

AIRD & BERLIS LLP

Barristers and Solicitors

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November 15, 2013

BY EMAIL (pgmc@toronto.ca)

File No. 116600

Planning and Growth Management Committee
c/o Nancy Martins, Secretarial Contact
City of Toronto
City Hall, 100 Queen Street West
10th Floor, West Tower
Toronto, ON M5H 2N2

Dear Chair and Committee Members,

**Re: Municipal Comprehensive Review – Employment Lands (Item PG28.2)
South West Corner of Morningside Avenue and Finch Avenue East**

On May 31, 2013, we wrote to you on behalf of Viva Properties Limited objecting to the conversion request filed by Mattamy Staines Ltd. with respect to the above noted lands. A copy of that letter is attached.

We have reviewed the City Staff recommendation found at pages 278, 279 and 280 of Attachment 2 to the November 5, 2013 Staff Report entitled *Official Plan and Municipal Comprehensive Reviews: Amendments to the Official Plan for Economic Health and Employment Lands Policies and Designations and Recommendations on Conversion Requests* and advise that we support City Staff's recommendation to not permit the conversion of the above-noted lands for residential use.

Kindly provide the undersigned with notice of the decision of the Planning and Growth Management Committee and City Council.

Yours truly,

AIRD & BERLIS LLP


Steven A. Zakem
SAZ; SM

Attachment

c. Paul Bain, City Planning
Patrick Tsang, Vivacan
May Chan, Vivacan

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AIRD & BERLIS LLP

Barristers and Solicitors

Eileen P. K. Costello
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May 31, 2013

BY EMAIL

File No. 116600

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

Attention: Frances Pritchard

Dear Ms. Pritchard:

**Re: Response to Application for Conversion of Employment Lands
Morningside Avenue and Finch Avenue East**

Please be advised the Aird & Berlis LLP has been retained by Viva Properties Limited, which owns facilities located at 1663 Neilson Road, in the City of Toronto.

Our client's lands include a manufacturing plant which employs approximately 400 persons engaged in the manufacturing of media packaging items. Our client has been in operation at the site for 15 years.

A review of Maps 8 and 9 in the City Staff Report dated October, 23, 2012, illustrates our client's lands are proposed to be designated Core Employment with the immediately adjacent and surrounding lands proposed to be designated General and Retail Employment. Our client is supportive of the proposed designations and the maintenance of this area as an Employment Area.

Recently, our client became aware of a request filed by Mattamy Staines Ltd. to the City in respect of its lands located at Morningside Avenue and Finch Avenue East. More specifically, we understand the request is to permit a conversion of the site, presently a vacant strip of land, from employment to non-employment uses, including residential. We further understand that no specific development details have yet to be provided.

Our client has instructed us to advise the Planning and Growth Management Committee that it views the introduction of any additional residential uses in this area to represent a restraint to future development on its lands and other employment lands in the area. Indeed, it has been our client's experience that the development of other lands in the area

May 31, 2013

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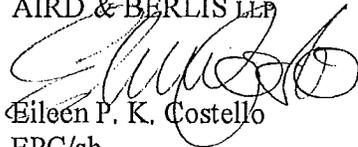
for residential purposes resulted in the need to modify operations at its manufacturing plant as a result of complaints from new residents with respect to previously established industrial operations. The continued introduction of residential and other sensitive uses into this area can only serve to further constrain existing business, ultimately leading to the diminution of employment opportunities and the destabilization of the Employment Area.

The proposal to convert the Mattamy Staines Ltd. lands from employment to non-employment uses and thereby to permit further residential development in the area is contrary to the current Official Plan designation of Employment Area as well as the policies of the Morningside Heights Secondary Plan.

Accordingly, our client would request that the Planning and Growth Management Committee refuse the request to convert the lands owned by Mattamy Staines Ltd. to non-employment uses, including residential, and that the employment designation as proposed in the October 23, 2012 Staff Report for those lands be maintained.

Yours truly,

AIRD & BERLIS LLP


Eileen P. K. Costello
EPC/sh

c: Paul Bain, City Planning
Steve Zakem/ Hayden Solomons, Aird & Berlis LLP
Patrick Tsang, Vivacan

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