

November 7, 2012

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Planning and Growth Management Committee  
c/o Ms. Merle MacDonald  
10<sup>th</sup> Floor, West Tower, City Hall  
100 Queen Street West  
Toronto, Ontario M5H 2N2

Dear Chair Milczyn and Members of Committee:

**Re: *Five-Year Official Plan Review/Municipal Comprehensive Review  
Draft Policies and Designations for Employment  
865 York Mills Road***

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We are planning consultants to 2141805 Ontario Inc. (Liberty) the owners of a 3.35 ha property located on the south side of York Mills Road at Upjohn Road (the Site) as shown on page 133 of Committee Report P2012.

We have reviewed the Staff recommendations and directions set out in the October 12<sup>th</sup>, 2012 Staff report (specifically pages 133 and 134 of Attachment 5). We are writing at this time to advise the Committee that Liberty is both disappointed by, and very concerned with, the recommendation that the above property be designated *Retail Employment Areas*. This designation fails to recognize the significant land use planning and economic benefits which would result from a *Mixed Use Areas* designation of the Site. Through its 2011 official plan amendment application, Liberty has made a commitment to increase employment by 7 times the existing level, and to tie the construction of residential units to the construction of office space, a commitment that can only be realized with a *Mixed Use Areas* designation.

The Site is occupied by a one storey building known as Liberty Plaza which has approximately 12,700 sq. m of retail, office and restaurant uses. While the Site is currently located within an Employment District it has many attributes which make it well suited for a mixed use form of development. It is located on a Surface Transit Priority route close to a Transit Corridor; adjacent uses are primarily retail and office, and not manufacturing; and it is close to established residential communities with excellent facilities and services. Given its locational attributes the Site is currently underutilized.

In 2011 Liberty submitted an Official Plan amendment application, seeking permission for two new office towers (each approximately 27,000 sq. m), retail uses (approximately 16,700 sq. m), a hotel and three residential towers with a

total of approximately 890 units. A copy of the Planning Rationale which accompanied the application is included as **Attachment 1**. Approval of that amendment will achieve a number of economic and city-building benefits. These include:

- making efficient use of an underutilized site;
- providing new employment uses (7 times the level of existing employment);
- complementing the existing office uses in the area;
- providing improved retail shopping opportunities;
- providing an enhanced pedestrian environment;
- providing increased transit ridership; and
- providing more prestigious uses in a changing area.

In September of this year, Bousfields submitted a letter to the Planning and Growth Management Committee (see **Attachment 2**) in support of the general direction set out in the Summary of the Report on Planning for Employment Uses in the City of Toronto. In the letter we advised the Committee that Liberty recognized that the City should strengthen its Official Plan policies to target new office space construction outside of Downtown and Centres, in other areas with ready access to transit. Importantly, Liberty also supported the introduction of policies and regulations which would require that employment space be built in conjunction with residential space. Liberty is an experienced developer in the GTA and has been very successful in bringing to market projects with significant residential and office components.

It would appear that staff has not fully considered the Liberty Official Plan amendment application. Their assessment of the amendment and the conversion request merely states:

“Although the Municipal Comprehensive Review has not been completed, a preliminary assessment based on the criteria in the Growth Plan and Provincial Policy Statement has determined that these lands should be retained for employment uses and be designated as *Core Employment Areas*.”

It should be noted that we have been advised by City planning staff that recommendation contains an error, and that the preliminary assessment determined that the lands should be designated as **Retail Employment Areas** – that is areas where a full spectrum of retail and service activities may be established without impacting the functioning of *Core Employment Areas*.

Effectively, the staff report recommends little more than the continuation of the use of the Site in its current form – which will contribute little if anything to the economic growth of the City. Such a designation will continue to encourage an underutilization of this well located property, despite the fact that a commitment

has been made to increase employment significantly which is made possible through the introduction of residential uses. The opportunities presented by the York Mills corridor for mixed use intensification seem not to have been recognized.

We respectfully request that you consider the Site for redesignation to *Mixed Use Areas* in recognition of the opportunities for successful land use planning and economic development presented by this Site.

Liberty would appreciate the opportunity to address the Committee.

Yours very truly,

**Bousfields Inc.**



Lindsay Dale-Harris M.Sc.Pl., MCIP, RPP

LDH/kah:jobs

cc: 2141805 Ontario Inc.  
Councillor Peter Milczyn  
Mr. Barry Horosko

September 12, 2012

Councillor Peter Milczyn, Chair  
Planning and Growth Management Committee  
City of Toronto  
100 Queen Street West, City Hall  
Toronto, Ontario M5H 2N2

Dear Mr. Milczyn,

**Re: 2141805 Ontario Inc.  
865 York Mills Road  
Proposed Mixed Use Redevelopment**

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We are planning consultants to 2141805 Ontario Inc., the owners of a 3.35 ha property located on the south side of York Mills Road at Upjohn Road (the Site) as shown on **Attachment 1**. The Site is located within an Employment District, but has many attributes which make it well suited for a mixed use form of development. It is located on a Surface Transit Priority route close to a Transit Corridor (Don Mills Road); there is a considerable amount of office and retail development along both Don Mills and York Mills Road, and the Site is currently underutilized.

In 2011 2141805 Ontario Inc. (the "applicant") submitted an Official Plan amendment application, seeking permission for two new office towers (each approximately 27,000 sq. m), retail uses (approximately 16,700 sq. m), a hotel and three residential towers with a total of approximately 890 units. Approval of the amendment would achieve a number of economic and city-building benefits. These include:

- making efficient use of an underutilized site;
- providing new employment uses (7 times the level of existing employment);
- complementing the existing office uses in the area;
- providing improved retail shopping opportunities;
- providing an enhanced pedestrian environment;
- providing increased transit ridership; and
- area is changing to more prestigious uses.

The applicant has followed the Official Plan Review of Employment Use Policies very closely; they have met with planning staff; and they have written to the Commissioner of Planning with respect to the issue of employment land conversion. Recently, they have read the Executive Summary of the Report on Planning for Employment Uses in the City of Toronto with great interest, particularly with respect to its findings for the demand for office uses.

Accordingly, we are writing, on behalf of the applicant with respect to the recommendations of the Acting Chief Planner regarding the policy directions for Employment Areas.

The applicant fully supports the recommendation that the City should strengthen its Official Plan policies so as to target new office space construction not only in the Downtown and Centres but also in other areas with ready access to transit.

The applicant believes that the identification of its Site as forming part of a Business Park, which would allow a range of residential and non-residential uses, similar to that set out in the application, would help the City to achieve this new policy direction. Based on the studies prepared in support of the Official Plan review, it is clear that many of the new mid-sized office buildings have chosen to locate in the 905 area. The approval of projects, such as the one proposed by the applicant, which includes offices, that would help address this problem.

The applicant also supports the direction that Official Plan policies should clearly integrate land use policies for offices with the provision of transit and economic development initiatives. There is no question that the timely provision of improved higher order transit – such as is being proposed on Don Mills Road - will not only encourage more intensive development but, when accompanied by a mix of uses, will also reduce commuting.

Finally, the applicant is supportive of the establishment of policies and regulations which would require that employment space be built in conjunction with residential space. While this approach may not work in all locations, it is definitely one which they would agree to on their Site.

The applicant looks forward to working collaboratively with the City during the public consultation phase to ensure that high quality, mixed use projects with a significant office employment component along important transit routes, will be approved.

Yours very truly,

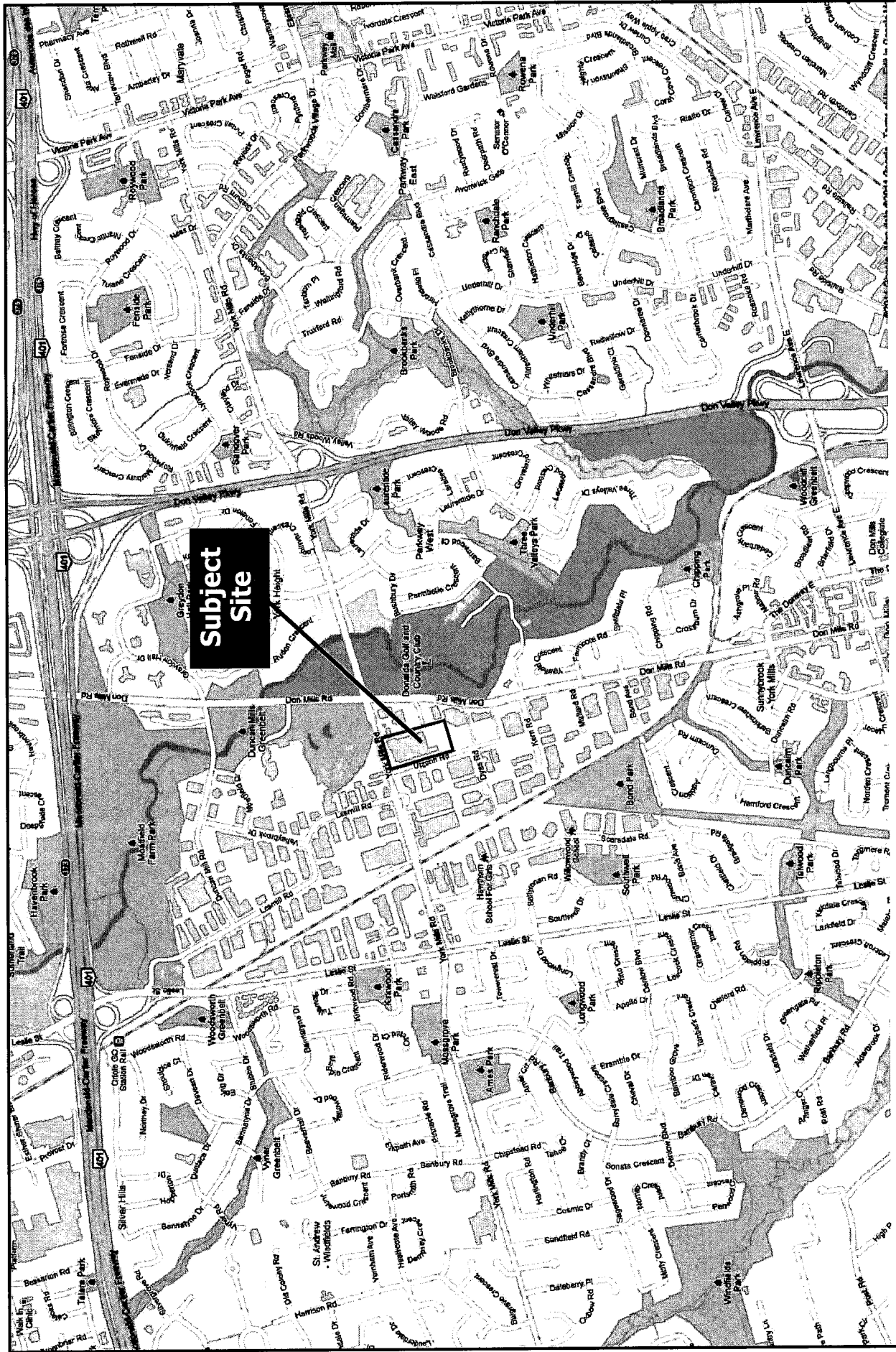
**Bousfields Inc.**



Lindsay Dale-Harris M.Sc.Pl., MCIP, RPP

LDH/kah:jobs

cc: 2141805 Ontario Inc.  
Ms. Merle MacDonald, City Clerk Office, Planning and Growth Management



# Location Map Attachment 1