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December 2, 2015

Reply To: Joel D. Farber
Direct Dial: 416.365.3707
E-mail: jfarber@foglers.com
Our File No. 15/6817

VIA E-MAIL

Toronto City Council
City of Toronto
City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Members of City Council:

**Re: Tippet Road Area Regeneration Study
Proposed Site and Area Specific Policy
Our client: 1380200 Ontario Limited (Owner of 20 Champlain Boulevard)**

We are the solicitors for 1380200 Ontario Limited, owner of the lands municipally known as 20 Champlain Boulevard (the "property"). Our client has submitted prior correspondence on this matter to planning staff through its representative Mr. Michael Goldberg of Goldberg Group, including by correspondence dated June 18 and October 19, 2015 (the letter dated October 19, 2015 is attached for ease of reference). Mr. Goldberg also met with planning staff on August 18, 2015.

The proposed designation of the property in the draft Site and Area Specific Policy as "Neighbourhoods 'A'" unduly restricts its development potential. There is no justification for the Champlain Avenue properties within the Tippet Road Area Regeneration Study to serve as the "buffer" between the existing neighbourhood to the east and the mixed use area to the west as contemplated by the draft Site and Area Specific Policy. The properties are ninety-one (91) metres deep and can be developed for mid-rise and tall buildings in a manner that is compatible with the adjacent community. Accordingly, the Champlain Avenue properties are appropriately designated as "Mixed Use Area 'C'" in the same fashion as the lands immediately to the west.

We also have concerns with a number of the proposed policies in the Official Plan Amendment including but not limited to the following:

6.3(c) – The subject lands should be permitted densities consistent with Mixed Use Area 'C';

7 – There are no land use policies for the subject lands including the protection of existing non-residential uses;

7.1(c) – It may be inappropriate to apply the policy requiring equivalent reinstatement of all non-residential floor space for the subject lands;

8 – Depending on the approved development potential of the site it may be inequitable and unjustified to impose affordable housing requirements on the subject lands;

12.4(a)/(b)/(c) There is no basis or justification for a proposed public street including a cul-de-sac through the subject lands as illustrated on Map 3; and

12.4(f) Depending on the approved development potential for the subject land, it may be inappropriate and unjustified to provide the proposed 9m setback from the proposed Mud Creek Pathway which would be the equivalent setback as is required for the Tippet Road properties.

We agree with Mr. Goldberg's submission that the precise mixed use built form and how it would be deployed on the property, including access and other functional elements, are best determined at the Zoning By-law Amendment and Site Plan approval stage.

We request that City Council direct staff to make the appropriate modifications to address the concerns we have raised, including designating the Champlain Avenue properties within proposed Mixed Use Area 'C'.

Kindly ensure we are provided with a copy of City Council's decision in the matter.

Yours truly,

FOGLER, RUBINOFF LLP

Joel D. Farber

JDF

Encls.

cc:

Client

Councillor James Pasternak

Cathie Ferguson

Gerry Rogalski



October 19, 2015

Luisa Galli
Manager, Community Planning
City of Toronto
Community Planning , North District
Ground Floor, North York Centre
5100 Yonge Street
Toronto, Ontario, M2N 5V7

Dear Ms Galli:

**Re: Tippet Road Area Regeneration Study
Proposed Site and Area Specific Policy
Comments on Behalf of 1380200 Ontario Limited
20 Champlain Boulevard**

Further to my email correspondence to you on June 18, 2015 (attached) and our meeting in your offices on August 18, 2015, we wish to provide this supplementary correspondence in support of additional height and corresponding density for 20 Champlain Boulevard (the subject site).

As we expressed at our meeting, the subject site is a deep site of approximately 91 m, which in our view, enables a 3 - 4 storey townhouse form addressing Champlain Boulevard and a taller apartment form behind, or west of, the townhouses. This is determined by projecting a 45 degree angular plane from the east side of the Champlain Boulevard right of way. Such an angular plane would accommodate the 3 - 4 storey townhouse form at the east side frontage of the site while enabling a taller apartment form behind, or west of, the townhouses.

To this end, we attach a sketch which demonstrates the angular plane extending westerly from the east side of the Champlain Boulevard right away toward the rear of the 91 m deep subject site. As this sketch indicates, at a setback of approximately 28 m from front lot line of the subject site, the projected 45 degree angular plane is approximately 48 m in height. Further west of that point, the projected 45 degree angular plane rises higher to in excess of 100 m in height.

We understand that to the immediate west of the subject site, City staff is recommending approval of a tall building height at 9 Tippet Road of approximately 15 storeys. In view the immediate proximity to this adjacent 15 storey height limit to the subject site, the large depth dimension of the subject site, and the influence of the 45 degree angular plane from the east side of Champlain Boulevard, our client formally request that your report also support a similar 15 storey height for the western portion of the subject site.

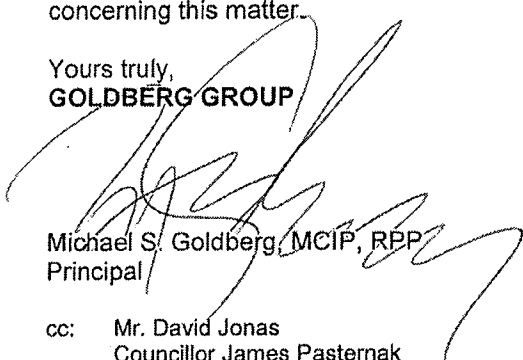
We also note that the draft policy under consideration is recommending a "Neighbourhoods 'A'" land use designation for the lands fronting on the west side of Champlain Boulevard. While we have no objection to the frontage area, immediately west of Champlain Boulevard being designated Neighbourhoods, which allows the townhouse form, we recommend that the remainder of the land, west of this point also be designated Mixed Use Area, similar to the lands immediate to the west.

The precise built form, how that form would be deployed on the subject site, and access and other functional elements should best determined at the Zoning By-law Amendment and Site Plan approval stage of approval.

I trust this sets out our client's comments, similar to the comments provided during our August 18, 2015 meeting. Please feel free to contact the undersigned should you wish to discuss this further.

Please also continue to provide this firm with formal notice of any upcoming meeting or report concerning this matter.

Yours truly,
GOLDBERG GROUP



Michael S. Goldberg, MCIP, RPP
Principal

cc: Mr. David Jonas
Councillor James Pasternak
Ms. Cathie Ferguson
Ms. Allison Meistrich

Michael Goldberg

From: Michael Goldberg [mgoldberg@goldberggroup.ca]
Sent: Thursday, June 18, 2015 8:54 AM
To: 'Cathie Ferguson'; 'Luisa Galli'
Cc: 'David Jonas'
Subject: 20 Champlain Boulevard, Tippet road Regeneration Study

Hi Cathie and Luisa,

We have been retained by the owners of 20 Champlain Boulevard which current is occupied by the Terraplan Landscape Architectural offices. We have reviewed both the March 25, 2015 and the May 29, 2015 reports which will be heard at Planning and Growth Management today. In a number of passages in the May 29, 2015 report, staff indicate that further consultation with the other landowners (other than the major applicants) will be held prior to a further report on of this study. The owners of 20 Champlain welcome the opportunity to meet with planning staff to clarify the intent of the study for 20 Champlain Boulevard, and if necessary, the further refining of the proposed policies for this area affecting that site. It is unclear what is fully anticipated for the entire Champlain properties in terms of height and transition down in height closer to the Neighbourhoods to the east. As you are likely aware, 20 Champlain is approximately 90 m deep, which is a very deep lot. Such depth would afford the opportunity of transition within the property to ensure grade related units next to Champlain with potentially something higher further west on the property.

At this point, those are the issues we have identified although others may arise as we speak with you and as we review this matter in greater depth.

Please accept this as our formal comments on this Study at this time. Also we formally request that we be notified of any future meeting or report concerning this matter.

As it is your intent to report further on this matter in the 4th quarter of 2015, I request that you please contact me with some dates in the next few weeks for when you can meet to discuss this property in greater length. We request that the meeting be soon due to the summer vacation period and since possibly, more than one meeting may be required with these landowners.

Regards,

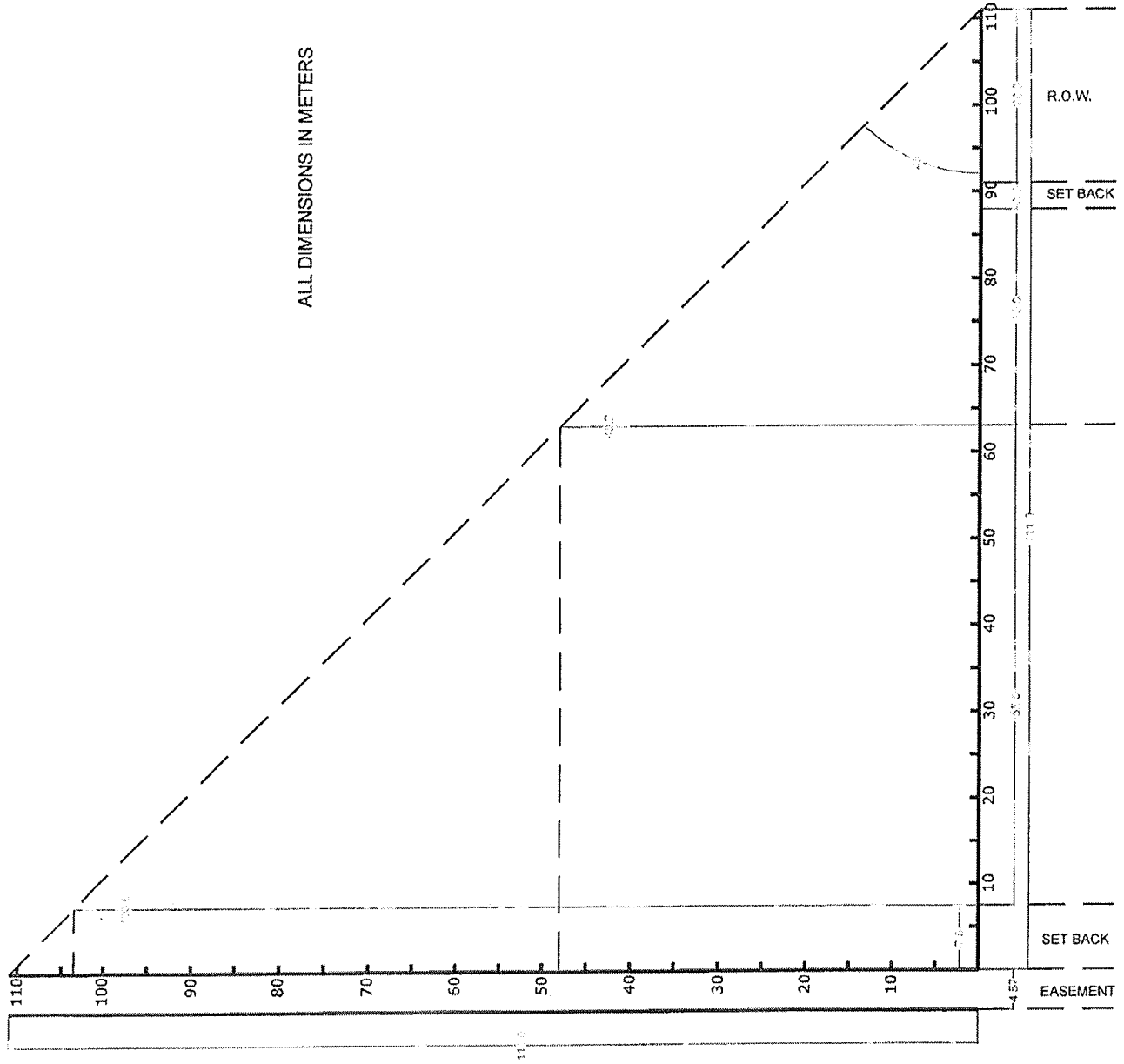
Michael Goldberg, MCIP, RPP
Principal

GOLDBERG GROUP

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ALL DIMENSIONS IN METERS



CHAMPLAIN BLVD