

# Cassels

October 15, 2020

Via E-Mail: [scc@toronto.ca](mailto:scc@toronto.ca)

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Attention: Carlie Turpin

Dear Sirs/Mesdames:

**Re: Item SC18.1  
Golden Mile Secondary Plan - Final Report  
S.A. Armstrong Limited, 23 Bertrand Avenue**

We are counsel to S.A. Armstrong Limited (“S.A. Armstrong”), the owner and operator of a manufacturing facility located at 23 Bertrand Avenue in the City of Toronto (the “Subject Property”). S.A. Armstrong is a leading supplier and manufacturer of superior pumping and HVAC equipment, with over 1000 employees worldwide. The Subject Property is located on the south side of Bertrand Avenue at the northern boundary of the proposed Golden Mile Secondary Plan (the “Secondary Plan”) Area and is designated Employment Area on Map 2: Urban Structure Plan and Core Employment Area on Map 20: Land Use Map in the City’s Official Plan.

Our client and its consultants have followed the progress of the Secondary Plan and have reviewed the proposed Official Plan Amendment No. 499 (“OPA 499”) including the Secondary Plan and associated Urban Design Guidelines. S.A. Armstrong is supportive of the policies contained in the Secondary Plan which require Compatibility/Mitigation Studies, as well as Noise and Air Quality Studies as part of a complete application where sensitive land uses are proposed adjacent or near to employment areas. Our client is also pleased with the City’s latest revisions to Policy 4.9 following the deferral of the Secondary Plan.

However, S.A. Armstrong has outstanding concerns and does not support the adoption of OPA 499 in its current form. As an existing operator of a manufacturing facility in an Employment Area, our client’s principle concern is with respect to land use compatibility. In particular, the development of sensitive land uses in proximity to the Subject Property may impact our client’s business operations and ability to expand in the future. On that basis, S.A. Armstrong has the following comments and concerns with OPA 499, including but not limited to the following:

## Vision:

While the introductory text of the Secondary Plan makes reference to maintaining and enhancing existing employment uses, in our view the operative policies of OPA 499 should include similar protections for land use compatibility. Section 2.1.2 of OPA 499 provides that development within the Secondary Plan area will advance the Plan's vision by providing a balance of residential, commercial, employment, institutional and community uses. We propose that language be added to Policy 2.1.2 to ensure uses are compatible with existing and emerging employment uses.

## Employment Area Policies of the Official Plan:

In our view, the protections afforded by Policies 2.2.4.5 to 2.2.4.10 of the Official Plan which are directed at ensuring that development is compatible with uses in Employment Areas should be incorporated into the character area policies of OPA 499. In particular, Policy 3.6 which encourages a generous and animated pedestrian promenade in the East Park Mid-rise and Tall Building Community should direct that the proposed built form and land uses in this character area will achieve land use compatibility with the general and Core Employment Areas to the north, in accordance with policies 2.2.4.5 to 2.2.4.10 of the Official Plan. Similarly, Policy 3.9 which provides for appropriate transition to parks and open spaces in the Ashtonbee Transition Area should provide that such transition will achieve land use compatibility in accordance with the foregoing policies of the Official Plan.

As previously noted, our client supports the revisions to Policy 4.9 of OPA 499 which provides that the Compatibility/Mitigation Study, Noise Impact and Air Quality Study will be subject to the requirements of policies 2.2.4.7, 2.2.4.8 and 2.2.4.9 of the Official Plan. However, in our view it would be appropriate to include an additional policy in this section providing that development applications proposing to introduce sensitive uses are subject to the requirements of policy 2.2.4.10 of the Official Plan which set out specific items that Council may consider in evaluating such applications, including any regulatory obligations of the employment use and reasonableness of any mitigation measures.

## Design and Development of New Parks:

Policy 6.22 of OPA 499 includes policies with respect to new or expanded parks. In our view, it would be appropriate to revise Policy 6.22 to require that the development of parks will also consider land use compatibility with existing Employment Areas.

Context Plans:

OPA 499 requires the completion of context plans with Policy 13.13 providing a list of items to address in the Context Plans, should such plan be required. In our view, the enumerated criteria should be revised to include the location and measured distance from the property line of any existing general Employment Areas and Core Employment Areas as this is a relevant consideration for applications proposing to introduce sensitive land uses.

S.A. Armstrong would welcome the opportunity to discuss its concerns with staff prior to the adoption of OPA 499.

Please provide the undersigned with written notice of all decisions related to this matter.

Yours truly,

Cassels Brock & Blackwell LLP



Marisa Keating  
Associate

MK/MK

cc: Raivo Uukkivi, Cassels Brock & Blackwell LLP  
Eldon Theodore, MHBC  
Client