



May 27, 2024

Sent via email: iec@toronto.ca

Infrastructure and Environment Committee
Toronto City Hall
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Toronto, ON M5H 2N2

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file # 008156-02627

Attention: Matthew Green

Dear Chair McKelvie and Members of the Committee:

**Re: IE14.6 ReNew Golden Mile Environmental Assessment - Interim Report
Canadian Tire Real Estate Limited, 1901 Eglinton Avenue East
Request for Refusal**

We are the solicitors for Canadian Tire Real Estate Limited (“**CTREL**”), owner of the property municipally known as 1901 Eglinton Avenue East, Toronto (the “**CTREL Lands**”). Our client is writing to voice its ongoing concern with respect to the ReNew Golden Mile Environmental Assessment Study (“**EA**”).

The CTREL Lands are located within the EA Study Area, and form part of the Golden Mile Secondary Plan Area (Official Plan Amendment 499, “**OPA 499**”). OPA 499 is under appeal by our client and others at the Ontario Land Tribunal.

For approximately the last 24 years, CTREL has operated a Canadian Tire store on the CTREL Lands, which provides a significant employment use and supports the community, vitality and viability of the Golden Mile Secondary Plan Area. While CTREL intends to continue its existing use of the CTREL Lands, given the horizon of OPA 499 and the EA, it is also acting to protect its interests and future redevelopment potential.

The City has also recommended redesignation of the CTREL Lands from *General Employment Areas* to *Regeneration Areas* through Official Plan Amendment 644 (“**OPA 644**”), which is still pending Ministerial approval. This proposed redesignation recognizes that the CTREL Lands are intended to accommodate an increase in jobs and residential population if and as it redevelops.

For the reasons noted below, **we ask that the Committee refuse Item 14.6:**

Impact of Alignment on Current Business Operations

On September 7, 2023, we filed the enclosed correspondence with the City speaking to the possible impact of the various Alignment Options. In particular, we noted that Alignment Option 1, now recommended by Staff for advancement through the EA process, travels through the southern portion of the CTREL Lands. Impact on existing commercial properties forms an important part of the evaluation criteria and was the rationale for dismissing Alignment Option 6. This criteria should also be applied to dismiss any potential road and intersection configuration that moves north impacting the CTREL Lands, such as Alignment Option 1.

The Draft Framework Economical Criteria includes minimizing business impacts, minimizing property acquisition on sites anticipated to not redevelop, and reviewing impacts to existing development application types and status. CTREL requests that the Committee refuse the recommendation so as to ensure it has fully considered the economic impact of Alignment Option 1, and to permit for further consideration of the other Alignment Options which may have a lesser economic impact on the Golden Mile Secondary Plan Area.

At a high level, Alignment Option 1 cuts through the southern portion of the existing Canadian Tire store, and would have a significant impact on the loading and other related operations, which are currently on the south side of the store.

These concerns are particularly apparent when reviewing the difference in language used by staff in the Staff Report, dated May 13, 2024, with respect to the implementation of the preliminary design of the O'Connor Drive extension. Staff reference an intention for proceeding "with the realignment west of Victoria Park Avenue at such time as lands west of Victoria Park and north of the realigned O'Connor Drive are consolidated for comprehensive redevelopment" (page 21). However, with reference to the lands between Pharmacy Avenue and Birchmount Road, the Staff Report provides no such comfort; rather, it notes: "The majority of the implementation can be accomplished through the redevelopment of the area."

Should Committee follow the recommendations of the Staff Report to endorse the preliminary recommended alignments and design, there should be further direction to staff that no takings of land for the proposed new roads prior to approval of comprehensive site-specific redevelopment applications. As it relates to the CTREL Lands, any taking while the current store is operational would profoundly impact the business operations of the store.

Protecting Future Redevelopment Potential

As noted above, the City has recently adopted OPA 644, which proposes to redesignate the CTREL Lands *Regeneration*. The impact of the City directing density to the CTREL Lands may be muted through the implementation of Alignment Option 1. Any further consideration of proposed alignments by Staff must consider the redevelopment impact on the CTREL Lands.

We request a meeting with City Staff, so as to discuss the possible impact of pursuing each of the various Alignment Options on the potential redevelopment of the CTREL Lands. Further pursuit of Alignment Option 1 absent this discussion would be premature, and as such we are requesting Committee refuse the recommendations.

Please provide notice of all future consideration of this matter to the undersigned.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in blue ink, appearing to read 'Christie E. Gibson', is written over the printed name.

Christie E. Gibson

CG/JE

Encl.

Cc: Signe Leisk
Jennifer Evola



September 7, 2023

Via Email (goldenmile@toronto.ca)

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**Re: Golden Mile Environmental Assessment
Comments on behalf of Canadian Tire Real Estate Limited**

We are the solicitors for Canadian Tire Real Estate Limited (“**CTREL**”), owner of the property municipally known as 1901 Eglinton Avenue East in the City of Toronto (the “**CTREL Lands**”). Please accept this letter as record of our client’s comments on the in-process ReNew Golden Mile: Reconfigured & New Major Streets Environmental Assessment (“**EA**”).

The CTREL Lands are within the block bounded by Pharmacy Avenue to the west, Eglinton Avenue East to the north, Lebovic Avenue to the east and Comstock Road to the south (the “**CTREL Block**”). The CTREL Block is further located within the EA Study Area. The CTREL Lands and CTREL Block are all part of the Golden Mile Secondary Plan Area (i.e. OPA 499, under appeal by our client and others at the Ontario Land Tribunal), the Transportation Master Plan Area and the EA Study Area.

For approximately the past 23 years, CTREL has operated a Canadian Tire store on the CTREL Lands, which provides a significant employment use and supports the community, vitality and viability of the Golden Mile Secondary Plan Area. While CTREL intends to continue its existing use of the CTREL Lands, given the horizon of OPA 499 and the EA, it is also acting to protect its interests and future redevelopment potential.

We are aware of the six alignment options for the O’Connor Drive Extension from Pharmacy Avenue to Birchmount Road presented by City Staff through the Public Consultation on April 17, 2023. From the consultation materials provided at the Public Consultation, we understand that Alignment Options 1, 4 and 5 are being carried forward to the Detailed Evaluation and Recommended Design Stage of the EA process, and that Alignment Options 2,3, and 6 have been screened out on the basis that:

- Alignment Option 2 created potential impacts to the existing water tower;

- Alignment Option 3 was inconsistent with the Transportation Master Plan (the “**TMP**”) objective to provide a continuous east-west street, creating a staggered intersection at Warden Avenue; and
- Alignment Option 6 was screened out on the basis that it was inconsistent with the TMP objective to create a finer-grained street network and that it resulted in impacts to many commercial properties.

On this basis, CTREL’s comments will focus on Alignment Option 1, 4, and 5. It is our understanding that Alignment Options 1, 4 and 5 all commence at the intersection of what is currently Civic Road and Pharmacy Avenue, extending easterly towards Lebovic Avenue across the CTREL Block. Alignment Options 1, 4 and 5 all travel through the southern portion of the CTREL Lands.

CTREL is very concerned that the proposed alignment of O’Connor Drive and its intersection with Pharmacy Avenue should not be permitted to shift further north as this would result in significant, negative impacts to the existing commercial properties within the CTREL Block. Similarly, Alignment Option 1 has the potential to impact the east-west alignment and the CTREL Block. Impact on existing commercial properties forms an important part of the evaluation criteria and was the rationale for dismissing Alignment Option 6. This criteria should also be applied to dismiss any potential road and intersection configuration that moves north impacting the CTREL Block.

As the City engages in a review of Alignment Options 1, 4 and 5 through its draft Detailed Evaluation Framework (the “**Draft Framework**”), CTREL requests that the City identify a final proposed alignment which will satisfy the Draft Framework Economical Criteria, which includes minimizing business impacts, minimizing property acquisition on sites anticipated to not redevelop, and reviewing impacts to existing development application types and status. In doing so, CTREL requests that the City adopt an alignment of O’Connor Drive which avoids specific commercial properties, including the CTREL Lands, similar to the approach being considered for the proposed alignments of Golden Mile Boulevard.

Please do not hesitate to contact the undersigned respecting these comments. Please provide notice of all future public consultations on this matter to the undersigned.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in blue ink, appearing to read 'Signe Leisk', with a stylized flourish at the end.

Signe Leisk

SL/JE