

November 13, 2015

Our File No.: 110369

**Via Email**

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

**Attention: Nancy Martins, Secretariat**

Dear Sirs/Mesdames:

**Re: PG8.6 – Tippett Road Area Regeneration Study**

We are solicitors for the owners of the properties known municipally as 4 Tippett Road and 6 Tippett Road (the “Properties”), which fall within the area of the Tippett Road Regeneration Study (the “Study”). Our client has been an active participant in the Study and has met with City staff on numerous occasions, including as part of the successful settlement reached with the City in respect of the property known municipally as 9 Tippett Road.

We are writing to request a deferral of the above-noted matter to enable an opportunity for our client to meet with City staff regarding the proposed official plan amendment (the “Draft OPA”). Our client has concerns with the proposed policies in the Draft OPA, many of which have not been previously reviewed with our client. Indeed, despite our client’s active role during the Study process, City staff did not review the Draft OPA with our client prior to the staff report being released. In a number of respects, the policies in the Draft OPA do not appear to reflect the directions set out in the May 29, 2015 Status Report and the July 7, 2015 Council decision.

Some of our client’s concerns with the Draft OPA include the following policies:

- Policy 3.1 would require a minimum building setback of 6 metres on the west side of Tippett Road. This mandatory setback is excessive and unnecessary to achieve the desired goal of transforming Tippett Road into a local “main street”.
- Policies 5.14 and 13.7 allow for the use of holding provisions for transportation infrastructure. Based on the studies submitted to the City by our client and other landowners, there is no basis for the use of a holding provision for transportation infrastructure.

- Policy 6.1 would require a minimum building setback of 4.0 to 5.0 metres from streets, private streets and parks. Similar to our comments regarding Policy 3.1, this mandatory setback is excessive.
- Policies 6.2 and 6.3 would insert numerical figures for height, density and tower floor plates back into the official plan for this area. While our client believes this numerical approach is inappropriate and at odds with the overall approach of the official plan, our client's greater concern is that these numbers are both arbitrary and overly prescriptive.
- Policy 7.1(c) would require an increase in the amount of non-residential gross floor area on a lot. Our client has previously expressed concerns with the City's approach to non-residential uses within the Study area, proposing a policy approach that focus on creation of employment rather than non-residential gross floor area. However, this proposed policy arguably goes further than the area-specific policy in OPA 231, which is under appeal, by mandating an increase in the amount of non-residential gross floor area on a lot.
- Policy 8 requires greater discussion before it can be approved. The staff report suggests that our client has agreed to include 25 affordable housing units on the Properties, but the Draft OPA includes general policies.
- Policies 10.2 and 13.7 – allow for the use of holding provisions for servicing infrastructure. As noted above, based on the studies submitted to the City by our client and other landowners, there is no basis for the use of a holding provision for servicing infrastructure.
- Policies 13.4 would require urban design guidelines for the area, but the staff report suggests that such guidelines would be prepared by development proponents. Our client is unclear how urban design guidelines prepared by individual development proponents would be applied.

Please note that this list is not exhaustive because other concerns may be identified when our client has the opportunity to review the Draft OPA in detail with its consultant team. We submit, however, that the above-noted concerns are sufficient to support a deferral to enable for discussions between landowners and City staff.

Yours truly,

Goodmans LLP



David Bronskill

DJB/

cc: Client

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