
AIRD & BERLIS LLP

Barristers and Solicitors

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November 20, 2013

BY EMAIL

Our File No. 114813

Planning and Growth Management Committee
Toronto City Hall
100 Queen St. W.
10th Floor, West Tower
Toronto, ON M5H 2N2

Attn: Nancy Martins, Committee Administrator

Dear Chair and Members of Planning and Growth Management Committee:

**Re: 1071 King Street West, City of Toronto
Rezoning Application No.: 11 251394 STE 19 OZ
Draft Official Plan Amendment No. 231**

As you may be aware, Aird & Berlis LLP represents 1071 KG Inc., the owner and proponent of a mixed use development on the lands municipally known as 1071 King Street West. The proposal is the subject of applications for rezoning and site plan approval and has already been the subject of a community consultation meeting. The applications were deemed complete on March 21, 2012.

We have reviewed the most recent draft of Official Plan Amendment No. 231 and, in particular, the following proposed policy:

“New development that includes residential units on a property with at least 1,000 square metres of existing non-residential gross floor area used for offices is required to increase the non-residential gross floor area used for office purposes where the property is located in a Mixed Use Area or Regeneration Area within:

- a) the Downtown and Central Waterfront;
- b) a Centre; or
- c) 500 metres of an existing or an approved and funded subway, light rapid transit or GO train station.

Where site conditions and context do not permit an increase in non-residential office gross floor area on the same site, the required replacement

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of office floor space may be constructed on a second site, prior to or concurrent with the residential development. The second site will be within a Mixed Use Area or Regeneration Area in the Downtown and Central Waterfront; within a Mixed Use Area or Employment Area in the same Centre; or within 500 metres of the same existing or approved and funded subway, light rapid transit or GO train station.”

Our client believes this policy unduly constrains the development opportunities on such properties which redevelopment would otherwise be supportive of policies contained in the in-force Official Plan which speak to intensification and use of existing infrastructure, the provision of a range of housing opportunities and the development of mixed use buildings along significant transit corridors such as King Street.

Additionally, our client seeks assurances that in the event this policy is approved it will not be relied upon by staff to retroactively seek the replacement of office space on sites which are the subject of pre-existing development applications, such as our client’s property at 1071 King Street West.

Yours truly,

AIRD & BERLIS LLP



Eileen P. K. Costello

EPC/sh

c: Jennifer Arezes/Alicia Kuntz, 1071 KG Inc.
Tony Manocchio/David Mandell, Urbancorp
Paul Bain/Kerry Voumvakis, City Planning

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