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BARRISTERS & SOLICITORS

November 18, 2013

Policy and Research
Metro Hall
22nd Floor, 55 John Street
Toronto, ON M5V 3C6

Planning and Growth Management Committee
10th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Mr. Paul Bain, Project Manager, Official Plan Review

Attention: Ms. Nancy Martins, Secretariat

Dear Sir or Madam:

Re: Request for Revisions to the proposed amendment to the Garrison Common North Secondary Plan (Site and Area Specific Policy No. 4) and Map 43 in draft Official Plan Amendment No. 231 it relates to the property municipally known as 171 EAST LIBERTY STREET in the City of Toronto

We are the solicitors for Liberty Market Building Inc., the owners of the property municipally known as 171 East Liberty Street (the "Site") in the City of Toronto. The Site is located in the area south of King Street West and east of Dufferin Street, commonly referred to as Liberty Village. More specifically, the Site is an irregular shaped lot located on the south side of East Liberty Street between Hanna Avenue and Pirandello Street, which Site has a frontage on East Liberty Street and an overall site area of 19,374 square metres.

On September 14, 2012, following a pre-consultation meeting with City Staff who were generally supportive of our client's proposal, our client filed a "complete" application for a Zoning By-law Amendment to demolish the eastern portion of the existing building which would be replaced by a 32-storey building comprised of a 7-storey 156,147 square foot office and retail podium with a 25 storey live/work tower above. The application was deemed "complete" without requiring an official plan amendment given that for this particular site the Garrison Common North Secondary Plan permitted "live/work" units within this particular "Employment District".

Our client has now reviewed the draft Employment policies proceeding to the November 21st Planning and Growth Management Committee meeting, which policies which generally support our client's proposed mix of uses. However, there are certain revisions

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THE INDIVIDUAL LAWYERS NAMED ABOVE PRACTICE IN ASSOCIATION WITH ADAM J. BROWN PROFESSIONAL CORPORATION.

and/or clarifications required to ensure that such policies do not require any further amendments to facilitate our client's proposal.

1. **Correction of Mapping**

While we have been advised that the mapping erroneously excluded the "Mixed Use" hatching on the mixed use tower portion of our client's lands, we await confirmation that such mapping has been properly revised.

2. **Confirmation that residential uses are permitted on the Site**

While the draft wording of Site and Area Specific Policy No. 4 anticipates a mixed-use development on the Site, which we have been advised "does" in fact permit residential uses, we would respectfully request that such wording "explicitly" include a statement that "residential" uses are permitted.

3. **Requirement for a minimum amount of retail and office space**

Our client is currently proposing to construct new retail and office space within its proposed development, with the amount of such retail and office space being established based upon a minimum amount of residential uses. However, for the policy to impose a minimum for the amount of retail and office space, without including the permission for the scale of residential development proposed, at this point in time, is premature. Instead, we would respectfully request that the policy simply make it clear that as part of the overall development scheme, the policy requires the Site to be developed with both retail and office space, together with the permitted residential uses.

4. **Space for Community Facilities and Services**

The wording of the site specific policy provides for a requirement that "community facilities" will be provided, whereas we have been advised that the intent of such policy is to ensure that such uses "may" be provided as part of the overall development. As such, we would respectfully request that this policy be amended to make it clear that such policy is "permissive", not mandatory.

We respectfully request that the draft amendment to the Garrison Common North Secondary Plan and the revised Site and Area Specific Policy No. 4 be revised to address our client's concerns prior to the November 21, 2013 meeting of the Planning and Growth Management Committee where the proposed draft amendment is to be considered.

Should you have any questions or require any additional information, please do not hesitate to contact the writer or Jessica Smuskowitz, a lawyer in our office.

Yours very truly,



Adam J. Brown

Cc: Councillor Mike Layton
Mr. Christian Giles, Senior Planner Toronto and East York District
Mr. Graig Uens, Community Planning
Mr. Brian Brown, Liberty Market Building Inc.
Mr. Peter Smith, Bousfields Inc.