

November 20, 2013

File No. 529492-9

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

Attention: Ms. Nancy Martins

Dear Chair and Members of the Planning and Growth Management Committee:

**RE: CITY OF TORONTO - PLANNING AND GROWTH MANAGEMENT COMMITTEE AGENDA
ITEM PG28.2 - NOVEMBER 21, 2013 MEETING (THE "EMPLOYMENT REPORT")
MUNICIPAL COMPREHENSIVE OFFICIAL PLAN REVIEW
LETTER OF OBJECTION: 171 EAST LIBERTY STREET**

We are the solicitors for 863880 Ontario Limited, the owner of several properties within the King Liberty Village ("KLV") area being a new, thriving mixed use 15 ha/35 acre development located on lands bounded by King Street West to the north, Strachan Avenue to the east, the CN rail line to the south and Hanna Avenue to the west.

1. BACKGROUND

One of our client's development parcels in the KLV, specifically at 150 East Liberty Street ("Block 7") is located immediately north of 171 East Liberty Street (the "**171 ELS Site**"), being one of the 116 parcels reviewed in the report entitled *Official Plan and Municipal Comprehensive Reviews: Amendments to the Official Plan for Economic Health and Employment Lands Policies and Designations and Recommendations on Conversion Requests* (the "Employment Report") that will be considered at the November 21, 2013 Planning and Growth Management Committee meeting.

All of the planning approvals for our client's lands at Block 7 have previously been secured for a new 32 storey mixed use building which is now under construction. The approvals for Block 7 and the surrounding KLV community was a result of an extensive and comprehensive master planning process. The Employment Report would amend the Official Plan policies for the 171 ELS Site to permit significant additional development. Such proposed additional permissions raise concerns for our client and its development at Block 7 in particular which are outlined in section 3 below.

2. SITE SUMMARY

We have reviewed the Employment Report as it relates to the 171 ELS Site and note the following:

- The 171 ELS Site is located on the east side of Hanna Avenue within Area 3, Site and Area Specific Policy of the Garrison Common North Secondary Plan;

- Unlike the west side, the east side of Hanna Avenue has evolved into an area that while containing a mix of retail and some other employment uses is predominantly a high rise residential neighbourhood (being the KLV community);
- Although the current uses on the 171 ELS Site are non-residential, the 171 ELS Site is within a transition zone in which residential uses are becoming more prevalent;
- Given this surrounding context, it is City Planning staff's opinion that it is no longer appropriate to keep the 171 ELS Site within Area 3, Site and Area Specific policy;
- It is City Planning's opinion that employment uses should be maintained on the 171 ELS Site and incorporated into any proposed redevelopment of the easternmost portion of the lands. As well, it is recommended that the majority of the 171 ELS Site within 125 metres of Hanna Avenue be retained for employment uses and be designated as *Core Employment Areas*; and
- In recognition of the transitional nature of the 171 ELS Site between residential and employment uses, it is also recommended that the portion of the 171 ELS Site beyond 125 metres east of Hanna Avenue be designated *Mixed Use Areas*.

3. CONCERNS WITH PROPOSED DEVELOPMENT ON SITE

A review of the December 19, 2012 City of Toronto report entitled 171 East Liberty Street Zoning Amendment Application – Preliminary Report (the "Preliminary Report") indicates the portion of the 171 ELS Site now being proposed to be designated *Mixed Use Areas* as outlined above will contain the following:

- Demolish an existing two (2) storey portion of the existing structure at the east end of the 171 ELS Site to provide for:
- A total of 32,2790 sq.m/347,448 sq.ft of new development consisting of:
 - A 32 storey (111m) mixed use building consisting of ground floor retail, office floor space on the 2-7th floors inclusive; and
 - 291 residential units on the 8-32nd floors inclusive with a three (3) level underground garage providing 334 vehicular parking spaces.

Given our client spent several years developing and refining the KLV into a new master planned mixed use downtown community, they do have several concerns with the proposed development on site as it impacts Block 7, their lands at 150 East Liberty Street. Specifically, their concerns with the proposed development on 171 ELS Site includes but are not limited to:

1. Compliance with the City of Toronto Tall Building Guidelines. It appears the current design has not fully demonstrated how this building relates to the existing and planned context, nor does it take into account other tall buildings, specifically our client's building on Block 7;
2. Sun, wind and shadow impacts on the surrounding environment;
3. Views and privacy to/from our clients property, Block 7;
4. The height and massing of the development on site and its impact on surrounding parcels, specifically its impact on our client's property, Block 7; and
5. Building and setbacks and step backs as it impacts our client's property, Block 7.

I would like to thank you for your consideration of our client's concerns with the Employment Report as it pertains to the 171 ELS Site and respectfully request that you kindly provide the undersigned with notice of all decisions from all Committee's and City Council regarding the Employment Report and the 171 ELS Site and provide notice of any further meetings with respect to the review of Employment lands within the context of the City's Municipal Comprehensive Official Plan Review.

Yours truly,

DENTONS CANADA LLP

A handwritten signature in black ink, appearing to read 'Doug Quick', written over the printed name.

Doug Quick

DBQ/mr