

November 17, 2011

Our File No.: 09-1699

Toronto City Council
12th Floor, West Tower, City Hall
100 Queen Street West
Toronto, ON
M5H 2N2

Attention: City Clerk, c/o Marilyn Toft

Dear Sirs/Mesdames:

**Re: NY11.24: Final Report - Lawrence-Allen Secondary Plan
File No. 08-167708 NPS 00 OZ**

We are solicitors for 2135335 Ontario Inc. and 2145072 Ontario Inc., the owners of the properties known municipally as 50 and 52 Neptune Drive in the City of Toronto (the "Subject Property"). We are writing to provide our clients' concerns in respect of proposed Official Plan Amendment 162.

On December 30, 2009, our clients submitted a rezoning application for the Subject Property to permit the development of a fourteen storey condominium building. City staff prepared a preliminary report dated February 11, 2010, which was considered by North York Community Council at its meeting on March 9, 2010. The City also convened a working group meeting in respect of this application and provided comments received from the initial circulation to various agencies and departments. Our clients are still in the process of reviewing community feedback and staff comments to determine appropriate revisions to the proposal, but will be making a revised submission in the near future.

Therefore, our clients were surprised to learn that the City is now proposing site-specific policies in respect of the Subject Property as part of Official Plan Amendment 162. The City did not provide specific notice to our clients that any such policies would be considered as part of the Lawrence-Allen Secondary Plan process and, as such, our clients did not attend at the statutory public meeting on November 2, 2011.

The proposed site-specific policies directly affect the potential redevelopment of the Subject Property in terms of use, built form and height. In particular, proposed policy 3.1.28 (c) creates a

new sub-zone, which would specifically delineate the Subject Property as an area for which development may be permitted but only if certain development standards are achieved.

Our clients are entitled to have their rezoning application judged pursuant to the planning framework in place at the time of the rezoning application. It is not fair or appropriate to use the Lawrence-Allen Secondary Plan process to create new site-specific policies that could frustrate our clients' rezoning application, especially without actively consulting our clients. In addition, these policies do not represent an appropriate framework to guide the redevelopment of the Subject Property.

We respectfully request that the site-specific policies proposed for the Subject Property be deferred such that our clients' rezoning application can be processed to its conclusion or that the Subject Property be exempted from the proposed official plan amendment. If the proposed site-specific policies are adopted by City Council, our client will have no choice but to file an appeal to the Ontario Municipal Board.

Yours very truly,

Goodmans LLP



David Bronskill

DJB/

cc: Client

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