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File No.: 527499-13

SENT VIA E-MAIL (pgmc@toronto.ca)

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

Attention: Ms. Nancy Martins, Committee Administrator, City Clerk's
Department

Dear Sirs/Mesdames:

**RE: 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
Agenda Item PG28.2
1001 Ellesmere Road**

We are the solicitors for The Goldman Group and Goldman Ellesmere 2 Developments Inc., the beneficial and registered owners of the property known municipally in A.D. 2013 as 1001 Ellesmere Road in the City of Toronto (the "Site").

The Site is located on the south side of Ellesmere Road, immediately west of the Metrolinx/GO/CNR and Scarborough LRT tracks. The Site is approximately 2.6 hectares (6.42 acres) in area and is currently occupied by a vacant 191,000 square foot industrial building (formerly occupied by Van-Rob Inc., a metal-stamping assembly plant which ceased operations in 2008). The building has been vacant since 2008 despite significant efforts by our clients to secure a tenant.

Please be advised that we had previously submitted a letter dated November 7th, 2012 to the Planning and Growth Management Committee, whereby we requested that the Site be redesignated to Mixed Use Areas and to allow the existing retail/commercial and industrial land use permissions to continue to apply to the Site.

At its July 16, 17, 18 and 19, 2013 meeting, City Council requested the Chief Planner to conduct additional analysis of the Site to consider whether a Mixed Use Areas designation would be appropriate on this property given:

- (a) The Site's close proximity to transit, and the City's efforts to increase public use of existing and future transit facilities; and
- (b) The Site's proximity to the intersection of Kennedy Road and Ellesmere Road, two major roads in the eastern part of the City.

Council also directed that the additional analysis be based on the following criteria being addressed:

- (a) The applicant demonstrating that a significant portion of the Site will include employment uses;
- (b) In case of a phasing development plan, the employment uses noted above will be constructed as part of the first phase of any development;
- (c) Any residential uses be designed and situated in a manner to prevent or mitigate against impacts of noise, vibration, traffic, odour and other contaminants from industry upon occupants of the new development and lessen complaints and their potential impact on business; and
- (d) The City's plans for redevelopment of the existing Scarborough Rapid Transit line.

We have now had an opportunity to review the November 5th, 2013 City staff report with respect to the above-noted matter, together with Attachment 1 to the Report, the proposed Official Plan Amendment No. 231 (the "**Proposed OPA**") and Attachment 2 (specifically pages 169-172 which relate to the Site)..

Under the Proposed OPA, City staff have recommended that the Site be redesignated from Employment Areas to the new designation of General Employment Areas. It is our clients' continued position that the proposed redesignation is inappropriate and that the Site should be redesignated to Mixed Use Areas, with a special site policy to be added which also permits employment uses, such as warehousing and distribution uses, for the following reasons:

1. The Site's close proximity to rapid transit, including the Ellesmere SRT station;
2. The Site's close proximity to existing residential uses, including the development of 162 townhouse units on lands known municipally as 1051 Ellesmere Road, which are currently under construction, and the four-storey Leisure World seniors facility;
3. The Site's proximity to the intersection of Ellesmere Road and Kennedy Road, two major roads in the eastern part of the City;

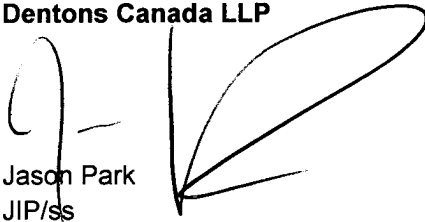
Our clients are in the process of preparing and filing Official Plan Amendment and Rezoning Applications for a mixed use development being proposed for the Site. In support of these Applications, our clients will be filing the necessary background reports, which will show that the proposed residential uses will be designed and situated in a manner to prevent or mitigate against any adverse impacts, including noise, vibration, traffic, odour and other contaminants from existing industries upon occupants of the new development, and thereby there will be no adverse impact on existing industries in the surrounding area.

In light of the above, we respectfully request that Planning and Growth Management Committee not recommend the adoption of the Proposed OPA as it relates to the Site but, alternatively, recommend the redesignation of the Site to Mixed Use Areas together with a site-specific policy which would permit, in the short and medium terms, the existing retail/commercial and industrial land use permissions, including but not limited to warehousing and distribution facilities, to continue to apply to the Site.

Thank you for your consideration of this request. We would also appreciate receiving any notice of decisions and/or future public meetings with respect to this matter.

If you have any questions regarding the above, please do not hesitate to contact the undersigned at 416.863.4786.

Yours very truly,
Dentons Canada LLP



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JIP/ss

c.c. Councillor Michael Thompson
Joe Nanos, Manager, Community Planning
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Anna Czajkowski, Senior Planner, Policy Planning
The Goldman Group