

June 21, 2011

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**VIA E-MAIL**

File 14XXX

Chair Mark Grimes and Members  
Etobicoke York Community Council  
Etobicoke Civic Centre  
Civic Centre Court  
Toronto, ON M9C 2B3

**Attention: Rosemary Mackenzie, Committee Administrator**

Dear Chair and Members of Community Council:

**Re: Agenda Item EY8.5  
Dundas Street West/Highway 427 Planning Framework Study**

We are counsel for Hymopack Ltd. (“**Hymopack**”), owner of the property municipally known as 41 Medulla Avenue (the “**subject property**”). The subject property is located south of the Canadian Pacific (“**CP**”) Railway tracks. It is also located due south of the study area for the Dundas Street West/Highway 427 Planning Framework Study (the “**Study**”), which we and our client have reviewed at length.

On behalf of Hymopack, we are writing to bring to the attention of Community Council its concerns relating to the Study and, in particular, concerns about the potential incompatibility of its existing employment uses with the new residential uses proposed within the Study Area.

As illustrated in the “Concept Demonstration Plan” shown on page 17, the study contemplates a substantial new community of high-density residential uses to the north of the CP Railway tracks. The Plan shows a 30 metre buffer area between the new residential uses and the tracks, which would be occupied in part by a 3-4 storey parking deck. Although the parking deck could serve in part to buffer the residential uses from the tracks, Hymopack is concerned that the long-term viability of employment uses located south of the tracks could potentially be compromised as a result of the interface between the residential and employment uses and the potential for complaints by future residents about real or perceived impacts arising from existing employment industrial activities south of the tracks.

The subject property currently houses a manufacturing plant owned and operated by Hymopack, which is a leading North American manufacturer of carry-out plastic shopping bags.

Privately owned and operated for over 30 years, its customers include many of Canada's large grocery chains, department stores, big box retailers and food service outlets.

Hymopack's lands and many others that surround it are recognized as employment uses and are designated "Employment" in the City of Toronto Official Plan ("OP"). The OP recognizes the crucial importance of employment lands and areas to the City's economic health and prescribes policies that are intended to preserve and protect employment lands "from the encroachment of non-economic functions". The OP further provides that in Employment Districts, "the needs of business will take priority in city-building decisions" (s. 2.2.4). Accordingly, we respectfully submit the City has an onus to pay particular attention to the encroachment of new uses that could threaten or destabilize established and thriving Employment Districts.

We have had discussions with City Planning staff that oversaw the study and were informed that issues relating to the compatibility of uses between the Study Area and the Employment District south of the CP Railway tracks were not taken into account as specific considerations over the course of the Study. Moreover, we were advised that the Study placed a greater focus on urban design as opposed to environmental issues or the potential environmental impacts of locating residential uses in close proximity to an Employment District such as the one in question.

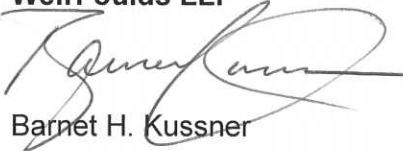
Our client certainly has no objection in principle to the proposed redevelopment of lands along Dundas Street West. However, it is concerned that residential uses in close proximity to an Employment District could lead to complaints typically associated with this type of interface, including noise, truck traffic, odour and dust. We are concerned that the Study has not given due consideration to these issues and, that by consequence, its recommendations fall short of an appropriate balancing of the competing property interests which may be stake.

For these reasons, we respectfully request that, before making any recommendations which could result in adoption of the Study in its current form and the adoption of OP amendments for that purpose, the Community Council give direction to Planning Staff to consider issues relating to the interface and compatibility between the proposed residential community to the north of the railway tracks and the employment area located to its immediate south. We also respectfully suggest that City staff be directed to conduct further studies regarding mitigation measures for real or perceived impacts that could be the potential cause of nuisance complaints on the part of future residents of the Dundas Street West/Highway 427 study area. Additional study would operate to the benefit of the City and all interested stakeholders by minimizing the risk of such complaints as well as ensuring that the encroachment of sensitive uses does not destabilize the thriving Employment District, of which the subject property and Hymopack's operations are an integral part.

Thank you for your consideration of our client's concerns. If City Planning staff would like to discuss the matter in greater detail, please feel free to have them contact me or Sabrina Coletti, Planner in our office, at 416-941-5904.

Yours truly,

**WeirFoulds LLP**



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