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November 7, 2012

BY EMAIL

Our File #107851

Councillor Peter Milczyn, Chair
c/o Merle MacDonald
Secretarial Contact, Planning and Growth Management Committee
10th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Mr. Chairman and Members of the Committee:

**Re: 430-444 Dufferin Street and 41 Alma Avenue, City of Toronto
Staff Report – Planning for a Strong and Diverse Economy: Official
Plan/Municipal Comprehensive Reviews – Draft Policies and Designations
for Employment dated October 23, 2012
Item: PG19.5 to be considered on November 8, 2012**

We act on behalf of Siteline 390 Dufferin Street Inc., the registered owner of 430-444 Dufferin Street and 41 Alma Avenue in the City of Toronto. On December 2, 2011, our client submitted an application to amend the City of Toronto Official Plan and Zoning By-law to permit a mixed-use development on the subject site (City File No. 11-320041 STE 18 OZ).

The above-noted application is to permit a mixed-use development containing three buildings ranging in height from 8 to 24-storeys. The development proposal maintains existing employment uses, including flexible workshop/craft employment and office space, and incorporates new residential uses above.

We have reviewed the above-noted Staff Report and note that the properties east of the site, on the east side of Dufferin Street are proposed to be redesignated to Mixed Use Areas however based on what staff describe as a “preliminary assessment”, our client’s site is proposed to be redesignated to Core Employment. It is unclear why different designations are being considered for the west and east sides of Dufferin Street and there is no rationale for this distinction set out in the Staff Report.

In our submission, the subject site should be considered for redesignation to Mixed Use Areas. It may also be appropriate to consider the introduction of a site or area specific policy which would permit the redesignation from Employment Areas to Mixed Use Areas

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on the condition that a similar amount of existing employment gross floor area be accommodated in any new mixed-use development. In this respect we would ask that staff continue to assess the subject development application in light of the foregoing.

Please provide the undersigned with notice of any decision or any further consideration of this matter, including the passing of any official plan amendment or zoning by-law amendment in this regard.

Yours truly,

AIRD & BERLIS LLP



Kim M. Kovar

KMK/sm

cc: P. Bain, City of Toronto
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