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November 20, 2013

BY EMAIL (pgmc@toronto.ca)

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)
Planning & Growth Management Committee Meeting – November 21, 2013**

We act on behalf KingSett Capital Inc., the owner of a number of properties in the City of Toronto. Our client has built and is in the process of developing a number of residential and mixed use projects in the *Downtown*. In addition, our client owns a number of other properties in the *Mixed Use Areas* in the *Downtown* for which development applications have yet to be submitted. Many of these properties contain buildings which include office components of various sizes. Included among those are the following lands:

22 College Street
484-488 Yonge Street
490 Yonge Street
492/494 Yonge Street, 3 Grosvenor Street
496 Yonge, 2 Grosvenor
506-508 Yonge Street
510-512 Yonge Street
522-528 Yonge Street, 7 Breadalbane Street
543 Yonge Street
646-652 Yonge Street, 2-4 Irwin Avenue
664 Yonge Street
668 Yonge Street

Our client has had an opportunity to review the policies in proposed OPA 231. This letter is to advise that the owner has concerns with policy 3.5.1.9 in particular.

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While new development on these various lands may incorporate some office uses, the owner is opposed to a policy which would require 1:1 replacement of existing office space. Were this policy is to be applied, applications would be assessed differently based on the pre-existing use of the lands in question, and not necessarily on an assessment of the most appropriate use for the site in question. The policy would result in inequitable and inconsistent rules being applied to future development approvals on lands located in the same planning area.

In addition, in our submission policy 3.5.1.9 as drafted does not appear to meet the intent as expressed in the Staff Report of November 5, 2013 of securing affordable Class 'C' office space to be used as an incubator for cultural industries, etc in any event. Accordingly, we would ask that policy 3.5.1.9 be deleted from proposed OPA 231.

Kindly provide the undersigned with notice of any further public meetings and any decision of City Council in respect of this matter.

Yours truly,

AIRD & BERLIS LLP



Kim M. Kovar
KMK/SM

c: Kingsett Capital Inc.
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