

May 10, 2022
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

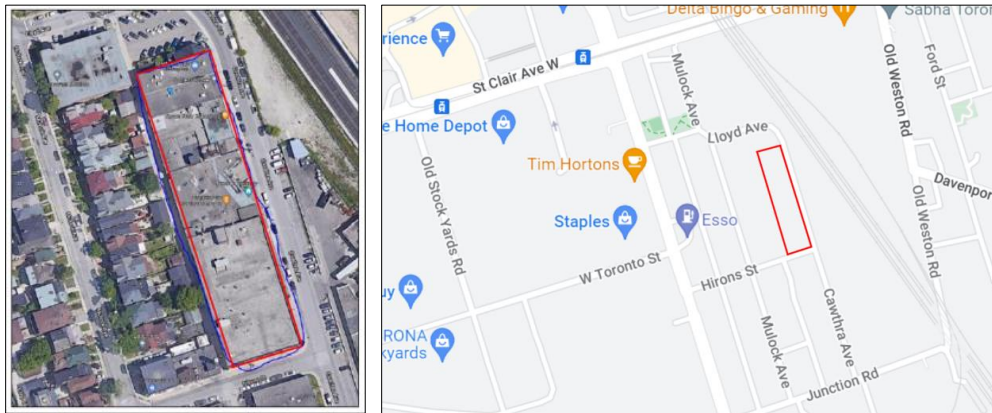
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Our File No. 213564

VIA EMAIL: COUNCILMEETING@TORONTO.CA

Dear Mayor Tory and Members of City Council:

**Re: May 11, 2022 Council Meeting, PH33.2
Proposed Designation of 88-142 Cawthra Avenue, Our Plan Toronto: Keele-St.
Clair Local Area Study - Final Recommendation Report**

We are the solicitors for 88 Cawthra Inc., owner of the lands municipally known as 88-142 Cawthra Avenue, as approximately outlined in the images below.



As part of the City's Municipal Comprehensive Review and Growth Plan Conformity Exercise, we had previously made a conversion request for the subject site and submitted justifications including a Compatibility Mitigation study in support of such request. Throughout the Keele-St. Clair Local Area Study we had submitted letters to City planning staff requesting that they reconsider their preliminary assessment and subsequent recommendation that 88-142 Cawthra remain designated as a Core Employment Area, instead of being re-designated as a Mixed Use Area.

Additionally, on April 27, 2022 at the Special Public Meeting for the proposed City-Initiated Official Plan Amendment ("OPA 537") pertaining to the Keele-St. Clair Local Area Study, we made a delegation to the Planning and Housing Committee explaining why a Mixed Use Area

designation would be more appropriate for 88-142 Cawthra, given the surrounding context and its significant development potential.

In the Final Recommended Official Plan Amendment Report by City planning staff, it is recommended that the Core Employment Area designation of both sides of Cawthra Avenue should be preserved in order to "maintain, protect, support and enhance the unique character of the street" and preserve the eclectic collection of businesses.

However, what planning staff seem to have disregarded is that the types of businesses they wish to preserve – breweries, distilleries, bakeries, coffee roasters, advertising agencies, communication and design studios, media facilities, music studios, immigration services, etc. – **are entirely compatible with residential uses also being located on site**. The compatibility of these uses is demonstrated by the fact that these types of businesses currently exist at 88-142 Cawthra Avenue and are immediately adjacent to the backyards of residences on Mulock Avenue to the west.

Not only are residential uses at 88-142 Cawthra Avenue entirely compatible with the existing employment uses, but a range of other compatible employment uses could also be introduced to the site. If 88-142 Cawthra Avenue is to remain designated as a Core Employment Area, it would be a significant lost opportunity for the City to encourage redevelopment and intensification that would contribute to a complete community which could support such types of businesses. We emphasize that it is a priority for our client that a substantial amount of the non-residential floor space on site be retained as part of any redevelopment of the 88-142 Cawthra Avenue.

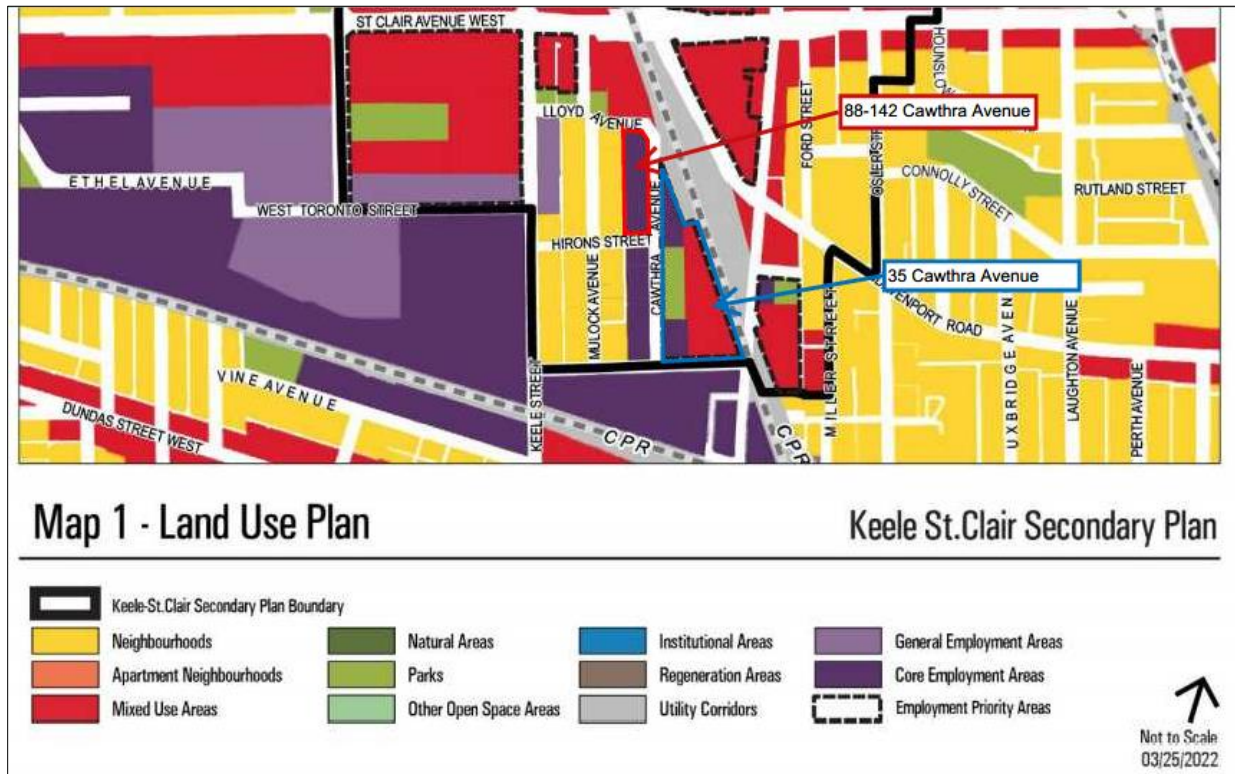
OPA 537 also contains the tools for the City to ensure the uses at 88-142 Cawthra Avenue are maintained. In addition to being re-designated as a Mixed Use Area the Subject Site could also be identified as an Employment Priority Area, to which proposed policy 7.2 would apply. Policy 7.2 would require a minimum area equivalent to 1.0 times the site area or 15% of the total gross floor area be provided for non-residential uses; of which, only 49% of the non-residential floor area can be comprised of retail and personal service uses. This requirement would be easily satisfied upon any mixed-use redevelopment of the Subject Site.

We also note that the City of Toronto Official Plan provides that Core Employment Areas are generally intended to be within the interior of Employment Areas because they provide for uses that are heavy industrial in nature – such as warehousing, manufacturing and processing. In the Final Recommended Official Plan Amendment Report by Planning Staff, it is recognized that such heavy industrial uses conflict with the nearby existing and planned sensitive uses (the adjacent low-rise residential neighbourhood), resulting in the recommendation that part of 35 Cawthra Avenue be re-designated to a Mixed Use Area.

For the reasons set out in the Final Recommended Official Plan Amendment Report for the proposed re-designation of 35 Cawthra Avenue, they apply equally, if not more, to 88-142 Cawthra Avenue. Not only is 88-142 Cawthra Avenue closer to the future MTSA station, it

already is immediately adjacent to Neighbourhood lands, whereas 35 Cawthra is located next to the railway corridor.

Given the surrounding land use designations, it would be inappropriate for the site to remain designated as a Core Employment Area. A screen shot of Map 1 – Land Use Plan of OPA 537 is provided below, demonstrating the surrounding land use designations of 88-142 Cawthra Avenue.



In summary, 88-142 Cawthra Avenue presents the perfect opportunity for mixed use redevelopment that will be comprised of compatible residential and employment uses. Since 88-142 Cawthra Avenue is within the Protected Major Transit Station Area, re-designating it as a Mixed Use Area will help City reach its minimum density targets and optimize the City's investment in new transit infrastructure in the Keele-St Clair Area.

We urge City Council to consider the incredible potential of 88-142 Cawthra Avenue. If the subject site were re-designated as a Mixed Use Area it would assist the City in realizing its long term vision for the Keele-St Clair Area. It makes little sense to keep the site designated as a Core Employment Area.

Accordingly, we request that 88-142 Cawthra Avenue be re-designated as Mixed Use Area by way of OPA 537.

Yours truly,

FOGLER, RUBINOFF LLP

Matthew Rutledge

Matthew Rutledge

cc. client; JDF

City Council