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July 5, 2018

Via email (pgmc@toronto.ca)

Mayors and Members of Council
c/o Chair and Members of the Planning and Growth Management Committee
City of Toronto
10th Floor, West Tower, City Hall
Toronto, ON M5H 2N2

Attention: Nancy Martins, Administrator

Dear Sirs / Mesdames:

**Re: Agenda Item PG31.3
3501, 3621, 3625, 3633, 3639
Dufferin Street and 719, 721, 725 Wilson Avenue
City Initiated Zoning By-law Amendment**

We are counsel for Dymon Capital Corporation ("Dymon") in the above-captioned matter. Dymon has been working with City officials for over two years respecting its applications for 3621 Dufferin Street.

We enclose herewith a letter from Dymon's planning consultant to City planning staff dated June 5, 2018 (the "MHBC Letter") which we hereby adopt as part of our client's submission.

In its simplest terms, our client submits that its work and submissions to the City respecting 3621 Dufferin Street demonstrate that the basic vision articulated in the Council-adopted OPA 362 should be served by a mixed use zoning on these lands as described in the MHBC Letter.

Please provide us with notice of any future consideration of these matters by Council or any Committee thereof.

Dymon welcomes the opportunity to work with the City and its officials so please do not hesitate to contact us in respect of the foregoing. Thank you for your attention in this regard.

Yours truly,



John A.R. Dawson



KITCHENER
WOODBIDGE
LONDON
KINGSTON
BARRIE
BURLINGTON

June 5, 2018

Mr. Ben DiRaimo
Community Planning
North York Civic Centre
5100 Yonge St.
North York, ON
M2N 5V7

Dear Mr. DiRaimo:

**RE: DUFFERIN-WILSON REGENERATION AREA
CITY INITIATED ZONING BY-LAW AMENDMENT – COMMENT LETTER
CITY FILE NO. 14-101834 NPS 00 OZ
725 WILSON INC. & DYMON CAPITAL CORPORATION
OUR FILES 0650J AND 16257E**

On behalf of our clients, 725 Wilson Inc. (c/o Barry Godfrey) and Dymon Capital Corporation, we are pleased to provide you with this submission in response to our clients' review of the City Initiated Zoning By-law Amendment (ZBA) for the Dufferin-Wilson Regeneration Area (City File No. 14-101834 NPS 00 OZ).

Further to our participation at the May 28, 2018 Community Consultation Meeting, and as a follow-up to our meeting on June 4, 2018, it is our client's general opinion that the City should consider a ZBA that implements an appropriate "mixed use" zone consistent with the mixed use vision intended for the Dufferin-Wilson Regeneration Area (as intended by the recently adopted OPA 362).

The current Industrial Commercial (MC) Zone that applies to the subject lands under former North York Zoning By-law 7625 represents a zone that is not reflective of this mixed use vision for the area, including residential uses. Leaving the lands in an MC Zone, removing certain uses and not rezoning to implement the full mixed use designation (including heights, densities, setbacks and other development standards) for the area subject to OPA 362 is not an efficient or expedient approach.

Further, given the adoption of OPA 362, a decision to approve the proposed zoning by-law amendment would not conform to the City's Official Plan as purportedly amended by OPA 362. In this circumstance, we would also submit that such an amendment would not optimize the use of either land or infrastructure as is contemplated by the Growth Plan and PPS.

In light of the current proposed amendments to the Zoning By-law for the Dufferin-Wilson Regeneration Area lands, we believe that a mixed use zone for these lands should consider the following:

- Permission of “residential” uses within these lands – as you are aware, Dymon Capital Corporation have currently submitted a ZBA application (City File No. 17 280210 NNY 09 0Z) on the lands located at 3621 Dufferin Street. This application is proposing a true mixed use development in the form of a 10-storey mixed use building, which will include ground floor retail, second floor office uses, self-storage uses and integrated residential uses. On this basis, the mixed use concept would benefit from the City zoning the OPA 362 area as mixed use.
- 725 Wilson Inc. have currently submitted a Site Plan Approval (SPA) application for the lands located at 725 Wilson Avenue (City File No. 17 135535 NNY 09 SA), which is proposing a 3-storey building containing a mix of commercial, retail and office uses. A key concern for 725 Wilson Inc. is the proposed removal of “retail over 5,000 square metres” as a permitted use. This terminology is imprecise and misleading. It could be interpreted to mean that an *aggregate* gross floor area of 5,000 square metres is not permitted, whereas, previous staff reports and discussions with staff identify that the intent of the policy in OPA 362 was to remove the permission for *individual* retail stores (i.e. single storey, stand-alone retail stores with over 5,000 square metres of GFA). In other words, the policy intention is to limit “big box” stores – but not developments multiple, fine grain retail and service uses.

Clarification of this matter in both the OPA 362 and this new by-law initiative (whether as currently presented or for a mixed use area) would go to great lengths to resolving 725 Wilson’s issues.

In conclusion, given that a City-initiated rezoning approach is being undertaken relative to the Dufferin-Wilson Regeneration Area lands, we believe it makes practical and logical sense through this process for the City to rezone the lands to a “mixed use” zone that fully implements the mixed vision of OPA 362.

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

Thank You,

MHBC


David A. McKay MSc MCIP, RPP
Vice President and Partner


Andrew Palumbo, HBA, MCIP, RPP
Associate

cc. *Barry Godfrey, 725 Wilson Inc.*
Bliss Edwards, Dymon Storage
Aaron Platt, Davies Howe LLP
John Dawson, McCarthy Tétrault LLP