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**VIA OVERNIGHT COURIER
AND ELECTRONIC MAIL**

December 6, 2013

City of Toronto
Toronto City Hall
12th floor East
100 Queen Street West
Toronto, Ontario M5H 2N2

Attention: Ulli S. Watkiss, City Clerk

City of Toronto
City Planning Division
Toronto City Hall
12th floor East
100 Queen Street West
Toronto, Ontario M5H 2N2

Attention: Jennifer Keesmaat, Chief Planner and Executive Director

Dear Sir/Madame:

**Re: Five Year Official Plan and Municipal Comprehensive Review:
Final Assessment – Request to Convert Employment Lands
Paletta International Corporation – 109 Ryding Avenue, Toronto
Our File No. 13441**

We represent Paletta International Corporation (“Paletta”), the owner of the property at 109 Ryding Avenue. The subject property is generally located one block south of St. Clair Avenue West, between Keele Street and Runnymede Road. At this time, it is occupied by a meat processing plant leased to Maple Leaf Foods.

TURKSTRA MAZZA ASSOCIATES, LAWYERS

Beginning as early as June, 2010, our client has been highlighting to City Staff that this property is not viable as an employment site. Initially, this was communicated in the context of the St. Clair Avenue West Study. No fewer than seven letters were sent to the City on this issue through that process. More recently, as part of the City's municipal comprehensive review, Paletta submitted a formal request that the land use permissions for the property be reviewed. We are attaching correspondence from Walker Nott Dragicevic Associates Limited dated March 14, 2013 for your convenience. In September, 2013, Paletta provided a detailed response to the May 31, 2013 Staff Report. This letter is also attached.

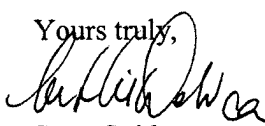
We have reviewed the latest "Final Assessment" Report dated November 5, 2013 on requests to convert employment lands. Our client objects to the recommendations that the subject lands be designated "Core Employment Areas".

Fundamentally, Staff offer the view that it would be premature to consider the conversion given that Maple Leaf Foods' lease is renewable until January, 2022. Staff instead recommend that this be deferred to the next municipal comprehensive review.

With respect, this recommendation does not come to grips with Paletta's reality. As is clear from Maple Leaf's correspondence of June 21, 2012 attached to Walker Nott Dragicevic's submission, Maple Leaf will be vacating these premises by no later than 2022. This is not a possibility, it is an inevitability – an inevitability that Paletta must plan for. This requires an enormous amount of time and planning. Leaving this inevitability to the next municipal comprehensive review is not reasonable or good planning.

Please provide us with notice of Council's Decision and the adoption of any Official Plan amendments related to the Report.

If you have any questions, please do not hesitate to contact us.

Yours truly,

Eg: Scott Snider

cc: Angelo Paletta
Dave Pitblado
Peter Walker

SSnd
Encl.
13441/2

March 14, 2013

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

Attention: Ms. Frances Pritchard, Secretariat, Planning and Growth Management Committee

Dear Chair and Members of the Planning and Growth Management Committee:

Re: 109 Ryding Avenue, Toronto
Review of Land Use Permissions for Employment Areas Designated Site
Our File:10.723

Paletta International Corporation ("PIC") is the owner of the property known municipally as 109 Ryding Avenue (the "subject property"). The subject property is generally located one block south of St. Clair Avenue West, between Keele Street and Runnymede Road. Presently, it is occupied by a meat processing plant leased to Maple Leaf Foods (see Attachment A).

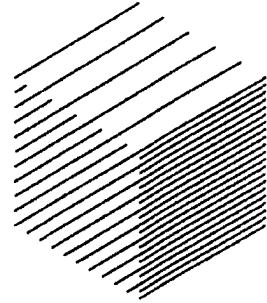
PIC is aware that the City is currently undertaking a five-year review of the Official Plan and undertaking a Municipal Comprehensive Review of Employment Areas and Employment Districts across the City, as required under the *Planning Act* of Ontario. The purpose of the review is to determine the appropriateness of redesignating some of the City's Employment Areas designated lands to allow for non-employment uses. The City is currently at Stage 1 of this process, gathering information and engaging the public before identifying directions and potential changes to the Official Plan in Phase 2. The purpose of this letter is to request that the land use permissions for the subject property be reviewed in the context of this exercise.

The subject property is designated in the current Official Plan as Employment Area, and is zoned Industrial - "I3 H14.0", which permits a range of industrial uses, including the existing meat processing plant, at a height of 14 metres (see Attachment B). The subject property is not within an Employment District.

Surrounding land uses include remnant industrial uses to the north and east, east of which are large scale commercial uses; low rise residential uses, the George Bell Arena and Runnymede Park to the west; and, railway tracks to the south.

In 2011 Council redesignated and rezoned lands fronting onto St. Clair Avenue West for mixed use development under by-laws 1168-2011 (Official Plan Amendment 144) and 1170-2011, respectively. A key condition for the ability of these lands to redevelop with mixed uses is the demonstration that such uses could be compatible with the meat processing operation presently operating on

Walker, Nott, Dragicevic
Associates Limited
Planning
Urban Design



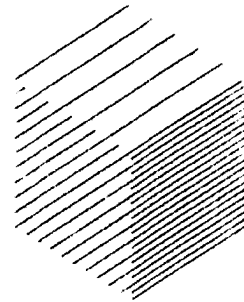
90 Eglinton Avenue East
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M4P 2Y3
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Peter R. Walker FCIP RPP
Wendy Nott FCIP RPP
Robert A. Dragicevic MCIP RPP
Senior Principals

Andrew Farancik MCIP, RPP
Senior Associate

Martha Coffey
Controller

the subject property; alternatively, the elimination of the meat processing operation would satisfy this condition. The subject property was within the study area for the planning studies that led to the above noted amendments; however, the implementing by-laws did not redesignate or rezone the subject property. Notwithstanding that the subject property was not redesignated, the Staff Report dated March 4, 2011, which recommended the implementation of the Avenue Study, noted that *"if the [Maple Leaf] plant were to be closed as part of a corporate restructuring, consideration could be given to a conversion to residential uses as the plant currently emits odours that affect nearby local residents on Ryding Avenue and Cobalt Avenue; there would be no major employers left in this industrial node; [and] truck traffic to the plant has historically passed on local residential streets."*

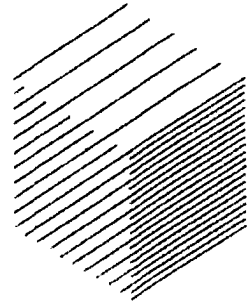


The subject property is located within an area that has been transitioning from heavier industrial uses to residential, retail and mixed uses over the past 25 years. This transition is clearly continuing, as confirmed by the findings of the Avenue Study and accompanying Staff Report, which culminated in the City's redesignation and rezoning of industrial lands along St. Clair Avenue West to Mixed Use Areas. The redesignation also created a policy that would require the extension of Ryding Avenue (which currently terminates just east of the subject property) eastward to Keele Street through the Mixed Use Areas designated lands prior to their development; such an extension would, functionally and notionally, further tie the subject property into the mixed use and retail portion of the block. The transition of the area will also continue to accelerate as a result of significant new commercial investments in the vicinity (The Stockyards development by Trinity, which is under construction) and transit improvements along St. Clair Avenue West.

In line with this transition, Maple Leaf Foods has confirmed in writing that it will be ceasing its meat processing operation on or before 2022 (see Attachment C). Maple Leaf's operation is located in a building that spans both the subject property and the adjacent property to the east (99 Ryding Avenue); therefore, the ceasing of the Maple Leaf operation would similarly impact that property. PIC has conferred with the owners of 99 Ryding Avenue who have confirmed their support for the redesignation and rezoning of the subject property, as well as their own property and the broader area, for mixed use development, including residential uses (see Attachment D).

In light of the above, we ask that you give positive consideration to the redesignation of the subject property to facilitate the development of a range and mix of uses, including potential residential uses, by way of a redesignation to Mixed Use Areas or through an appropriate Site and Area Specific policy. Such a redesignation would provide for the future reuse of the subject property in line with the evolving character of this area while at the same time allowing the existing uses to continue in the interim. We note that a similar approach is used in other transitioning industrial areas of the City, such as the Dundas-Carlaw district and along Sorara Avenue, both of which areas have become highly attractive mixed employment and residential areas that were once exclusively employment oriented in nature.

While such redesignation would be possible on a site-specific basis, we would ask that you also give consideration to the redesignation of 99 Ryding Avenue, as well as the remnant Employment Areas designated area as conceptually illustrated on Appendix E to this letter, to facilitate a similar breadth of uses. This area is similarly affected by the ongoing transition described in this letter, and is the only remaining pocket of Employment Areas designated land containing industrial uses in this block, with the balance of the block comprised of existing retail uses and the newly designated Mixed Use Areas. The extension of Ryding Avenue east to Keele Street, which would be a compulsory component of any residential development permissions on the Mixed Use Areas designated lands, would further tie this remnant industrial pocket into the retail and future residential uses to the east, potentially increasing compatibility issues.



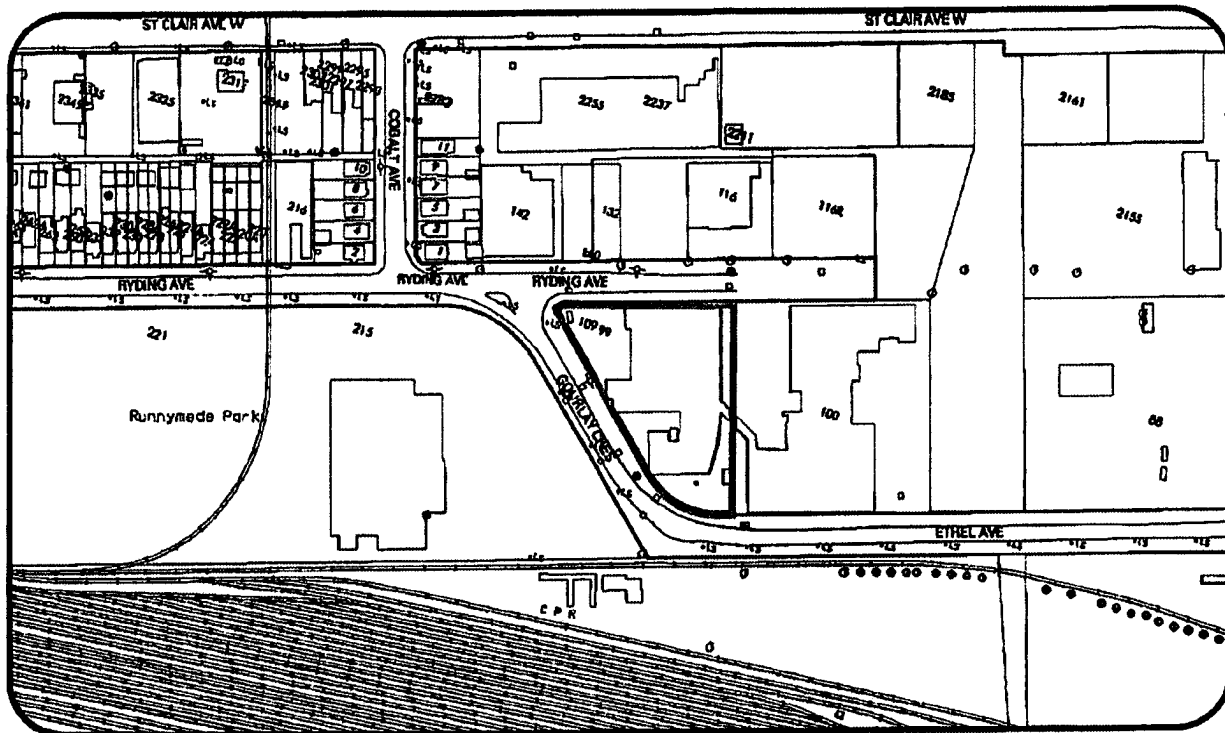
In closing, we respectfully request that the subject property in particular (and secondarily the broader remnant industrial pocket shown on Attachment E to this letter), be considered for conversion to allow for non-employment (residential) uses in addition to the range of uses now permitted on the site, as part of the City's ongoing comprehensive Official Plan review.

Yours very truly,

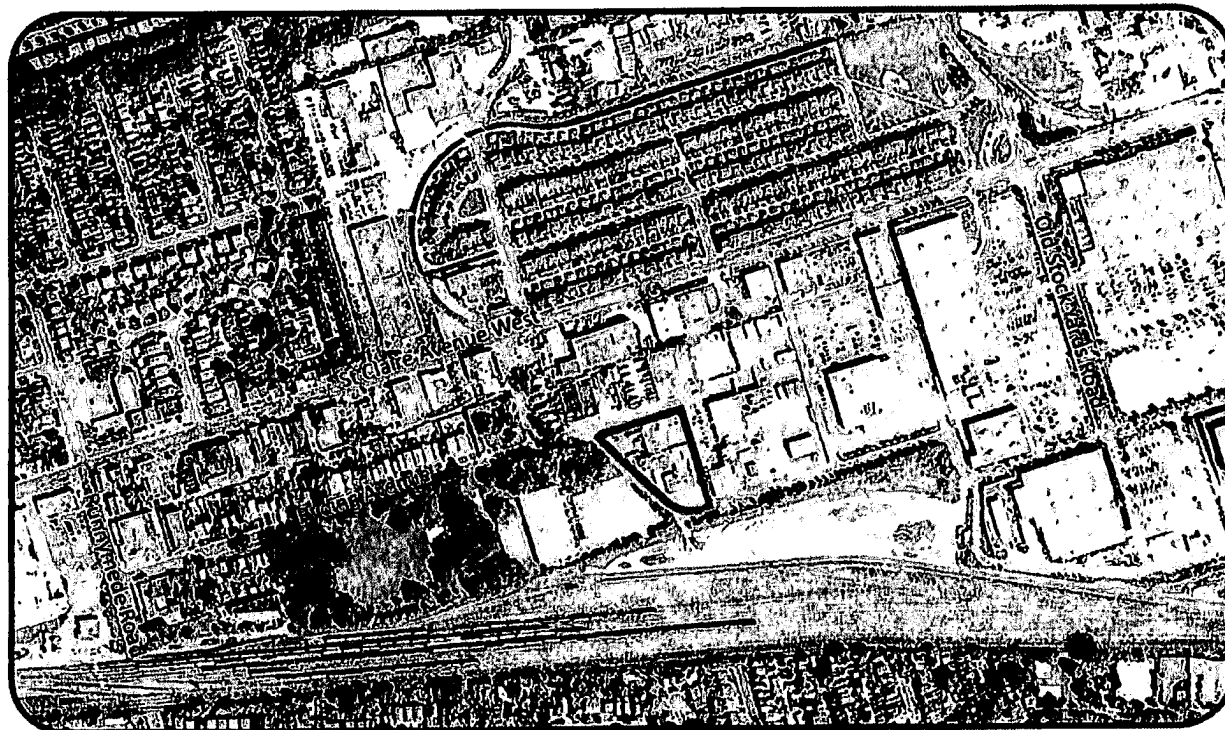
WALKER, NOTT, DRAGICEVIC ASSOCIATES LIMITED
Planning · Urban Design

Peter R. Walker, FCIP, RPP
President and Senior Principal

cc. Councillor Frances Nunziata
Mr. Lou Moretto, Manager, Community Planning, Etobicoke York District
Mr. Greg Byrne, Senior Planner, Community Planning, Etobicoke York



Context Map



Aerial Photography

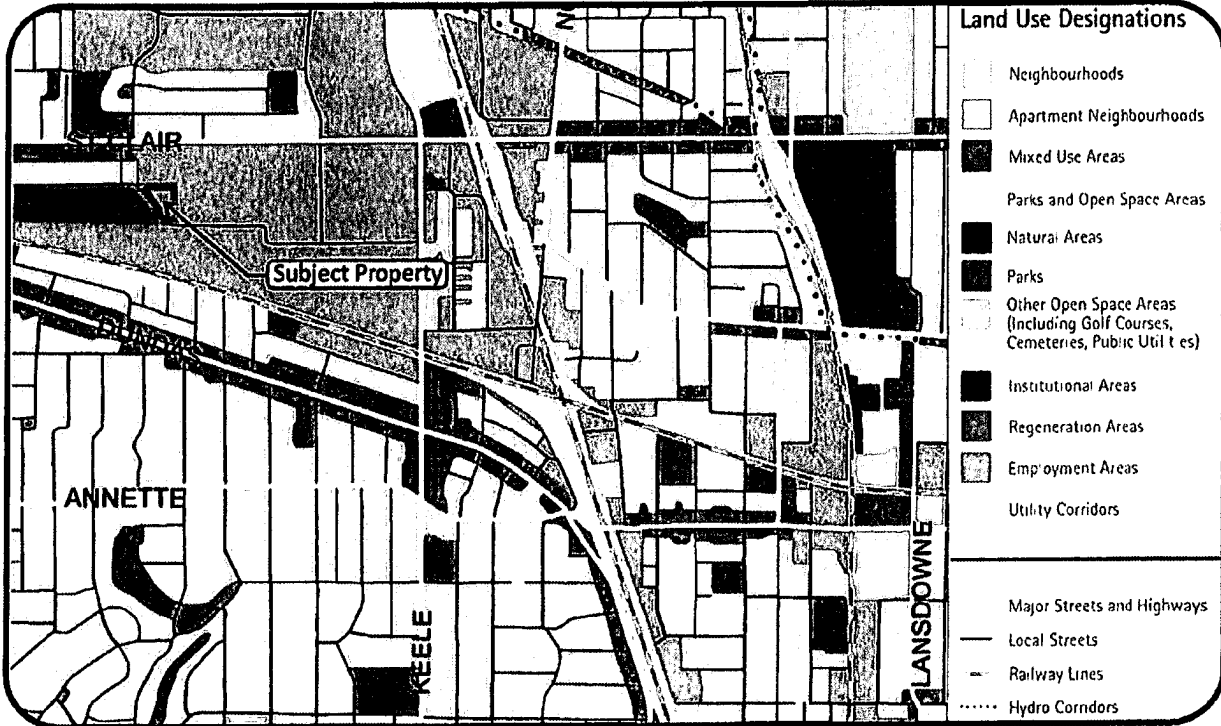
Attachment A
 109 Ryding Avenue
 City of Toronto

Not to Scale
 March 2013
 10.723

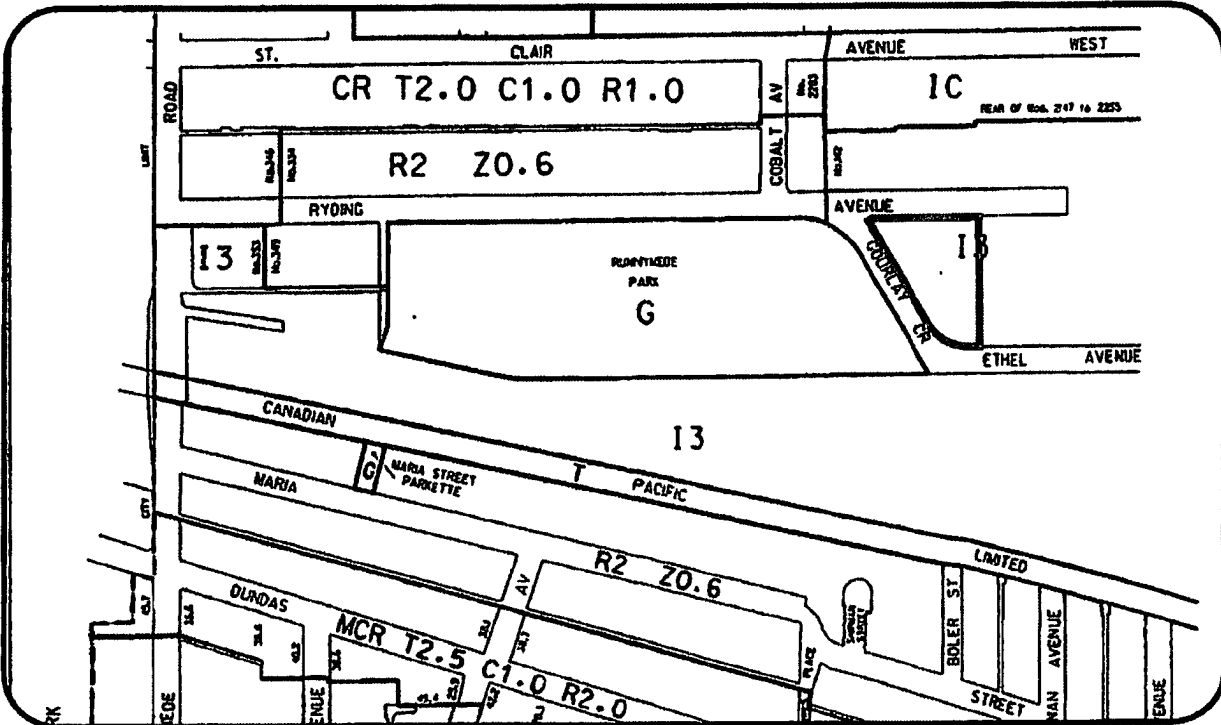
 Subject Property

Walker, Nott, Dragicvic
 Associates Limited
 Planning
 Urban Design





**City of Toronto Official Plan
Land Use Plan (Map 17)**



**City of Toronto Zoning Bylaw 438-86
(Map 47J-322)**

Attachment B
109 Ryding Avenue
City of Toronto

Not to Scale
March 2013
10.723

 Subject Property

Walker, Nott, Dragicevic
Associates Limited
Planning
Urban Design



MAPLE LEAF CONSUMER FOODS



CORRESPONDENCE SENT VIA EMAIL: apaletta@paletta.ca

June 21, 2012

Angelo Paletta
Paletta International Corporation
4480 Paletta Court,
Burlington, ON
L7L 5R2

Angelo,

REFERENCE: Ryding Avenue

In response to your request, I am writing to confirm that MLF will be vacating your property at Ryding Avenue by no later than 2022 when our last extension renewal option ends.

We understand that there will be no further extensions under any circumstances. As I am sure you can appreciate, this will require careful planning by MLF as our operations on your property will need to be relocated or consolidated elsewhere. This affects many stakeholders and I would appreciate it if you would keep this information as confidential as possible as we continue to evaluate our options with our executive.

In the meantime, I can confirm that MLF has no objection to the redesignation of your property to residential uses so long as it does not result in the introduction of residential uses any earlier than the date we are ready to vacate your property, and on the basis that you, and your company in its capacity as our landlord at this location will actively support, until the end of the lease term, MLF's existing use both before the OMB, in the context of the existing appeals and before the City of Toronto, and as otherwise required by us.

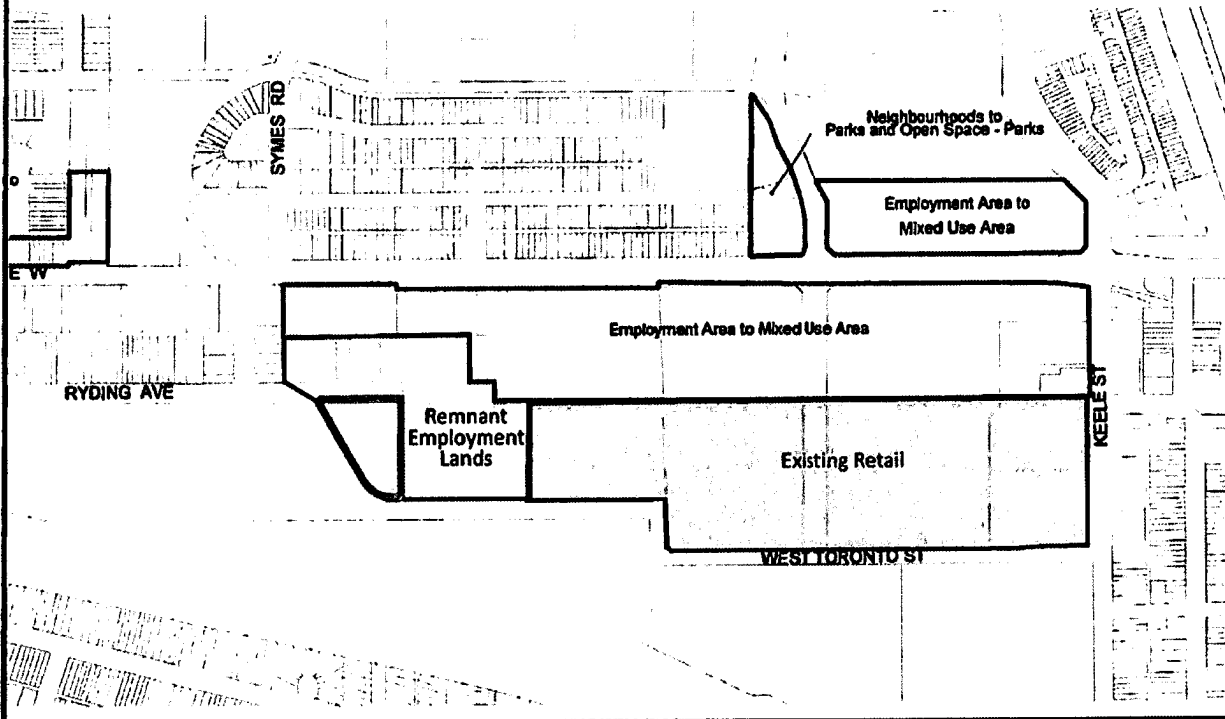
Can you please acknowledge your agreement in writing to us at your earliest convenience.

Sincerely,

Maple Leaf Consumer Foods

Iain W. Stewart
Senior Vice President,
Fresh Meats

IWS/nd



TORONTO City Planning

**St. Clair Avenue West from
Keele Street/Weston Road to Scarlett Road**

Schedule 1

09 192880 SPS 00 TM

↑
Note to Scale
11/02/14

Remnant Employment Lands and Existing Retail

Attachment E
109 Ryding Avenue
City of Toronto

Not to Scale
March 2013
10.723

 **Subject Property**

Walker, Nott, Dragicavic
Associates Limited
Planning
Urban Design





**PALETTA INTERNATIONAL
CORPORATION**

September 25, 2013

City Planning Division
Toronto City Hall
12th Floor East,
100 Queen Street West
Toronto, ON
M5H 2N2

Attention: Jennifer Keesmaat, Chief Planner and Executive Director

Dear Ms. Keesmaat:

Re: 109 Ryding Avenue, City of Toronto

Response to City Staff Report, dated May 31, 2013, from the Chief Planner and Executive Director, City Planning Division, Respecting Preliminary Assessments of Additional Employment Conversion Requests

Paletta International Corporation ("PIC") is the owner of the property known municipally as 109 Ryding Avenue ("the site"). The site is located on the southeast corner of Ryding Avenue and Gourlay Crescent, which is one block south of St. Clair Avenue West, between Keele Street and Runnymede Road. Presently it is occupied by a meat processing plant leased to Maple Leaf Foods.

The subject property is designated in the current Official Plan as *Employment Area*, and is zoned Industrial – "I3 H14.0", which permits a range of industrial uses, including the existing meat processing plant, at a height of 14 metres. The subject property is not within an *Employment District*. Surrounding land uses include remnant industrial and commercial uses and newer low rise residential uses to the north and east, low rise residential uses and open space to the west, and railway tracks to the south.

On March 14, 2013, in response to the City's Employment Lands Review as part of its statutory five-year Official Plan Review process, PIC submitted a letter requesting that the City give positive consideration to the redesignation of the site (by way of a redesignation to Mixed Use Areas or through an appropriate Site and Area Specific policy) to facilitate the development of a range and mix of uses on the site, including potential residential uses. Such a redesignation would provide for the future reuse of the site in line with the evolving character of the surrounding area while at the same time allowing the existing uses to continue in the interim.

We have reviewed the City's Staff Report dated May 31, 2013, wherein the above noted conversion request was addressed, among other conversion requests. The report notes as follows regarding the conversion request for 109 Ryding Avenue:

"Although the Municipal Comprehensive Review has not been completed, a preliminary assessment based on the criteria in the Growth Plan and the Provincial Policy Statement has determined that these lands should be retained for employment uses and be designated as *Core Employment Areas*."

The report did not provide any further rationale for this position.

PIC strongly disagrees with staff's preliminary assessment that the site should be retained for employment purposes and be designated "Core Employment Areas". As noted in our letter of March 14, 2013, the site is located in a unique pocket of the City that continues to experience significant change. In recognition of this change, in 2011, Council redesignated and rezoned lands fronting onto St. Clair Avenue West (only 60 metres directly north of the site) for mixed use development under by-laws 1168-2011 (Official Plan Amendment 144) and 1170-2011, respectively.

A key condition for the ability of these lands to redevelop with mixed uses is the demonstration that such uses could be compatible with the meat processing operation presently operating on the subject property; alternatively, the elimination of the meat processing operation would satisfy this condition.

In short, the meat processing operation on the site has a direct impact on the ability of the surrounding lands to redevelop in accordance with Council's vision for the area. Accordingly, the proposed designation of the site as a "Core Employment Area", essentially recognizing its current use (or other potentially incompatible industrial uses), is in our opinion inappropriate and does not represent good planning.

A "Core Employment Area" designation ignores the significant changes that have been occurring in this part of the City over the past two decades and will be occurring relatively soon. Furthermore it jeopardizes the broader revitalization of the area, as envisioned by Council through its recent amendment to the area policy framework, and zoning permissions, and it would miss a key opportunity to resolve the clearly recognized incompatibility between industrial and non-industrial uses in this area and potentially exacerbate the incompatibility.

As expressed in our March 14, 2013 letter, although our main concern is with respect to the proposed designation of 109 Ryding Avenue, it is our opinion that the surrounding properties north of Ethel Avenue which are also proposed to be designated "Core Employment Area"¹ should also be considered for conversion to non-employment uses. This proposed "Core Employment Area" encompasses a very small pocket of remnant industrial uses which are completely surrounded by existing and designated non-industrial uses. A "Core Employment Area" designation for these lands would in our opinion provide for the continuation of an inappropriate land use interface in this area for

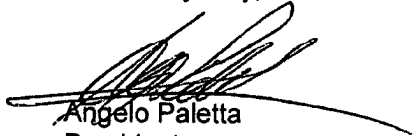
¹ Those lands generally bounded by Gourlay Crescent/Ethel Avenue to the south and west, the rear of the St. Clair fronting properties to the north, and the boundary of the "Mixed Use" and proposed "General Employment Area" designation to the east.

the foreseeable future, further jeopardizing Council's vision for the broader area. We are aware that the owners of 99 Ryding Avenue (which is the abutting property to the east that also is currently leased by Maple Leaf Foods) also generally support a conversion of their land given the changes that have occurred in the area.

We understand that staff will be bringing forward a final Recommendation Report in late October of this year relative to this and other conversion requests received by staff. We respectfully request that staff re-examine its current position with respect to 109 Ryding Avenue in the context of the facts noted above and in our previous correspondence, and support the site's conversion to permit non-employment uses in addition to the range of uses now permitted on the site.

Should you have any questions, we would welcome the opportunity to speak to you, or meet with you in person.

Yours very truly,



Angelo Paletta
President
Paletta International Corporation

Cc: Councilor Nunziata
Peter R. Walker, FCIP, RPP
Andrew Ferancik, MCIP, RPP