



Reply to the Attention of	Mary Flynn-Guglietti
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Our File No.	235188
Date	April 4, 2016

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**Attention: City Clerk**  
**Ms. Nancy Martins, Administrator, Planning and Growth Management Committee**

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

**Re: City-Initiated Official Plan Amendment No. 331**  
**Mimico-Judson Secondary Plan**  
**Item No. PG11.4 on the April 6, 2016 Agenda**

We are counsel to 1742875 Ontario Inc., and 1720194 Ontario Inc. (“**Dunpar**”) owner of the property municipally known as 49-53 & 55 Judson Street in the City of Toronto, located west of Royal York Rd on the South side of Judson Street (the “**Property**”). Dunpar is an established builder with over 25 years of experience in the delivery of high quality commercial, industrial and low rise residential buildings in the Greater Toronto Area, as well as a major stakeholder in the Mimico/Judson neighbourhood. We recently received Notice of the public meeting scheduled before the Planning and Growth Management Committee (“**PGMC**”) for April 6, 2016, together with a copy of the proposed draft Official Plan Amendment No. 331 (“**OPA 331**”), being the proposed Mimico-Judson Secondary Plan.


In addition to the Notice of the April 6<sup>th</sup> public meeting we were also notified of the March 29<sup>th</sup>, 2016 Open House to be held in Etobicoke. Our client fully intended to attend the March 29<sup>th</sup>, 2016 Open House but was informed via e-mail from Elise Hug, that the Open House meeting had been postponed due to “unforeseen damage to the City Planning Division staff offices”. As you can appreciate it was important to our client and consultants to attend the Open House in order to better understand the proposed Secondary Plan, as well as the proposed urban design guidelines. Without the benefit of the Open House we respectfully request the PGMC to defer this Public Meeting, on this important item, until after an Open House has been convened so that interested parties can fully understand and appreciate the full extent of proposed OPA 331. Based on our preliminary review of the draft OPA 331 and attached urban design guidelines we believe there are a number of important issues that should be addressed prior to enactment.

By way of background and as noted in earlier correspondence from our client to the PGMC, dated November 13, 2015, our client submitted a combined Official Plan Amendment/Zoning By-law Amendment application (File # 15 247232 WET 06) for its lands municipally known as 49-53 & 55 Judson Street on November 4, 2015. The application was submitted on the basis of a pre-consultation meeting with City Staff and in accordance with a comprehensive pre-consultation checklist dated July 28, 2015. Our client is seeking to re-designate the subject lands from *Regeneration Area* to *Mixed Use Area* and urged City Staff to include and assess the application within the context of the ongoing Mimico-Judson study. Based on our review of the proposed OPA 331, and in the absence and benefit of an Open House meeting, the following are the preliminary areas of our client's concerns:

1. The Mimico-Judson area had been identified as a *Regeneration Area* in OPA 231. This is a clear mandate to review the area for the opportunity to create uses to re-establish the area for growth. It is our submissions that a significant portion of the area has been identified as *Core Employment Areas* on Map 35-3. The *Core Employment* designation, together with associated policies will undermine the potential regeneration of the area.
2. The Mimico-Judson Greenway (shown on Maps 35-2 and 35-4), together with the increase in the proposed right of way width to 23 metres and the associated policies are problematic. We respectfully submit that this proposed policy be revisited to determine if it should be treated as potential parkland dedications. Specifically policy 9.14 should be amended to include the Mimico-Judson Greenway as an eligible Section 37 benefit.
3. In reviewing Policy 9.15 we respectfully submit that it is not consistent with how Section 37 benefits are treated throughout the City and there is no planning justification why this policy should be different. We respect and fully submit that such a policy would be unfair to the landowners within this Secondary Plan.
4. We also respectfully submit that the conditions for the lifting of a holding provisions are also problematic, especially in terms of requiring that portions of the Mimico-Judson Greenway are acquired as a condition of the lifting of the "H". The implementation strategy for the lifting of the "H" is different and therefore not consistent with the remainder of the City. This creates an unfair disadvantage to landowners in this area and the ability to regenerate the area with new development, as envisioned for a regeneration area.
5. It is clear from reviewing OPA 331 that our client's site specific application, although the subject of a pre-consultation meeting in the summer of 2015 and formally filed in early November of 2015 with all necessary supporting reports and documentation, has not been considered in the review of OPA 331, despite our request. We do not believe that this is in the best interests of the evolving policies for this regeneration area.

We therefore request that the April 6th, 2016 public meeting be deferred to allow for an Open House to be held as previously committed to by the City. Please note that these are our client's preliminary concerns only. We therefore reserve the right to raise further issues as they may arise as a result of information received at a future Open House meeting. If you have any questions or require any additional information, kindly contact the undersigned. We appreciate your attention to this matter.

Yours truly,



Mary Flynn-Guglietti

/jl

CC: Dunpar Homes  
Peter Smith of Bousfields  
Councillor Mark Grimes