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May 13, 2013

Reply To: Joel D. Farber
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Our File No. 13/1974

VIA EMAIL (PGMC@TORONTO.CA)

Planning and Growth Management
Committee, Toronto City Council
100 Queen Street, West, City Hall
Toronto, Ontario M5H 2N2

Dear Mr. Chairman and Members of the Committee:

Re: City of Toronto Official Plan Review – Employment Areas – PG24.5 & 24.6

RioCan Queensway Cineplex (1001 - 1037 The Queensway)

We are the solicitors for RioCan Holdings (Queensway) Inc., an owner of the lands located at the south west quadrant of The Queensway and Islington, municipally known as 1001 - 1037 The Queensway. Our client's site has the Cineplex movie theatre, as well as commercial uses along the Queensway frontage.

Our client's site is currently designated Mixed Use Area along the Queensway frontage and Employment Area for the entirety of the southerly portion of the lands.

We submitted correspondence to staff dated February 22, 2013, seeking the re-designation of that part of our client's site currently designated Employment Area to Mixed Use Area. A copy of that correspondence is attached for the Committee's reference.

We would respectfully disagree with the staff recommendation (see page 70-71 of the April 23, 2103 Staff Report PG24.5) to retain the site in an Employment Area designation. We should point out that the staff report does not properly address the area context and adjacent land uses. To the north of the site is a mixed use mid rise development, not automobile dealerships. Staff also appear to have neglected the defining element of the area context, being the approved Official Plan Policy Area #6 for lands on the south side of the Queensway between St. Lawrence Avenue and Zorra Street (including the Remington Group lands).

The lands between the Queensway and the Gardiner, from Islington to Kipling, are currently in the midst of major transition from arterial commercial and industrial uses to higher density

mixed use development. The Remington Group development is currently under construction on the south side of the Queensway and is known as the IQ Condominium project. The Remington development utilizes the entire depth of the lands from the Queensway to the Gardiner for high density residential development. The Remington Group development is located about 100m to the west of our client's lands, and now includes proposed twin 49 storey towers, connected by a 7 storey podium and a total of 1,061 units on Phase 3 of the lands which is the block adjacent to the Gardiner expressway.

In our submission, there remains no adequate planning justification to retain our client's site in an employment area designation given the approved and emerging land use context.

There remains no viable employment area between Islington and Kipling on the south side of the Queensway. Furthermore, there is substantial development opportunities for mixed use development, which will have convenient access to transit, bike routes and the Go Train, as well as convenient commercial facilities located within the mixed use areas.

The Retail Employment designation is designed to recognize and permit retail and commercial development at the edge of employment areas, where compatible with existing employment areas. There is no longer any need at this particular location for a retail employment planned function. A mixed use area designation would allow all of the existing commercial uses, as well as an intensification of the site for residential uses in an appropriate and desirable location.

We would ask that the Committee direct staff to reconsider its recommendation in respect of 1001-1037 The Queensway, and to provide a comprehensive analysis of the rationale for retaining any lands within an employment area designation for the area south of the Queensway from Islington to Kipling.

Yours truly,

FOGLER, RUBINOFF LLP

"Joel D. Farber"

Joel D. Farber
JDF/ay

cc. RioCan REIT (Jordan Robins and Stefan Wisniowski)
Paul Bain and Jeff Cantos (City Planning Division)



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February 22, 2013

Reply To: Joel D. Farber
Direct Dial: 416.365.3707
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Our File No. 13/1974

VIA EMAIL (OPREVIEW@TORONTO.CA)

Official Plan Review
City Planning, Policy & Research
Metro Hall, 23rd Floor
City of Toronto
55 John Street
Toronto, ON M5V 3C6

Dear Sir and/or Madame:

Re: City of Toronto Official Plan Review – Employment Areas

RioCan Queensway Cineplex (1001 - 1037 The Queensway)

We are the solicitors for RioCan Holdings (Queensway) Inc., an owner of the lands located at the south west quadrant of The Queensway and Islington, municipally known as 1001 - 1037 The Queensway, Toronto, Ontario.

The subject site is currently designated Mixed Use Area along the Queensway frontage, and Employment Area in the south part of the lot to the Gardiner Expressway. The site is accordingly zoned AV, in part, and I.C1, under the former City of Etobicoke Zoning Code.

On behalf our client, we are submitting this correspondence to seek consideration of a conversion of the designated Employment Area on the subject site (together with the lands west of Dorchester Avenue) so that the whole site would be designated with a Mixed Use Area land designation. The remainder of the block from Queensway to the Gardiner, from St. Lawrence Avenue to Kipling is already designated Mixed Use Area, with the lands immediately adjacent being subject to the provisions of Official Plan Special Policy Area #6.

The subject area is appropriate for conversion to a Mixed Use Area land designation. Among other things:

1. The subject area is not contiguous with any other employment area. Rather, the subject area is contiguous and directly linked with Special Policy Area #6 which contemplates mixed used development with 1,270 units, 83,772 sq.m. of commercial space together with a system of public parks and public roads;

2. The Mixed Use Area designation already exists along the Queensway frontage but should extend back to the depth of the lot to the Gardiner in the same fashion for the abutting portions of the block west of St. Lawrence Avenue to Kipling;
3. The subject area land uses are predominantly if not exclusively retail and commercial, and therefore commercial and residential intensification can be accommodated without any impact on existing or planned core or general employment areas and without any impact on the nature of the existing economic functions of the subject lands;
4. Any future redevelopment of the subject area can only be accommodated in a fashion that is compatible with and corresponds to the emerging development pattern established at the Remington Group site. and Special Policy Area #6, ie with a mix of residential and commercial uses;
5. The site is well served by public transit, is located close to the GO rail and is on the identified Queensway Transit Priority Segment;
6. Redevelopment of the entirety of the RioCan site will anchor the transformation of this stretch of the Queensway from its prior function as an arterial commercial area, to a vibrant Avenue within the City.

We look forward to your consideration of this request, and further discussions concerning the long range planning for the potential intensification and/or future redevelopment of the RioCan Queensway Cineplex site as part of the transformation of the Queensway.

Yours truly,

FOGLER, RUBINOFF LLP

“Joel D. Farber”

Joel D. Farber
JDF/ay

cc. RioCan REIT (Jordan Robins and Stefan Wisniowski)

Paul Bain and Jeff Cantos (City Planning Division)

Councillor Peter Milczyn

6. South Side of The Queensway, Between Zorra Street and St. Lawrence Avenue, North of the Gardiner Expressway

(a) A mixed development with up to 1,270 units, 83 722 square metres of commercial space, and 0.89 hectare of parks is permitted. The development concept provides for residential uses on the west portion of the lands, near Zorra Street (Parcels 1 and 2) and commercial uses to the east adjacent to St. Lawrence Avenue (Parcels 3 and 4). Parcel 5 is proposed for public parkland;

(b) The "ultimate" gross density for the lands is a maximum of 2.85 times the lot area, based on a residential density of up to 1.65 times the lot area and a commercial density of up to 1.2 times the lot area. The site area used to calculate gross density may include the lands dedicated as public roads and parks. The residential and commercial density caps may be exceeded on individual development parcels provided that the overall density cap is not exceeded at full build-out;

(c) Rezoning application for individuals properties may be based on the "ultimate" density. Where the full density allowed by this policy cannot be used within a property being rezoned, the residential density may be transferred to other properties within the area. Such surplus density would be added to the receiving property when it is rezoned;

(d) The alternative parkland dedication rate for the residential development will be a minimum of 0.5 hectares per 300 units. The parkland dedication may be a combination of land and cash-in-lieu payments; and

(e) A special provision shall be contained in the Zoning By-law prohibiting dwelling units and recreational space on Block 2 within 60 metres from Block 4 as set out in the By-law until such time as further environmental studies are completed demonstrating acceptable compatibility between the residential units and/or recreational space on Block 2 and the industrial use on Block 4.

