully planned in a manner that maximizes its potential to contribute to the revitalization of the Golden Mile and the Study's objectives. The current Study boundary squanders these opportunities. By excluding a large portion of the Property from consideration, the current Study boundary undermines one of the Golden Mile's great advantages and impairs the Study's ability to achieve its objectives at this key transitional location.

For example, one of the guiding principles of the Study is to improve the road network to facilitate a more connected community. By artificially limiting the scope of Study to the northern quarter of the Property, the Study neglects viable road network improvement alternatives that may better achieve the City's objective of improving connectivity. In addition, the Background Report identifies the area surrounding the Property as parkland deficient. By neglecting to acknowledge the potential of this large block, the City is limiting both the short- and long-term potential for the Property to redevelop comprehensively in a manner that could incorporate appropriately sized parks and/or open spaces, cycling connections and pedestrian infrastructure.

By artificially limiting the scope of the Study to the northernmost quarter of the Property, the Study is missing out on numerous opportunities such as these to plan appropriately and comprehensively in a manner that better achieves the Study's objectives.

The Current Study Boundary Misrepresents Existing Conditions

The current Study boundary precludes a proper understanding of existing conditions on the Property. As noted above, the Background Report recognizes the tremendous opportunities that existing surface parking present for transit-supportive development, delivered in a phased and gradual manner. However, by only considering the northern quarter of the Property, the existing Study boundary significantly under represents the amount of Surface Parking on the Property. As a result, while the Background Report acknowledges that the amount of surface parking informs the development of an appropriate planning framework, the current Study boundary inappropriately disregards over 2.5 hectares of land used for surfacing parking. An appropriate planning framework cannot be developed for the Golden Mile lands based on an incomplete and inaccurate view of existing conditions.

Amending the Study Boundary to Include the Entire Property is Consistent with the Approach to the Study Boundary on the South Side of Eglinton Avenue East

For properties on the south side of Eglinton Avenue East, the Study's approach to drawing the boundaries of the Study area is generally consistent: the rear boundary of the Study area is drawn to align with the rear lot line of the properties fronting on Eglinton Avenue East. There are two exceptions to this general approach: the block between Pharmacy Avenue and Lebovic Avenue (the "**Pharmacy/Lebovic Block**") and the Property.

The Pharmacy and Lebovic Block is composed of four separate properties of varying depths, resulting in an irregular lot pattern. In these circumstances, the Study boundary is drawn based on the rear lot line of just one of those properties, resulting in some properties on the block falling partly within and partly out of the Study area. Given the varied lot pattern of the Pharmacy/Lebovic Block, this approach may be appropriate. However, the Property is different. Unlike the Pharmacy and Lebovic Block, it is composed of only a single parcel. The rear lot line is consistent and easily discernible. There is no reason to deviate from that lot line for the purposes of drawing the Study boundary.

Further, extending the Study boundary southward to capture the entire Property would appropriately reflect the Property's position as the eastern gateway to the Golden Mile and create symmetry with the Study boundary at the western gateway. The Background Report notes the special role of sites at the gateways to the Golden Mile, as they present opportunities for prominent built form among other things. The Property, lying at the eastern edge of the Study area, forms part of the eastern gateway. Its counterpart at the western edge of the Study area is 1 Eglinton Square, which forms part of the western gateway. Much like the Property, 1 Eglinton Square is deeper than other properties in the Study area. However, unlike the Property, the entirety of 1 Eglinton Square falls within the Study area, perhaps in recognition of its gateway position. Affording the same treatment to the Property by amending the Study boundary to include the entire parcel would appropriately recognize the role of the Property as a gateway site and result in greater consistency with the general approach to the Study boundary as applied to the remainder of the Study area.

Conclusion

For the reasons set out above, we hereby request that the boundaries of the Study area be amended to include the entire Property. We are aware that amending the boundaries of the Study area in this manner requires the approval of Scarborough Community Council. We would appreciate the opportunity to meet with you to discuss the request in advance of Community Council's next consideration of the Study.

If you have any questions, please do not hesitate to contact me.

Yours truly,

Goodmans LLP



Anne Benedetti
AKB/MXL

cc. Jason Petrunia, SvN Planners + Architects (jpetrunia@svn-ap.com)
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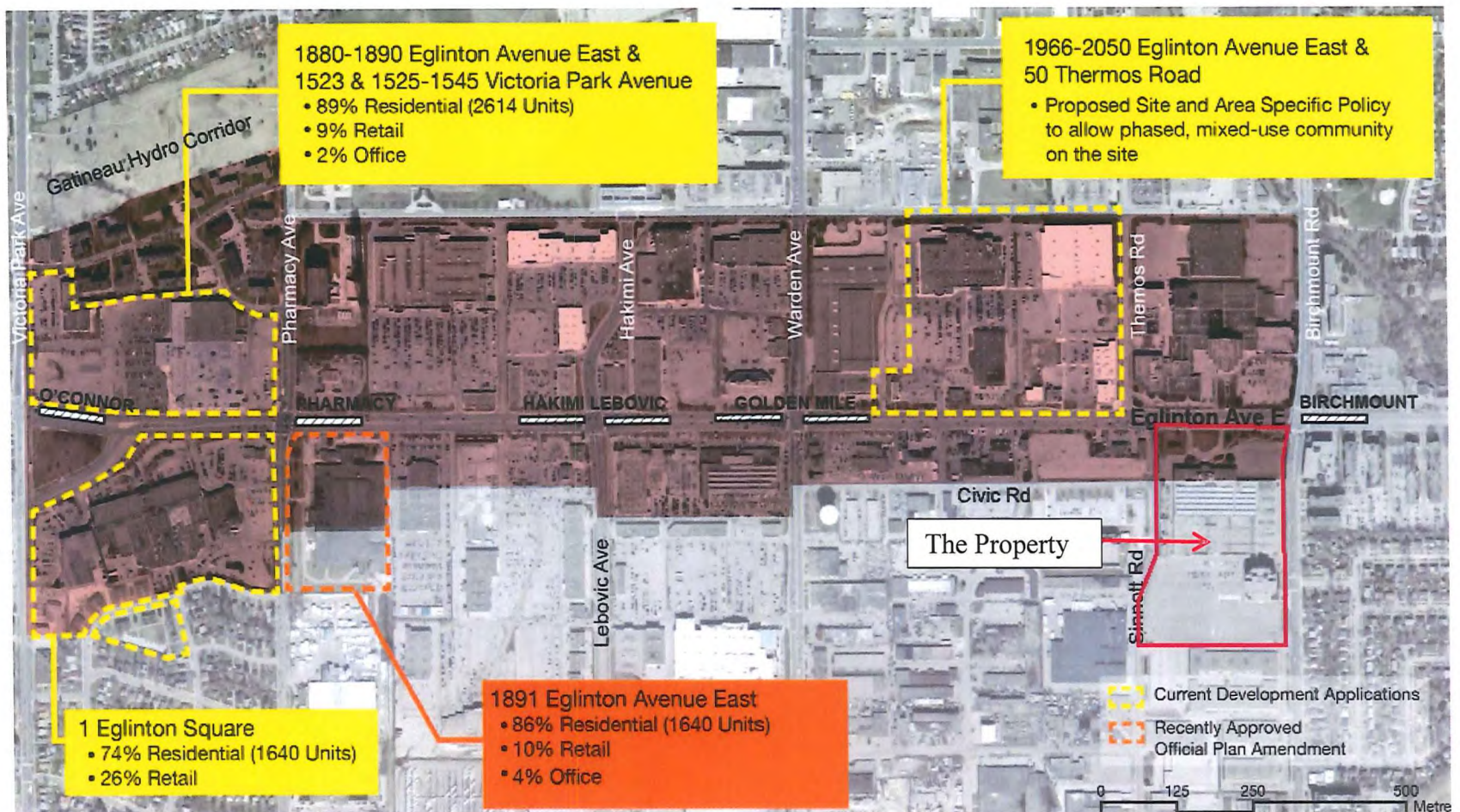
SCHEDULE A

MAP OF THE PROPERTY



SCHEDULE B

THE STUDY AREA AND THE PROPERTY



SCHEDULE "D"

THE PROPOSED EXPANDED STUDY AREA BOUNDARY AND THE PROPERTY

