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November 20, 2013

Mayor and Members of Council  
City of Toronto  
Toronto City Hall  
100 Queen Street West  
Toronto ON M5H 2N2

**Attention: Planning and Growth Management Committee**

Your Worship and Members of Council:

**Re: Official Plan / Municipal Comprehensive Review and  
Reference Number P:\2013\Cluster B\PLN\PGMd PG 13084 (the "Staff Report")  
Re: Proposed Draft Official Plan Amendment No. 231**

We are the solicitors for Deltera Inc. ("Deltera"). On behalf of our client we would like to take this opportunity to briefly outline its concerns with OPA 231.

As a developer which undertakes large, community-scale redevelopment projects, Deltera has particular experience with the inclusion of retail in a neighbourhood-building exercise. It therefore submits, at the outset, that it is critically important that the directions for new retail in the larger scale redevelopment of former retail sites be absolutely clear that otherwise viable and appropriate uses are not to be required to subsidize uneconomic retail. Unnecessary retail eventually becomes unattractive retail and detracts from a neighbourhood. The concept that only viable retail is to be promoted is already expressed in the "non-policy" wording of Section 3.5.3. Deltera submits that it should also be explicitly addressed in OPA 231's policies.

Furthermore, OPA 231 creates a platform to restrict store frontages and sizes (Policies 3.5.3.3 and 3.5.3.5). Larger scale retail units can assist in creating the critical mass necessary to the establishment of a vibrant retail destination. Perhaps more importantly, some important community services, such as grocery stores, require minimum floor areas.

Deltera submits that such policies are in fact often, if not always, counter-productive. They are either unnecessary or serve to prevent the market from responding to neighbourhood needs. If any directions whatsoever in this respect are to remain, they should be in a context where the benefits of larger retail units are acknowledged and promoted.

Deltera also has experience with the incorporation of various scales of office uses into mixed-use developments and therefore understands first-hand the difficulties with including therein a large scale office component. It is therefore concerned with policies requiring such to be done in certain circumstances (most directly Policy 3.5.1.9). Similar to the concern Deltera expressed with respect to retail, this policy effectively serves to require otherwise appropriate residential uses to subsidize an uneconomic use. This discourages residential intensification and negatively affects housing affordability in an exercise aimed at artificially distorting the

commercial real estate market. Deltera disagrees that this is beneficial, and submits that the information available from the City in this exercise falls far short of justifying this purported requirement.

As a final comment, Deltera submits that Policy 3.5.1.9 appears to be directed at supporting some form of conditional zoning which is inappropriate legally.

Unless its concerns are addressed, Deltera will object to OPA 231 as currently proposed. Therefore, it would welcome the opportunity to engage in a further dialogue with City officials as Council, or any Committee thereof, might direct.

Please provide us with notice, on Deltera's behalf, of any future consideration of this matter by any Community Council, Council or any Committee thereof.

Thank you for your attention in this regard.

Yours truly,



John A.R. Dawson

JAD/sc  
Encl.