

March 8, 2022

File No.: 527471-53

**Sent via email to:** councilmeeting@toronto.ca

Ms. Marilyn Toft  
Secretariat  
City of Toronto  
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Dear Members of Council:

**Re: Appeal of the Golden Mile Secondary Plan (Official Plan Amendment 499) pursuant to subsection 17(24) of the Planning Act  
Samuel Sarick Limited (“Sarick”) – 1911 and 1921 Eglinton Avenue East, Ontario Court of Justice  
Council Agenda Item: CC41.9**

We are counsel for Sarick with respect to the above noted matter. Sarick is the owner of the lands municipally known as 1911 and 1921 Eglinton Avenue East (the “Lands”), located at the southwest corner of Eglinton Avenue and Warden Avenue. The Lands are located within the Golden Mile Secondary Plan (“GMSP”) area. Sarick participated in the public planning process and is one of the appellants to Official Plan Amendment 499 (“OPA 499”).

The Staff report says that since the filing of the appeals of OPA 499 and the GMSP in November 2020, the City has “engaged in Tribunal-led mediation in an attempt to resolve some or all appeals”. This is simply not the case. The City has been engaged in Tribunal-led mediation for over a year. We attended every mediation session on behalf of Sarick, and our client has been eager to engage in meaningful discussions, and a potential resolution of the appeal. However, our client’s Lands have not been the subject of the mediation. Similarly, Sarick requested that a pre-consultation meeting be scheduled with respect to the redevelopment of the Lands. This request continues to be ignored by City Staff. Sarick’s issues continue to remain outstanding as they relate to OPA 499 and the GMSP.

There is no reason to put off dealing with the appeal of the GMSP as it relates to the Lands, and we strongly disagree with the City’s recommendation with respect to the lands south of Eglinton. Sarick appealed Official Plan Amendment 231 (“OPA 231”), the City’s previous Municipal Comprehensive Review (“MCR”), as it related to the conversion of the Lands. Sarick’s appeal of OPA 231 provides City Staff with the land use policy flexibility necessary to facilitate the below noted redevelopment, and a global resolution with respect to the Lands.

Unfortunately, Sarick’s OPA 231 appeal is slotted into Phase 6G, dealing with the remaining site-specific appeals, and is yet to be scheduled. The Ontario Land Tribunal is handling Phase 6C. We have had no response from staff regarding an ongoing request for discussion of a site and area specific policy, or other

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resolution of the appeal. Out of an abundance of caution, Sarick filed a conversion application for the Lands through the City's current MCR process (although not required due to the outstanding appeal of OPA 231). Our client continues to pursue every avenue available to it, only to have the proverbial doors shut.

The Lands are currently used for the Ontario Court of Justice Criminal Courts and mixed commercial uses, including a flea market. The redevelopment proposes to first relocate the Courts to the corner of Eglinton and Warden, with a state of the art facility. This would ensure that the Courts continue to remain open and operational throughout the construction of the remainder of the Lands. The Lands are book ended by two new Eglinton Crosstown LRT stations, at Warden Avenue and Lebovic Avenue. Sarick intends to redevelop the currently underutilized lands in a manner that retains (and potentially increases) jobs. The redevelopment will bring much needed residential and employment density immediately adjacent to the two new Eglinton Crosstown LRT stations.

Given their location, the Lands are ideal for high-density mixed-used development. However, Schedule 1 of OPA 499 proposes to retain a *General Employment Areas* designation for the block. Additionally, Maps 45-2 and 45-3 of the GMSP identify the block as "Employment District" and "Employment Areas", respectively. These designations limit the permitted uses in the area to low-density employment uses only. This is not appropriate for this important corner of Scarborough and misses the opportunity to utilize transit investment. Put simply, this is not good land use planning. The proposed uses represent a lost opportunity to address the City and Province's housing crisis. The area is designated for the shortest buildings and lowest densities in the GMSP, despite being located immediately beside two of the proposed Eglinton Crosstown LRT stations. The outdated land uses in the GMSP are not consistent with provincial policies and plans, including policies that seek to increase densities in proximity to public transit, to optimize the use of existing infrastructure and to increase the supply and mix of housing. The tallest buildings and highest densities should be located closest to transit stops.

**Sarick continues to be willing to engage in meaningful discussions with the City regarding the appeal and the proposed redevelopment of the Lands. We respectfully request that Council direct Staff to engage in meaningful discussions with our client and that City Staff schedule a pre-consultation meeting for the Lands.**

We kindly ask for notice of Council's decision(s) regarding this matter. We thank you for your consideration of this submission, and we are hopeful to engage in moving this significant opportunity forward.

Yours truly,

Dentons Canada LLP



Katarzyna Sliwa  
Partner

KS/kv

Copy: Client  
Mr. Nick Pileggi, Macaulay Shiomi Howson Ltd.