

PG28.2.264

McCarthy Tétrault LLP
PO Box 48, Suite 5300
Toronto-Dominion Bank Tower
Toronto ON M5K 1E6
Canada
Tel: 416-362-1812
Fax: 416-868-0673

**mccarthy
tétrault**

Cynthia A. MacDougall
Partner
Direct Line: (416) 601-7634
Direct Fax: (416) 868-0673
Email: cmacdoug@mccarthy.ca

December 13, 2013

VIA E-MAIL & ORIGINAL BY COURIER

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

RECEIVED
CITY CLERK'S OFFICE
SECRETARIAT 12 W
2013 DEC 13 PM 1 12

Your Worship and Members of Council:

**RE: Item PG28.2 – 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
383 Sorauren Avenue, Toronto
Application Nos. 12 264111 STE 14 OZ; 13 206017 STE 14 SA
Sorauren Developments Inc.**

We are writing on behalf of our client, Sorauren Developments Inc, with respect to its property municipally known as 383 Sorauren Avenue (the "Property"). On October 16, 2012, application was made for a zoning by-law amendment with respect to the Property and on July 17, 2013, an application for Site Plan Approval was also filed with the City (the "Applications").

Given the submission dates for the Applications, the policies in the proposed Official Plan Amendment No. 231 and the proposed amendments to Site and Area Specific Policy 154 ("SASP 154") should not apply to the Property. It is a well-accepted principle that official plan policy should not be retroactively applied. In any event, the proposed policies are neither appropriate nor necessary as they relate to the Property. For example, with respect to proposed policy a) iv) of SASP 154, the proposed minimum setback of 30 metres from the nearest rail corridor is not reasonable as Metrolinx has accepted a different minimum setback in connection with the proposed development of the Property. A different minimum setback also has been found to be acceptable to the City and Metrolinx at numerous other locations.

Furthermore, we suggest that any employment uses in this particular portion of the site specific area should be compatible with residential uses given that the surrounding existing stable residential area, which the proposed policies unfortunately do not require.

We are also unsure as to Staff's intent with respect to the wording in SASA 154 a) iii) and we ask for clarification given we believe compatible development should be supported.

If you have any questions, please do not hesitate to contact the undersigned.

Yours truly,



Cynthia A. MacDougall

c. Clerk, Ulli Watkiss
Bill Gairdner