



ZELINKA PRIAMO LTD
A Professional Planning Practice

VIA EMAIL AND REGULAR MAIL

November 20, 2013

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

Attention: Ms. Merle McDonald, Administrator

Dear Ms. McDonald:

**Re: Proposed Official Plan Amendment No. 231
City of Toronto Official Plan/Municipal Comprehensive Reviews
November 5, 2013 Draft Policies and Designations for Employment
Preliminary Comments on Behalf of Loblaw Properties Limited
650 Dupont Street
Toronto, ON
Our File: LPL/TOR/11-03**

We are the planning consultants for Loblaw Properties Limited (Loblaw) for the City of Toronto Official Plan/Municipal Comprehensive Reviews. Loblaw is the owner of lands known municipally as 650 Dupont Street in the City of Toronto.

In our letters dated February 13, 2013 and October 31, 2013, we provided preliminary comments on behalf of Loblaw for the Draft Policies and Designations for Employment related to the City of Toronto Official Plan/Municipal Comprehensive Reviews as they pertain to 650 Dupont Street. We note that coincidentally on October 31, 2013, the City released a revised version of OPA No. 231 for public review.

On November 13, 2013, Loblaw was made aware of the November 5, 2013 Staff Report for the Official Plan/Municipal Comprehensive Reviews related to Employment Lands and the associated Draft OPA No. 231. It is our understanding that the November 5, 2013 Staff Report will go to a statutory Special Public Meeting of the Planning and Growth Management Committee on November 21, 2013.

For the lands at 650 Dupont Street, we adopt all of the comments for the November 5, 2013 OPA no. 231 Draft Official Plan policies as set out in our accompanying letter dated November 20, 2013. In addition, at this time, our preliminary comments specific to 650 Dupont Street are as follows:

- Under the current Official Plan, the lands are not shown as within an Employment District on Map 2 Urban Structure and are designated Employment Area on Map 18 Land Use Plan. According to the current Site and Area Specific Policy No. 212, Section (e) permits a maximum gross floor area for retail and service uses of 5,000 sq. m and Section (f) permits residential uses in a mixed use building to

a maximum of 3.0 times the lot area provided they are not located within 30 m of the railway right-of-way;

- We note that on Map 34 of Draft OPA no. 231, the Loblaw lands previously shown as “Subject to Area Study” in the August 20, 2013 Draft OPA are now proposed to be split designated, with a Regeneration Areas designation along the Dupont frontage and a General Employment Areas designation within 30 m of the abutting CP rail corridor. In addition, on the proposed Urban Structure Map, the lands appear to be shown as Employment Areas. We have the following concerns:
 - For the proposed Regenerations Areas designation, the Section 4.7.2 policies under the current Official Plan will apply whereby new development should not proceed prior to the approval of a Secondary Plan. As a result, with the timing of a Secondary Plan unknown, any (re)development of the lands will effectively be placed on hold;
 - The boundary of the split designation runs straight through the middle of the existing food store. The implementation of a split designation is difficult, whereby there would be differing land use permissions and tests under the Official Plan and the resulting 30 m wide General Employment Areas development parcel is likely too narrow to effectively be (re)developed; and
 - The City of Toronto Zoning By-law No. 569-2013 maintains the current use permissions under the existing Industrial (IC D2 N1) zoning from former City of Toronto By-laws No. 438-86, as amended by By-law No. 94-0654. Consequently, the proposed split designation is not implemented by Zoning By-law No. 569-2013.
- Under proposed Site and Area Specific Policy No. 212, the lands at 650 Dupont Street are shown within the boundary of the proposed Policy for the Dupont Street Corridor. We have the following preliminary comments for the policies for the proposed area study leading to the Secondary Plan:
 - Policy 1(c): With regard to establishing maximum limits on the size of retail development and floor plates within the study area, we note that under the current Site and Area Specific Policy No. 212, Section (e) the maximum gross floor area for retail and service uses will be 5,000 sq. m, under former City of Toronto By-law No. 94-0654, the non-residential gross floor area on the lot to be used for the purposes of a supermarket is 5,000 sq. m and Minor Variance A0419/07TEY increased the non-residential gross floor area of the supermarket to 5,167.75 sq. m;
 - Policy 1(f): We request clarification as to what “net gain in employment floor space for any developments that include residential uses” is being considered and whether existing retail commercial employment floor space, such as the existing food store at 650 Dupont Street, would be taken into consideration under (re)development;
 - Policy 2): In our submission, notwithstanding our comment above related to Section 4.7.2 of the current Official Plan, the proposed policy effectively removes the existing permission for residential uses under the current Site

and Area Specific Policy No. 212 until the study is completed and the Secondary Plan is in force; and

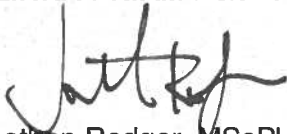
- Policy 3): The additional uses proposed to be permitted under the General Employment Areas include "parking that supports the employment uses of the area either at grade or in a structure". We request clarification if parking for uses within the area proposed to be designated Regeneration Areas would be permitted on the lands proposed to be designated General Employment Areas.
- In our submission, since the lands are not shown as within an Employment District on Map 2 under the current Official Plan, since residential uses are currently permitted on a portion of the lands under the current Site and Area Specific Policy No. 212, since at a width of only 30 m the proposed General Employment Areas designation is likely not adequate to effectively accommodate development and since regardless of the proposed General Employment Areas designation, residential uses and sensitive uses require a setback of 30 m from the CP rail line, a Mixed Use Areas designation is appropriate for the entirety of the lands at 650 Dupont Street; and
- Accordingly, we request that the proposed Urban Structure Map be revised to remove the Employment Areas shown for 650 Dupont Street and that Map 34 be revised to reflect a Mixed Use Areas designation for the lands at 650 Dupont Street, along with associated revisions to the proposed Site and Area Specific Policy No. 212.

We would welcome the opportunity to meet with Staff to discuss our preliminary comments.

We trust that the enclosed information is satisfactory. Should you have any questions, or require further information, please do not hesitate to call.

Yours very truly,

ZELINKA PRIAMO LTD.



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