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October 15, 2020

Delivered by Email (scc@toronto.ca)

Scarborough Community Council
c/o Toronto City Hall
100 Queen Street West
Toronto, Ontario M5H 2N2

Attention: Carlie Turpin, Committee Administrator

Dear Members of Community Council:

**RE: Golden Mile Secondary Plan – Supplementary Report
Agenda Item SC 18.1a
Written Submission for October Community Council Meeting**

We are the solicitors for 10285773 Canada Corp. operating as Artlife Developments (together, “**Artlife**”). Artlife is the Owner of the property municipally known as 1861 O’Connor Drive in the City of Toronto (“**Subject Property**”) and is advancing zoning by-law amendment and site plan applications to secure permissions to develop its property.

We write to provide further submissions to those provided in our February 19, 2020 letter (the “**February letter**”) to City planning staff and our July 15, 2020 letter (the “**July letter**”) to Scarborough Community Council with respect to the Golden Mile Secondary Plan (“**GMSP**”) in advance of the upcoming Community Council meeting on October 16, 2020.

The February letter sets out the relevant background and our client’s plans to develop a mid-rise mixed-use apartment building on the Subject Property and concerns relating to the configuration of O’Connor Drive and the height and density limitations of the draft GMSP policies. The July letter (a copy attached at SC.Main.SC18.1.7) reiterates our client’s concerns with respect to the GMSP policies and schedules in the version of OPA 499, attached to the June 25, 2020 staff report:

- Policies 11.8, 13.14, 13.18a) and 13.21b regarding the reconfiguration of O’Connor Drive, which will undermine the redevelopment of our client’s property;
- Map 45-5, Map 45-13 and policies 13.12, 13.13 and 13.14, which either fail to recognize the redevelopment potential of the Subject Property, or require landowners to deliver street

network improvements even where their properties are proposed to be negatively impacted by the realignment.

Our client's concerns with the GMSP Policies and Schedules have not been resolved with the revised version of OPA 499 ("**Revised OPA**") provided at Attachment No. 1 to the Supplementary Report dated September 21, 2020. In fact, none of the provisions identified as matters of concern have materially changed.

Further, our client continues to have concerns with the financial and other consequences related to the reconfiguration of O'Connor Drive and its impact on the lands west of Victoria Park Avenue. These concerns have not been addressed by the City. On the issue of financial impact, the Supplementary Report states that "[the] Financial Impact Section has not changed since the June 25, 2020 Final Report."

The June 25, 2020 Final Report states:

Infrastructure costs have yet to be finalized pending further work, including the Municipal Class Environmental Assessment ("MCEA") study and are not included in the City's 2020-2029 Capital Budget Plan; however, a preliminary review of the infrastructure and community facilities is provided as Attachment 7 to this report.

Attachment 7 to that report states:

It is also important to note that EAs for the new/reconfigured streets have not yet been completed. Subsequent EA studies, as recommended by the TMP will determine the exact alignment, cost and implementation process for the proposed streets. The subsequent work, including the subsequent EA processes and studies, and the Financial Strategy and Impact Analysis, will help determine those costs and potential funding options.

In short, the cost to reconfigure O'Connor Drive is not in the City's capital budget and it is unknown what that cost will be. The development of the Subject Property should not be frozen until the environmental assessment is complete and funds are secured for the realignment of O'Connor Drive, which timing remains unknown and undetermined.

The July letter provided an update as to the status of Arliffe's development applications with respect to the Subject Property. More recently, the Local Planning Appeal Tribunal scheduled a 10-day hearing of our client's appeals with respect to its applications that is scheduled to commence on March 15, 2021. Our client remains eager and willing to develop the Subject Property to respond to the housing shortage in the City, particularly in an area close to transit.

On this basis, we respectfully request that the adoption of Revised OPA 499 **be deferred** until our client's concerns with the proposed reconfiguration of O'Connor Drive have been resolved. Please continue to include the undersigned on the City's notification list concerning the proposed adoption of this instrument.

Yours very truly,
BORDEN LADNER GERVAIS LLP

A handwritten signature in blue ink, consisting of several overlapping, fluid strokes that form a cursive name.

Stephen F. Waqué/Isaac Tang
SFW:IT

Cc: Emily Caldwell, Senior Planner
Client