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November 7, 2012

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VIA EMAIL

Chairman and Members
Planning and Growth Management Committee
City of Toronto
100 Queen St W, City Hall
10th Floor, West Tower
Toronto ON M5H 2N2

Attention: Ms. Merle MacDonald, Committee Administrator,
City Clerk's Department

Dear Sirs/Mesdames,

**RE: Planning and Growth Management Committee Meeting, November 8, 2012
Agenda Item PG19.2
O'Connor Drive Avenue Study - Toronto and East York District, and North York
District - Final Report**

We are the solicitors for 1401 O'Connor Drive Holdings Inc. (hereinafter, the "Owner"), the Owner of lands municipally known as 1401 O'Connor Drive in the City of Toronto (hereinafter, the "Site").

On March 15th, 2012, the Owner submitted a zoning by-law amendment application and an application for site plan approval to permit a 10-storey mixed-use building containing 196 total units, including a two-storey base of 19 live/work units and eight upper storeys containing 177 residential apartments on the Site. The proposed development will provide a mix of affordable condominium apartments and live/work units (196 units in total). The live/work units will front onto O'Connor Drive and will provide direct access to the businesses from the street while to serving to animate the streetscape.

The Owner's application was the subject of a City staff Preliminary Report dated April 19th, 2012 and a community consultation meeting was held on Wednesday, July 18th, 2012. The Owner has also actively participated in the O'Connor Drive Avenue Study process, including attending at the final community consultation meeting held on October 1st, 2012. The Owner's application is referenced in the O'Connor Drive Avenue Study Final Report as one of two planning applications in the Avenue Study area.

In reviewing the Final Report with respect to the O'Connor Drive Avenue Study, our client has a number of concerns with respect to the proposed policies and guidelines to be contained in the proposed Official Plan Amendment (Attachment 1 to the Final Report) and the proposed Urban Design Guidelines (Attachment 2 to the Final Report).

The time period for this Avenue Study was six plus years, and during this time period there was very little development which occurred along this Avenue. It is acknowledged in the Final Report that since the initiation of the Study, the City has received only two planning applications within this area, including one in 2008 by the owner of 968 O'Connor Drive, and the zoning by-law amendment application submitted by the Owner.

Despite this lack of development on this Avenue, the City is not providing any incentives through height or density increases for development to occur in this area through the adoption of the proposed Official Plan Amendment and Urban Design Guidelines. In fact, in some cases, the proposed Urban Design Guidelines are making it more difficult to develop within this area. Specifically, we are concerned with the policies set out in Section 4.0, District Structure Plan, as it relates to the Main Street Areas - South O'Connor Drive, and the Built-Form Guidelines set out in Section 5.3 which also relates to the Main Street Areas – O'Connor Drive South.

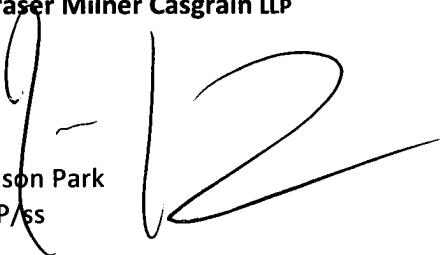
It is our position that the City should have adopted policies in the Official Plan, to be supplemented by the Urban Design Guidelines, which would support new mixed-use buildings in the range of eight to ten storeys to be permitted along certain portions of the Avenue, including within the area identified as "Main Streets Area - O'Connor Drive South". Further, the policies and guidelines concerning angular planes, setbacks, step-backs and mechanical penthouses need to be further reviewed to ensure they do not become unnecessary impediments to development of sites along the Avenue. It is our recommendation that further discussion is required with landowners within the Avenue area, including our client, to ensure a reasonable level of development is permitted along the Avenue. Further, our client is concerned that the premature adoption of the proposed Official Plan Amendment and Urban Design Guidelines will prejudice our client's discussions with City staff regarding its existing site specific rezoning and site plan approval applications for the Site which are ongoing.

As a result, we would respectfully ask that the Planning & Growth Management Committee defer this Avenue Study to allow for further consultations to take place with our client.

If you have any questions regarding the above, please do not hesitate to contact the undersigned at 416.863.4786.

Yours very truly,
Fraser Milner Casgrain LLP

Jason Park
JIP/ss



c.c. Councillor Janet Davis
Gregg Lintern, Director, Community Planning, Toronto & East York District
Jamie McEwen, Acting Manager, East Section, Community Planning, Toronto & East York District
1401 O'Connor Drive Holdings Inc.

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