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Via Email and Courier

Mayor and Members of Council
Toronto City Hall,
10th Floor, West Tower
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Chair and Members of
Planning and Growth Management Committee

Your Worship and Members of Council:

**Re: Report to Planning and Growth Management Committee
dated October 23, 2012
Reference Number p:\2012\clusterB\PLN\PG12075 (the "Staff Report")**

**And Re: Official Plan/Municipal Comprehensive Reviews
Draft Policies and Designations for Employment**

We are the solicitors for the Building Industry and Land Development Association ("BILD") with respect to the above-captioned matter. On behalf of our client we would like to take this opportunity to reiterate its interest in this topic and to provide some preliminary comments.

BILD appreciates that the Staff Report recommends the commencement of a public consultation process and it requests that the opportunity to participate in that process. It acknowledges that the Staff Report raises a number of valid public policy issues and contains some positive ideas to address them. That said, we respectfully submit that for the proposed public consultation to be meaningful further information is required, as explained below.

The Staff Report is premised on a report prepared for the City of Toronto by Malone Given Parsons Ltd. dated October 2012 entitled "Sustainable Competitive Advantage and Prosperity – Planning for Employment Uses in the City of Toronto" (the "MGP Report"). However, notwithstanding our inquiries we were unable to access a copy of the MGP report until November 5th, and have not had the opportunity to review this voluminous report on anything other than a cursory basis. That said, our preliminary review suggests that further elaboration and explanation will be necessary to understand the MGP Report and its implications for proposed policy.

For example, the MGP Report provides insufficient guidance as to how to rationalize the legal requirement for official plan policy to conform to the Growth Plan for the Greater Golden

Horseshoe, including its population and employment projections, with the suggestion in the MGP report that different projections for a different time horizon (2041 instead of 2031) be used. As another example, the MGP Report in some instances overlays qualitative assessments on top of quantitative analysis without a clear explanation or description of how the qualitative input is modifying the data or conclusions. The result is that the conclusions are not all transparent or "traceable", which we submit should be required of a fundamental input to a public consultation.

Given the above, our client generally is of the view that a substantive policy discussion is premature. That said, an example of a matter which admits of comments on a preliminary basis are the policy directions to require, as opposed to encourage or permit, employment uses on identified properties. From BILD's perspective there has been little if any justification provided in the materials on the public record which could counter the significant negative implications on efficient development.

As a final comment, the Staff Report seems to leave some topics virtually unacknowledged. For example, despite commentary therein respecting live-work relationships from a transportation perspective, and the universal acknowledgment of the success of Regenerations Areas as employment generators, the topic of live-work units as a component of employment policy remains unaddressed. BILD submits that such units can make an important contribution to an overall employment lands strategy as well as addressing "complete community" objectives and thus should form part of the discussions going forward.

Please provide us with notice of any subsequent consideration of the Staff Report or the subject matter thereof by Council or any Committee thereof.

Thank you for your attention in this regard.

Yours truly,



John A.R. Dawson

JARD/sc