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July 16, 2020

Our File No.: 183346

Via Email

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

Attention: Carlie Turpin

Dear Sirs/Mesdames:

Re: Item No. SC16.3 -- Golden Mile Secondary Plan -- Final Report

We are solicitors for Calloway REIT (1900 Eglinton) Inc., who are the owners of the property known municipally in the City of Toronto as 1900 Eglinton Avenue East (the “**Property**”). We are writing on behalf of our clients to request that Scarborough Community Council (“**SCC**”) **defer any decision** regarding the draft Golden Mile Secondary Plan (the “**Draft Plan**”).

Our client still has significant concerns in respect of the Draft Plan, as do many other landowners with significant holdings within the boundaries of the Draft Plan. It is clear those concerns will not be resolved at this statutory public meeting or before City Council considers the Draft Plan at its meeting scheduled to commence on July 28, 2020. However, our client is engaged with the City in without prejudice discussions regarding its concerns and the preferred policy approach for planning the redevelopment of the Property. Our client would prefer to continue those without prejudice discussions in an effort to resolve its concerns without the need to appeal the Draft Plan.

As you know, this planning process started in 2016 for this portion of the Eglinton Crosstown, where billions have been invested in construction of this significant infrastructure. A decision to adopt the Draft Plan will result in appeals of the Draft Plan to the Local Planning Appeal Tribunal (“**LPAT**”) by our client, as well as many other landowners, leading to a lengthy LPAT hearing process. This would mean the Eglinton Crosstown would open adjacent to single-storey shopping facilities with considerable delay in achieving meaningful transit-oriented development.

There is also little benefit in moving forward with such an appeal process for the Draft Plan at this time. As recently confirmed by LPAT, the landowner appeals of their site-specific official plan amendment applications will proceed in advance of any LPAT hearing regarding the Draft Plan and without reference to the Draft Plan. The result would be site-specific exceptions to the Draft Plan or individual site and area specific policies, as opposed to a planning document with an overall



vision for the area. We question the need to adopt the Draft Plan now, when any such decision will be appealed to LPAT by many landowners and essentially left at LPAT for years and with little ultimate relevance.

In the event that SCC does not defer this item, please find attached previous correspondence from our client provided to SCC regarding the Draft Plan. We are attaching this correspondence to ensure it is before SCC as part of the statutory public meeting.

We would appreciate receiving notice of any decision made in respect of this matter.

Yours truly,

Goodmans LLP

A handwritten signature in blue ink, appearing to read "DBronskill", written over a light blue circular stamp.

David Bronskill

DB/

cc: Client

7074932

June 18, 2020

Our File No.: 183346

Via Email: scc@toronto.ca

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

Attention: Carlie Turpin

Dear Sirs/Mesdames:

Re: Item No. SC15.1 – Golden Mile Secondary Plan Study

We are solicitors for Calloway REIT (1900 Eglinton) Inc., who are the owners of the property known municipally in the City of Toronto as 1900 Eglinton Avenue East, (the “**Property**”). We are writing to indicate our client’s ongoing and significant concerns in respect of the draft Golden Mile Secondary Plan (the “**Draft Secondary Plan**”) that has been released and will be considered at a statutory public meeting to be held on July 17, 2020.

Our client hopes to have additional meetings with City staff in advance of this statutory public meeting, but we are writing to Scarborough Community Council now to indicate that our client will have no choice but to appeal the Draft Secondary Plan unless significant revisions are made before it is considered by City Council.

Given the significant opposition from landowners within the boundaries of the study area and the submission of site-specific official plan amendment and/or rezoning applications by these landowners, it may be prudent for Scarborough Community Council to defer consideration of this matter and direct City staff to engage in working groups or formal mediation sessions to see if issues can be resolved without the need for appeals.

Background

The Property is located at the northwest corner of Eglinton Avenue East and Hakimi Avenue. The Property, which has an area of 11.5 hectares (28.4 acres), is currently occupied by an outdoor commercial shopping centre, which includes a Wal-Mart department store, Winners, LCBO, and a range of smaller shops and services. All of the buildings on the property are one-storey structures that form the perimeter of the Property, with surface parking to serve customers located primarily in the interior of the Property.

On August 20, 2019, our client filed an official plan amendment application (the “**Application**”) to introduce a framework for a Master Plan vision to transform the Property. The Application proposes a policy framework for the development of the Property as a mixed use community, comprised of low-rise, mid-rise and tall building components with opportunities for street-related commercial, residential uses, park and open space uses and a public/private road system.

Our client subsequently appealed the Application to the Local Planning Appeal Tribunal, meaning that any dispute regarding the policy framework for the Property would be resolved through this appeal and not through the Draft Secondary Plan process. However, our client would prefer to work collaboratively with City staff to resolve issues rather than proceed with this appeal.

Summary of Concerns

Unfortunately, our client believes that the Draft Secondary Plan would frustrate the long-term redevelopment of the Property as a transit-oriented complete community. Our client has provided extensive comments to the City regarding previous reiterations of the Draft Secondary Plan, and most of those comments remain unaddressed. At a high level, our client still has concerns related to the proposed densities, maximum heights, prohibition on major retail, the requirement for certain parks and roads to be in public ownership, alignment with transit-oriented development policies at a provincial level, the use of mandatory language in an official plan, angular plane requirements with no adjacent neighbourhoods, and restrictions on tower locations.

We would appreciate receiving notice of any decision made in respect of this matter.

Yours truly,

Goodmans LLP



David Bronskill
DJB/

cc: Client

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