

16 September 2021

Sent via E-mail (phc@toronto.ca)

Planning and Housing Committee
10th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attn.: Nancy Martins

Dear Chair and Members of Committee:

**Re: Item PH26.2 - Zoning Conformity for Official Plan Employment Areas
Phase 1 Final Report and Phase 2 Update
Submissions regarding 4646 Dufferin Street**

We represent 2129152 Ontario Inc. (“212”), the owner of the property municipally known as 4646 Dufferin Street in the City of Toronto (the “Property”). We are writing with respect to the above-noted staff report and associated draft zoning by-laws which were deferred by Planning and Housing Committee at its meeting on 28 June 2021 until 21 September 2021.

Request

We request that the Property be excluded from the proposed zoning by-law amendments in order to maintain the use permissions existing within the current zoning until such time as 212’s site-specific appeal of Official Plan Amendment No. 231 (“OPA 231”) for the Property has been resolved and the Official Plan policies as they relate to the Property come into force.

Basis for Request

We attach a letter dated 1 September 2021 to planning staff setting out in detail the basis for this request.

Notice of Further Meetings and Decisions

We request notice of any Committee or Council meetings or decisions on this matter.

Thank you for your attention to our submissions.



16 September 2021

Yours very truly,

Wood Bull LLP

A handwritten signature in black ink, appearing to read "DHW", is positioned below the firm name.

Dennis H. Wood

DHW

c. Client
Councillor Pasternak
City Clerk (clerk@toronto.ca)

1 September 2021

Sent via E-Mail (Kyle.Knoeck@toronto.ca / Michael.Mizzi@toronto.ca / Carola.Perez-Book@toronto.ca)

Kyle Knoeck, Michael Mizzi, Carola Perez-Book
Zoning and Committee of Adjustment, City Planning Division
City of Toronto
City Hall, 19 East
100 Queen Street West
Toronto, ON M5H 2N2

Dear Sirs and Madam:

**Re: Item PH25.5, Zoning Conformity for Official Plan Employment Areas -
Phase 1 Final Report and Phase 2 Update
Submissions regarding 4646 Dufferin Street**

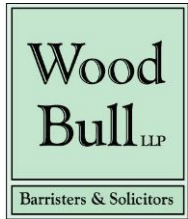
We represent 2129152 Ontario Inc. (“212”), the owner of the property municipally known as 4646 Dufferin Street in the City of Toronto (the “Property”). We are writing with respect to the above-noted staff report and associated draft zoning by-laws which were deferred by Planning and Housing Committee at its meeting on 28 June 2021 until 21 September 2021.

We request that the Property be excluded from the proposed zoning by-law amendments in order to maintain the use permissions existing within the current zoning until such time as 212’s site-specific appeal of Official Plan Amendment No. 231 (“OPA 231”) for the Property has been resolved and the Official Plan policies as they relate to the Property come into force.

Background

The Property is currently occupied by a single-storey multi-tenant commercial building with surface parking. The Property is currently designated *Employment Lands* under the existing Official Plan and is zoned Industrial-Commercial (MC) under former North York Zoning By-law 7625 (“ZBL 7625”). The city-wide Zoning By-law 569-2013 does not apply to the Property.

212 has an outstanding site-specific appeal of OPA 231 regarding its employment conversion request for the Property. As such, the proposed *General Employment Area* land use designation and the policies of the Official Plan as amended by OPA 231 do not yet apply to the Property.



1 September 2021

The understanding at the hearing of appeals in regard to OPA 231 (embedded in the various tribunal orders) is that any approval of OPA 231 policies generally will not apply to or be prejudicial to the properties which are subject to site-specific appeals.

Request

Due to our client's outstanding OPA 231 appeal which means that OPA 231 is not yet in force as it relates to the Property, it is premature to amend any zoning use permissions in regard to the Property until the site-specific appeal of OPA 231 is resolved.

We kindly request that any proposed zoning by-law amendments include a site-specific exception for the Property to maintain all of the existing use permissions until such time as the OPA 231 appeal affecting the Property is resolved.

As a general comment on the proposed by-law, *fitness uses* are explicitly permitted in *General Employment Areas* by the OPA 231 policies. Notwithstanding, this use is proposed to be removed as a permitted use in the industrial zones of ZBL 7625. The proposed by-law should be amended to not remove fitness uses as a permitted use in any *General Employment Area*.

We also kindly request notice of any future Committee or Council meetings regarding this matter. Notice should be sent to:

Dennis Wood
Wood Bull LLP
65 Queen Street West, Suite 1400
Toronto, ON M5H 2M5

Yours very truly,

Wood Bull LLP

A handwritten signature in black ink, appearing to read "DHW", is located below the firm name.

Dennis H. Wood

DHW

c. Client
Councillor Pasternak