

January 12, 2014

Via Email

Toronto and East York Community Council
2nd Floor, West Tower
City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Ms. Ros Dyers, Secretariat

Dear Ms. Dyers:

**Re: Community Council Item TE3.1
Final Report – Queen-River Secondary Plan
7 Labatt Avenue and 77 River Street**

We are solicitors for 7LA TAS LP. On June 17, 2014, our client filed official plan amendment and rezoning applications (the “Applications”) in respect of the properties known municipally as 7 Labatt Avenue and 77 River Street in the City of Toronto (the “Subject Property”).

The purpose of this letter is to request that Toronto and East York Community Council defer the above-noted matter, at least until a community meeting has been held in respect of the Applications. Our request is precipitated by the nature of the Secondary Plan, which provides site-specific analysis and recommendations based on the nature of the study area. Further consultation would allow the site-specific analysis regarding the Subject Property to progress and potentially inform the final version of the proposed Secondary Plan.

Description of the Subject Property and the Applications

The Subject Property is located in a strategic position adjacent to the Don Valley on the eastern edge of the Downtown. It is currently surrounded by automobile showrooms, low intensity warehouse uses, vacant lots and a few remnant house form buildings, which represents significant under-utilization of this Regeneration Area. The Subject Property is also adjacent to the Regent Park revitalization area, with excellent access to transportation and transit services and an opportunity for new connections for vehicles, transit, pedestrians and bicycles.

Our client’s vision for the Subject Property includes a mix of residential units, as well as a range of complementary community and commercial uses. As initially filed, the Applications proposed mid-rise and high-rise building forms, including two towers positioned on the Subject Properties with

appropriate regard for the City's tall building guidelines and in a manner that is compatible with the surrounding area.

Through productive and collaborative discussions with City staff both during the Secondary Plan process and in conjunction with the Applications, our client is considering revisions to the Applications. However, further work and discussions are required before any revisions can be submitted to the City for circulation and review. In addition, our client would like to hold a community consultation meeting to obtain public comments that are specific to the Property and the Applications. As noted above, this request is consistent with the site-specific considerations set out in the proposed Secondary Plan.

Proposed Deferral

The purpose of this letter is not to secure the support of the City for our client's proposed redevelopment of the Subject Property. However, given the productive and collaborative discussions between our client and City staff, a deferral is warranted to allow the public process regarding the Applications to progress further and potentially inform the final version of the proposed Secondary Plan. The site-specific analysis being conducted as part of processing the Applications would be an important input to the final Secondary Plan, given its approach in identifying site-specific recommendations. A deferral would also be consistent with the well-established jurisprudence that planning applications should be evaluated under the existing policy context at the time of submission.

Specific Comments on the Proposed Secondary Plan

Our client is generally supportive of the broad goals and objectives of the draft Secondary Plan, including the objectives of creating a high quality working and living environment in the Queen-River area, and providing for a mix of compatible land uses with the flexibility to evolve over time.

Our client is concerned, however, that some of the specific policies proposed in the draft Secondary Plan are unnecessarily restrictive. In particular:

- Policy 3.3.2 would allow only one tall building within *Mixed Use Area "C"*, even if additional tall buildings could be accommodated in accordance with the City's Tall Building Guidelines;
- Policy 3.3.3 would restrict the height of any tall building within *Mixed Use Area "C"* to 88 metres;
- Policy 3.3.4 would require the creation of a publicly accessible open space in *Mixed Use Area "C"* as part of any significant development proposal, even though the policy approach for other Mixed Use Areas within the Secondary Plan area is only to encourage such publicly accessible open spaces;

- Policy 4.1.1 would require a tall building to be setback a minimum of 20 metres from the nearest property line of an area designated as *Neighbourhoods*;
- Policy 4.1.3 would limit the maximum height of any base building to 100% of the widest adjacent right-of-way width, even if a taller base building could be designed without negative impacts on adjacent streets or properties.

Many of these concerns relate to the inclusion of specific numbers as policy in the City's Official Plan, which is contrary to the general approach that such matters are better determined through a built form analysis on a site-by-site basis. A deferral of this matter, however, would allow these concerns to be addressed further as part of the site-specific consideration of the Applications.

Please also accept this letter as request for notice of any decision of City Council regarding this matter.

Yours very truly,

Goodmans LLP



David Bronskill

DJB/

cc: Client

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