



**Kagan
Shastri** ^{LLP}
LAWYERS

PAUL DEMELO
Tel. 416.368.2100 x 228
Direct Fax: 416.324.4203
pdemelo@ksllp.ca

File #: 99999

May 18, 2018

VIA DIRECT COURIER

TORONTO CITY COUNCIL
Attn: Marilyn Toft
Toronto City Hall, West Tower, 12th Floor
100 Queen Street West
Toronto, ON M5H 2N2

VIA EMAIL: clerk@toronto.ca

Dear City Council,

Re: TOcore: Proposed Downtown Plan

We are the solicitors for National Lending Corporation, the owners of 188 Avenue Road, Toronto (the “Property”). The Property is located on the west side of Avenue Road, south of Dupont Street between Chicora Avenue and Pears Avenue, and as is within the TOcore Downtown Plan (the “Proposed Plan”) (Schedule 5 to the Downtown Plan Official Plan Amendment).

The Proposed Plan as it was presented to the Committee designated the Property as *Mixed Use Areas 4*, despite the location of the Property with frontage on a major street. The *Mixed Use Areas 4* designation does not contemplate the Property as a site for significant intensification. By way of letter dated April 27, 2018 we wrote to the Planning and Growth Management Committee (the “Committee”) outlining the reasons for which we were seeking an alternative designation more appropriate for intensification.

In a Staff Report dated April 17, 2017 (the “Staff Report”), Staff recommend a number of changes to the Official Plan mapping and designations of Mixed Use sites. On page 34 of the Staff Report, City staff proposed changes to the Property’s designation from *Mixed Use Areas 4* to *Mixed Use Areas 3*. This change in designation would allow the Property to accommodate buildings of mid-rise scale representing an increase in density that the previously proposed *Mixed Use Areas 4* designation did not accommodate.

We recognize the change from *Mixed Use Areas 4* to *Mixed Use Areas 3* and acknowledge the change is a step in the right direction. However, we do not believe that the *Mixed Use Areas 3* designation sufficiently addresses the development potential for the property and the

appropriateness of a higher scale of development given the surrounding land use and developments that already exist.

As noted, the Property is located on Avenue Road, being a main street as well as important Avenue for the purpose of the Proposed Plan. The immediately surrounding area has a number of existing or proposed developments that contemplate greater heights and densities than that which has been proposed for the Property. As the City will be aware, directly to the south of the Property at 127-170 Avenue Road at the corner of Avenue Road and Pears Avenue, exists a newly constructed 20-storey residential building that has been incorporated into the fabric of this neighborhood. On Pears Avenue itself, just west of Avenue Road (off the main Avenue) is a nearly completed 10-storey residential building which again fits within the surrounding character. 183-189 Avenue Road (the south east corner of Avenue Road and Pears Avenue) a 12-storey mixed-use residential building is also being proposed. In the context of these existing and planned developments, it would be appropriate for the Property to accommodate greater intensification than what the *Mixed Use Areas 3* contemplates.

The proposed designation on the Property is inconsistent with the context of the surrounding area, inconsistent and does not conform in our view with the direction in PPS and the Growth Plan which seek to ensure that appropriate areas of intensification are planned for.

We request that that proposed designation for the Property be revisited and that the City carry forward a designation for the Property that appropriately reflects the ideal opportunity afforded by the site to provide for a greater degree of intensification building upon Avenue Road in this location.

Thank you.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Paul DeMelo', is written over a dashed horizontal line.

Paul DeMelo