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July 10, 2020

File No. 127402

BY EMAIL
scc@toronto.ca

Scarborough Community Council
Scarborough Civic Centre
3rd floor, 150 Borough Dr.
Toronto, ON M1P 4N7

Attention: Ms. Carlie Turpin, Administrator

Dear Sirs/Mesdames:

Re: Item SC16.3
Golden Mile Secondary Plan – Final Report

We represent CP REIT Ontario Properties Limited (“Choice”) with respect to the property at 1880-1892 Eglinton Avenue East and 1523, 1525 and 1545 Victoria Park Avenue and commonly known as the Golden Mile Shopping Centre (the “Property”). The Property is approximately 7.7 hectares in size and has 400 metres of frontage on Eglinton Avenue East, making it one of the largest sites within the Golden Mile Secondary Plan area.

Choice has been actively involved in the planning process with respect to the proposed Golden Mile Secondary Plan, particularly as it relates to the Property’s mixed-use development potential. Currently, Choice has an ongoing Official Plan Amendment application, originally submitted on December 21, 2016, to facilitate the comprehensive redevelopment of the Property as a mixed-use, transit-oriented neighbourhood along the Eglinton Crosstown LRT with commercial/retail uses, approximately 3,291 residential units, and on-site parkland. The Official Plan Amendment application is currently under appeal before the Local Planning Appeal Tribunal due to Council’s failure to make a decision with respect to the application within the timeframe prescribed by the *Planning Act*.

On January 14, 2019, our client’s planning consultant, Urban Strategies Inc., submitted a letter to Scarborough Community Council with respect to the boundary expansion of the Golden Mile Secondary Plan study area. On behalf of Choice, we made a deputation to Scarborough Community Council at its meeting held on January 8, 2020 with respect to the draft Secondary Plan made available in December 2019.

Our client has reviewed the draft Golden Mile Secondary Plan to be considered at the July 17, 2020 meeting of the Scarborough Community Council. Although generally supportive of the overall vision cast by the draft Secondary Plan, our client has outstanding concerns and comments with the present draft, including but not limited to the following:

- **Density:** Map 45-5 assigns a maximum gross floor space index of 3.2 on the Property. The proposed density on the Property is well below what can be accommodated on the Property. Choice’s site-specific Official Plan Amendment proposes a density of 4.28 FSI. Contrary to provincial policies encouraging development around major transit stations,

the proposed 3.2x FSI fails to leverage this important opportunity to generate much needed housing and to increase transit ridership.

- **Tall Buildings:** The policies with respect to the built form for tall buildings are overly prescriptive for a Secondary Plan. The prescriptive built form policies should be deleted and flexibility should be given to allow each development application to be assessed as part of the zoning by-law amendment process based on its built form merits and impacts, if any. For example:
 - Map 45-13 limits the heights of tall buildings to 25 storeys, 30 storeys and 35 storeys on the Property, based on Character Area.
 - Map 45-12 limits the base building heights to 4 storeys or 6 storeys on the Property, depending on the street frontage.
 - Policy 7.44(c) requires a minimum 5-metre tower stepback from the base building. At a minimum, this requirement should be reduced to 3-metres to be consistent with the Tall Building Guidelines.
 - Policy 7.44(e) requires a minimum tower separation of 30 metres. At a minimum, this requirement should be reduced to 25 metres to be consistent with the Tall Building Guidelines and should allow for additional flexibility where it can be demonstrated that a reduced separation is appropriate.
- **Shadow Impact:** Policies 7.48 through 7.51 contains overly prescriptive requirements and should be deleted. Rather, the shadow impact of a development proposal should be assessed as part of the zoning by-law amendment process in accordance with Policy 7.47.
- **Street Network:**
 - Maps 45-4, 45-7, 45-9 and 45-15 illustrate new conceptual streets on the Property that conflict with Choice's proposed development and should be removed.
 - Policy 11.8 provides that the new public street network will be designed as part of a plan of subdivision process, a Municipal Class Environmental Assessment ("MCEA") or other mechanism, at the City's discretion. The option for a MCEA should not be applicable to the Property given that Choice's development application, including a proposed street network, was submitted almost four years ago. Choice would be unfairly prejudiced if it could be required to wait for the completion of an MCEA before it can proceed to develop its Property. At this time, there is no certainty as to the timing of completion of any MCEA for the Secondary Plan area.
- **Parkland:** The maps illustrate a public park (West Park) on the Property in excess of the statutory requirement and does not reflect Choice's proposed development, including a building at the northwest corner of the intersection of Pharmacy Road and the proposed east-west public street on the Property. The maps and Policy 6.13 should be revised to reflect the proposed development on the Property.

Generally, unless additional flexibility is provided, the objectives and desired vision of the Secondary Plan will not be achievable.

We are concerned that these issues, cumulatively, will hinder or delay the intensification potential of the Golden Mile Area and its transition into a transit-oriented complete community, which is an overarching objective of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (May 2019) and the Provincial Policy Statement (2020). Major transit station areas, such as the areas surrounding the Eglinton Crosstown LRT stations, are identified by these provincial policies as locations within which new development should be concentrated in order to optimize infrastructure and align growth with investments in higher order transit. In our opinion, the draft Secondary Plan, as currently written, is not consistent with the PPS and does not conform to the Growth Plan.

Given these and other outstanding concerns, we ask that the draft Secondary Plan and the draft Urban Design & Streetscape Guidelines be referred back to planning staff for further consultation with affected landowners, including necessary revisions, prior to being considered by the Scarborough Community Council.

If you have any questions, please contact the undersigned or Maggie Bassani (mbassani@airdberlis.com / (416) 865-3401). In addition, please provide us with notice of all upcoming meetings and decisions of Council, including Committees of Council, at which the draft Secondary Plan and/or any related planning study will be considered.

Yours truly,

AIRD & BERLIS LLP



Kim Kovar

KMK/mb

cc: Client

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