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November 20, 2013

BY EMAIL (pgmc@toronto.ca)

Our File No. 116390

Councillor Peter Milczyn, Chair
c/o Nancy Martins,
Secretarial Contact, Planning and Growth Management Committee
City of Toronto
10th Floor, West Tower, City Hall
100 Queen Street West
Toronto ON M5H 2N2

Dear Chair Milczyn,

**Re: City of Toronto - Municipal Comprehensive Review
Official Plan Amendment No. 231 (Item PG28.2)
314-326 Davenport Road, City of Toronto
Planning & Growth Management Committee Meeting – November 21, 2013**

We act on behalf of Designer's Walk Inc., the registered owner of the above-noted property (the "Site"). This 0.31 acre site is located on the north side of Davenport Road, west of Bedford Road. The Site is currently occupied by a 2.5 storey commercial/office building, currently being used as one of our client's showrooms serving the interior and fashion design industry. The Site is located in the *Downtown* and is designated *Mixed Use Areas* by the City of Toronto Official Plan.

Our client submitted a rezoning application on June 20, 2013 (City File No. 13 191712 STE 20 OZ) in order to permit the redevelopment of the Site for the purposes of a new mixed development consisting of a 10 storey building complete with 84 residential dwelling units, ground floor retail uses, and two levels of below grade parking. The proposal conforms to the policies of the Official Plan and no Official Plan Application is required. A preliminary report was considered by Toronto and East York Community Council in September, 2013 and we expect that the application will be reported to Toronto and East York Community Council by next spring/summer.

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Our client has had an opportunity to review the proposed Official Plan Amendment No. 231 ("OPA 231") policies and has concerns with policy 3.5.1.9, in particular, being applied to the subject development at this stage of the application process.

Our client believes that this policy unduly constrains the development opportunities on such properties which redevelopment would otherwise be supportive of the Official Plan policies. Our client is entitled to have its application considered in the context of the policy and regulatory regime in force at the time of submission. Accordingly, we are writing to request that this policy, if approved, not be applied 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 at 314-326 Davenport Road.

Thank you for considering our client's request. We request that the undersigned be notified of any further meetings of City Council or any Committee of Council wherein OPA 231 is considered and we request notice of adoption of OPA 231.

Yours truly,

AIRD & BERLIS LLP



for Kim M. Kovar
KMK/SJL

cc: Client

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