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File No. 702070

November 7, 2012

By E-Mail to pgmc@toronto.ca

City of Toronto, Planning and Growth Management Committee
Toronto City Hall, 10th Floor, West Tower
100 Queen Street West
Toronto, Ontario
M5H 2N2

Attention: Merle MacDonald, Committee Secretariat

Dear Ms. MacDonald:

**Re: Draft Official Plan Policies and Designations for Employment
Lands
Item PG19.4 (November 8, 2012)
1095909 Ontario Limited**

We are counsel to 1095909 Ontario Limited.

Our client has an interest in lands on the north side of Dupont Street, west of Spadina Road, municipally known as 328, 330, 332, 344 and 358 Dupont Street (the "Lands").

We understand that at its meeting on November 8, 2012, Planning and Growth Management Committee will be considering a staff report from the Chief Planner and Executive Director, City Planning Division, dated October 23, 2012, which recommends, among other things, that Council receive draft Official Plan employment policies and draft Official Plan mapping changes as the basis for further consultation. In addition, the report provides preliminary assessments of numerous "requests and/or applications for the conversion of employment lands through the redesignation of lands to non-employment uses and/or the introduction of residential uses.

Although not mentioned in the staff report, on May 31, 2010 our client filed an Official Plan Amendment application with the City to redesignate the Lands, as well as the adjacent lands at 374 Dupont Street, from *Employment Areas* to *Mixed Use Areas*, in order to facilitate the redevelopment of the Lands for a mixed-use development containing both commercial and residential uses. In support of its



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application, our client filed numerous reports and studies that had been requested by City Planning staff during the pre-application consultation process.

Due to the City's failure to approve our client's proposed Official Plan Amendment within the stipulated time periods set out in the *Planning Act*, we appealed the Official Plan Amendment application to the Ontario Municipal Board (the "Board") by letter dated June 1, 2011, and the matter currently remains before the Board.

We maintain that our client's application does not constitute a proposed "conversion of lands within *employment areas* to non-employment uses" and, as such, the application can be approved outside of a *comprehensive review / municipal comprehensive review*.

Nonetheless, to the extent that the City is now considering the appropriate land use designation of all lands currently designated *Employment Areas* in the City's Official Plan, we confirm our client's position that the appropriate designation of the lands subject to its Official Plan Amendment application (and, indeed, other lands north of Dupont Street both east and west of these lands) is *Mixed Use Areas*, and not *Employment Areas* (or any of the proposed new variations thereof now being proposed by staff). This position is clearly supported by the numerous reports already filed with the City on behalf of our client and, in fact, reflects the mixed residential-commercial land use pattern that already exists in the area today. Accordingly, our client does not support staff's proposed redesignation of these lands as *Retail Employment Areas*.

Kindly ensure that we are notified of any decision(s) made by the Committee and/or City Council in respect of this item and that we receive notice of any future public meetings and/or staff reports concerning this matter. Moreover, please ensure that our client is also added to the notification list as follows:

Mr. Paul Wynn / Mr. Jeffrey Wynn
1095909 Ontario Limited
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Yours truly,

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