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PG28.2.252

December 12, 2013

File No.: 239326-47

DELIVERED VIA COURIER

Mayor and Members of City Council
c/o City Clerk's Office
City of Toronto
12th Floor, West Tower, City Hall
100 Queen Street West
Toronto ON M5H 2N2

**Attention: Ms. Marilyn Toft, Manager,
Council Secretariat**

RECEIVED
CITY CLERK'S OFFICE
SECRETARIAT 12 W
2013 DEC 12 PM 12 54

Dear Sirs/Mesdames:

RE: Official Plan and Municipal Comprehensive Reviews: Amendments to the Official Plan for Economic Health and Employment Lands Policies and Designations, and Recommendations on Conversion Requests
- Agenda Item No. PG28.2
- No. 100 Metropolitan Road, Toronto

We are the solicitors for 100 Metropolitan Portfolio Inc., the owner of the property municipally known as 100 Metropolitan Road in the City of Toronto (collectively, the "**Property**").

By way of background, our clients have provided comments to Planning and Growth Management Committee in a letter from Robert Truman dated December 27, 2012, outlining our client's concerns with respect to the City's proposed Employment Lands policies which were subsequently included in the August 20th, 2013 Planning staff report, and in turn have been codified in the proposed Official Plan Amendment No. 231 ("**OPA 231**"). As indicated in the December 27, 2012 letter, our client is concerned that the piecemeal conversion of employment lands in the area surrounding the Property would be severely detrimental to the area as a whole, and to the Property in particular. A copy of Mr. Truman's letter is enclosed.

City Planning staff originally considered conversion requests in the area surrounding the Property, including a request at 22 Metropolitan Road, and determined that the current Employment land use designations in the area remain unchanged. Planning and Growth Management Committee did not accept the recommendation, and directed that staff undertake "additional analysis", also providing guidance to staff regarding what should be taken into account. Based on this further analysis, staff maintained its recommendation to retain the lands under their current designation. Notwithstanding staff's recommendation, Planning and Growth Management Committee deemed it appropriate to recommend

conversion of certain lands near the Property, including 22 Metropolitan Avenue. The basis for this decision is unclear, however it appears likely that the prevailing trend of decreasing demand for existing warehouse uses is one important factor.

Our concern with Planning and Growth Management Committee's approach to this conversion is that all properties in the area are subject to the same prevailing market conditions. The piecemeal re-designation of one parcel of land in the area will have significant impacts on nearby properties. If City Council deems it appropriate to allow the conversion of one parcel of land in the area, then equal consideration should be provided to all properties in the area. To do otherwise would not, in our view, be good land use planning. The factors which support the conversion of 22 Metropolitan Road could very well apply to 100 Metropolitan Road. This should be analyzed in detail as part of this comprehensive planning process. Our client is not necessarily objecting to the conversion of 22 Metropolitan Road, it simply wants its lands to be afforded the same consideration at this time.

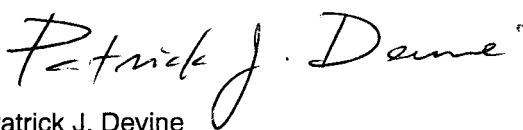
In light of the above-noted concerns, we would respectfully request that City Council consider any conversion requests on Metropolitan Road within the context of the surrounding area. In the event that conversion is deemed appropriate for certain properties in the area, we request that our client's Property be included in the conversion.

Thank you for your consideration of this request. We also appreciate receiving Notice of any decisions and/or future public meetings with respect to this matter.

If you have any questions regarding the above, please do not hesitate to contact the undersigned at 416.863.4515.

Yours very truly,

Dentons Canada LLP



Patrick J. Devine

PJD/AGF:mp
Enclosure

cc: Paul Bain, Project Manager, Policy and Research, City of Toronto Planning

cc: 100 Metropolitan Portfolio Inc.

ROBERT TRUMAN
PLANNING & DEVELOPMENT CONSULTANT

December 27, 2012

COPY

Peter Milczyn, Chairman
Planning and Growth Management Committee
City of Toronto
City Hall
Toronto, Ont. M5H 2N2

Re: 100 Metropolitan Road and 22 Metropolitan Road

I am writing on behalf of H&R Real Estate Investment Trust, owners of the property at 100 Metropolitan Road.

The site is approximately 30 acres in size and is developed with a warehouse of approximately 700,000 square feet. It has been used as the main warehousing and distribution facility for the Zellers operation of the Hudson Bay Company.

With the discontinuation of Zellers they will no longer be using the facility. The owner is attempting to find new tenants but their real estate advisors report that there appears to be no significant demand for warehousing or other employment uses in this location.

Recently, H&R REIT became aware that the owners of the land at 22 Metropolitan Road have applied to the City of Toronto for an amendment to the Official Plan to re-designate those lands to permit a predominantly residential development, with a hotel and some other non-residential space.

As you know, the possibility of a re-designation of 22 Metropolitan Road was considered in the context of the Official Plan\Municipal Comprehensive Reviews, the initial results of which were reported to the Planning and Growth Management Committee and considered at its meeting of November 8, 2012. In that report, the recommendation from staff was that the current Employment land use designations in this area remain unchanged. Your Committee did not accept the recommendation and directed that staff undertake "additional analysis" of 22 Metropolitan Road and gave some guidance to the staff as to what should be taken into account in the "additional analysis".

H&R REIT is very concerned with the possible re-designation of one parcel of land in this area to permit a significant amount of residential uses while retaining the Employment designation in the remaining area. Such an action would only serve to make it even more difficult to find tenants for the property after the departure of the Zellers operation.

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ROBERT TRUMAN
PLANNING & DEVELOPMENT CONSULTANT

Planning and Growth Management Committee
December 27, 2012

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It is possible that the development controls applicable to the area should be re-examined in the light of changed conditions. For example, the scale of warehousing at 100 Metropolitan Road is a use which is no longer thought viable in the City for a number of reasons, including the congestion which has grown in the 401 corridor over the last few years.

Regarding other Employment Uses, including office use, I think it is acknowledged that growth in demand for that use in this area is limited and would be best accommodated, in any event, in a transit oriented location, which this is not.

To summarize, the owner of 100 Metropolitan Road is not taking a position on the application of the owners of 22 Metropolitan Road at this time. They are, however, concerned about the introduction of residential uses on just one property in the area. They would support and participate in a review of the area that dealt with the possibility of other appropriate development controls and treated all owners equally.

I would appreciate being advised of any further meetings of your committee which would be dealing with this matter.

Please contact the undersigned if you have any questions.

Yours truly,

(ORIGINAL SIGNED)

Robert Truman