


 AIRD BERLIS

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BY EMAIL

City Clerk
 Attn: Nancy Martins, Administrator
 Planning and Growth Management Committee
 City Hall, 10th Floor West
 100 Queen Street West
 Toronto ON M5H 2N2
 e-mail: pgmc@toronto.ca

Dear Members of the Planning and Growth Management Committee:

**Re: Objection to the Proposed City-Initiated Official Plan Amendment
 pertaining to the Downtown Secondary Plan**

**105-111 Berkeley Street; 517-523 Richmond Street East;
 494-504 Richmond St. E.; 506, 508, 510, 512, 520 & 526 Richmond St. E.**

We represent the owners of the above noted properties which are located on part of the southeast and the northeast blocks of Berkeley Street and Richmond Street East, within the boundaries of the proposed Official Plan Amendment pertaining to the Downtown Secondary Plan (the "proposed OPA").

The purpose of this correspondence is to register our clients' objections to the proposed OPA in light of the impact that its policies will have on the viability of any future redevelopment of its properties.

The property at 111 Berkeley Street is a commercial row house which is currently used for office space. 105 Berkeley Street is currently a surface parking lot. The properties at 517 and 523 Richmond Street are currently used for light industrial and office purposes. The properties at 494-504, 506, 508, 510, 512 and 520 Richmond St. E. make up a large surface parking lot and 526 Richmond Street East is a small two-storey office building directly adjacent and east of the parking lot.

The City of Toronto Official Plan currently designates our clients' properties as *Regeneration Areas*. The proposed OPA would re-designate 105, 111 Berkeley Street and the part of the parking lot fronting on the northeast corner of Berkeley and Richmond Street East as *Mixed Use Areas 4 – Local*. Policy 6.33.2 provides that development within *Mixed Use Areas 4* will be of a low-rise scale, generally four storeys or less in height, which will respect and reinforce the existing physical character of the neighbourhood including the prevailing heights, massing, scale, density and building type.

The proposed OPA would re-designate the remainder of the Richmond Street East properties as *Mixed Use Areas 2 – Intermediate*. Policy 6.25 provides that development within *Mixed Use*

Areas 2 will include building typologies that respond to their site context including low-rise, mid-rise and some tall buildings.

Our clients are concerned that the proposed re-designations and associated policies, especially those regarding transition, would impede any future development of a tall or mid-rise building on the eastern portion of the properties. The proposed OPA is likely to hinder development on our clients' properties even if such development provided for a transition to the Berkeley Street properties that would be considered appropriate pursuant to current Official Plan policies.

Our clients understand the City's desire to protect the low-rise character of Berkeley Street but submit that the proposed OPA creates uncertainty for property owners with respect to their properties' future development potential. Furthermore, the proposed OPA will create inconsistencies in built form between developments that are currently submitted or approved and any future developments. To alleviate these issues, it is our clients' position that their properties should maintain their current *Regeneration Areas* designation.

The proposed OPA also locates our clients' properties within the King-Parliament Cultural Precinct where the City aims to encourage *cultural spaces* and the *creative sector*. While our clients are supportive of this pursuit they submit that the restrictions imposed by the proposed OPA will in fact result in less space for creative industries to flourish by limiting the development potential of properties *Downtown*.

Because our clients and other property owners will not be able to appeal the proposed OPA, we respectfully submit that it is incumbent upon the City to meaningfully consider our clients' concerns and modify the proposed OPA accordingly.

Please do not hesitate to contact the undersigned should you have any questions.

Yours truly,

AIRD & BERLIS LLP



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