

November 1, 2011

Our File No.: 11-0899

Via Email

Etobicoke York Community Council
Etobicoke Civic Centre
Main Floor, 399 The West Mall
Toronto, ON M5G 1E5

Attention: Rosemary MacKenzie (etcc@toronto.ca)

Dear Sirs/Mesdames:

**Re: EY11.7 – Request for Direction Report
25 Vickers Road, 5555 and 5559 Dundas Street West and 10 Shorncliffe Road**

We are solicitors for 85 Vickers Road Holding Corp., who recently became the owner of the property known municipally as 85 Vickers Road (the “Subject Property”). We are writing on behalf of our client to indicate concerns with some of the principles proposed in the above-noted report for the implementing zoning by-law amendment.

As background, the Subject Property is designated as Employment District on the Urban Structure Map (Map 2) and as Employment Areas on the Land Use Map (Map 15). The Subject Property is zoned I.C2 (Class 2 Industrial), in the area governed by the former City of Etobicoke Zoning Code, as amended, and amended by site-specific by-laws 2085 and 2088. This zoning category permits a range of business, manufacturing, institutional, commercial and recreational uses, including concrete batching operations and asphalt operations. At its meeting on October 24-25, 2011, City Council amended the former City of Etobicoke Zoning Code to permit a waste disposal/waste recycling facility on the Subject Property, subject to certain restrictions.

As part of completing the Dundas/427 Planning Framework Study (the “Framework Study”), in a decision at its meeting of July 12-14, 2011, City Council removed the Subject Property from the Framework Study area. The Framework Study recognized The East Mall as the appropriate boundary between Mixed Use Areas and Employment Areas designations, but indicated that the implementing zoning by-law would be prepared at a later date.

The staff report discussing the principles for the implementing zoning for the Mixed Use Areas designation east of The East Mall was only released on October 31st. To our knowledge, the proposed zoning by-law amendment has not yet been released. While our client is in the process of reviewing the staff report with its consultant team, until the final zoning by-law amendment is

released, our client cannot finalize its position regarding this matter. We would suggest that Etobicoke York Community Council defer the matter until the final version of the zoning by-law amendment is available for public comment. If the matter is not deferred, we hope that the City will take our client's concerns into account, as well as the recent position of City Council approving a waste disposal/waste recycling facility on the Subject Property.

Our client's concerns focus on the potential negative impacts of new residential permissions on the existing IC.2 permissions for the Subject Property. For example, our client may have concerns with the residential uses proposed for the Metro lands east of The East Mall, given the proximity of these lands to existing IC.2 permissions. While such lands are proposed for mixed uses, this does not mean that it is appropriate to introduce residential permissions across all of these lands. Instead, the location of such residential uses, and corresponding heights and setbacks, need to be carefully reviewed to minimize negative impacts on existing IC.2 permissions.

We understand that these matters are already before the Ontario Municipal Board. Our client has had productive discussions with City staff and the owners of the Honeydale site and would certainly prefer to resolve any identified concerns with the owners of the Metro lands as well. Depending on the results of our review, however, please note that our client may need to seek parties status if our client's concerns are not satisfactorily addressed.

Yours very truly,

Goodmans LLP



David Bronskill

DJB/

cc: Client

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