

MUNICIPAL, PLANNING & DEVELOPMENT LAW

16 November 2015

Sent via E-mail to pgmc@toronto.ca and via Fax to 416-392-1879

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

c/o: City Clerk, Attention: Nancy Martins,
Administrator, Planning and Growth
Management Committee

Dear Sirs and Mesdames:

**Re: Official Plan Five Year Review: Final Recommendation Report - Amendments to
the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods*
Policies of the Official Plan
Planning and Growth Management Committee Meeting, Item PG8.5**

**Regarding 40 Moccasin Trail and 50-60 Green Belt Drive
Official Plan Amendment, Zoning By-law Amendment, and Site Plan Approval
Applications 13 173059 NNY 34 OZ and 13 173064 NNY 34 SA**

We represent H-M Apartment Moccasin Inc., the owners 40 Moccasin Trail and 50-60 Green Belt Drive in the City of Toronto (the "Subject Properties").

In May 2013, our client submitted applications for Official Plan and Zoning By-law amendments, Site Plan Approval, and Rental Housing demolition (the "Applications"), in order to facilitate the redevelopment of Subject Properties for new residential uses. Our client has been working with the City in the processing of the Applications since that time.

We understand that the proposed amendments to the City's healthy neighbourhoods, *Neighbourhoods*, and *Apartment Neighbourhoods* policies, contained in proposed OPA 320, are being considered by the Planning and Growth Management Committee at its 16 November 2015 meeting. We have reviewed those policies as contained in the staff report dated 15 October 2015, and offer the following submissions for Council's consideration on behalf of our client.

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Submissions

As a general matter, in the interest of fairness and preserving certainty for landowners who are in the process of redeveloping their lands, applications should be considered in the context of the policy regime in force at the time a development application is made. This principle has been acknowledged and adopted by the Ontario Municipal Board in several instances. In the present case, we would therefore expect that the City would not apply OPA 320 to our client's Applications. Notwithstanding our expectation, out of an abundance of caution, we ask that the Subject Properties be excluded from the application of OPA 320, on the basis that those properties are the subject of live development applications.

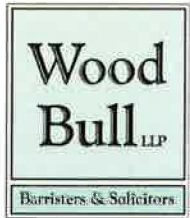
Notwithstanding that the subject Properties ought to be excluded from OPA 320, we also submit the following comments on those policies for the City's consideration:

The addition to Housing policy 3.2.1(2) that the "City will encourage the renovation and retrofitting of older residential apartment buildings" is overly broad. The words "where appropriate" should be added to reflect that there may be instances where it is not appropriate or desirable to renovate or retrofit an existing apartment building.

Request for Notice

We request that we be provided with notice of any decision of the Planning and Growth Management Committee or of any decision of Council, as well as notice of adoption of any official plan amendment. Notice may be sent to the following address:

**Wood Bull LLP
65 Queen Street West, Suite 1400
Toronto, ON M5H 2M5
Attention: Valeria Maurizio / Johanna Shapira**



16 November 2015

Thank you for your consideration. If you have any questions regarding the foregoing, please do not hesitate to contact the undersigned, or in his absence, Valeria Maurizio at 416-203-3623.

Yours very truly,

Wood Bull LLP

A handwritten signature in blue ink, appearing to read "Dennis H. Wood", is written over the printed name.

ps:

Dennis H. Wood

DHW

c. City Planning (via email only)