

# DEVINE PARK LLP

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VIA EMAIL [kelly.matsumoto@toronto.ca](mailto:kelly.matsumoto@toronto.ca)

Ms. Kelly Matsumoto  
City of Toronto Legal Services  
Planning & Administrative Tribunal Law  
Metro Hall, 26th Floor  
55 John Street  
Toronto, ON M5V 3C6

Dear Ms. Matsumoto:

**RE: 1001 Ellesmere Road, Toronto  
Blocks 3 and 4, Plan 66M-2555**

As you may remember, we are the solicitors for Goldman Ellesmere 2 Developments Inc. and The Goldman Group which are the registered and beneficial owners of Blocks 3 and 4 on Plan 66M-2555 (formerly part of the 1001 Ellesmere Road lands) in the City of Toronto.

As part of the settlement previously reached with City staff and City Council, Block 4 was to be maintained as an Employment Area designation in the City's Official Plan but the balance of the site was redesignated to Mixed Use Areas, and residential townhouses were permitted within the redesignated area. The OMB ultimately approved OPA No. 330 (By-law No. 1108-2015 (OMB)), site specific Zoning By-law No. 1109-2015 (OMB) which was an amendment to the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Dorset Park Employment District) and site specific Zoning By-law No. 892-2016 (OMB) which was an amendment to City of Toronto Zoning By-law 569-2013. There was also a Section 37 Agreement that was signed and registered on title to the site along with a Subdivision Agreement.

In terms of Block 3, the zoning by-law amendments allow for residential townhouses to be constructed while Block 4 is only allowed to have certain commercial uses. The zoning by-law amendments, Section 37 Agreement and Subdivision Agreement also contemplate phasing which requires Block 4 (the commercial block) to be developed before Block 3 (a townhouse block) can be developed.

A number of years have now passed and our clients have been unsuccessful in marketing Block 4 for commercial uses and therefore this Block has continued to remain vacant. It remains a blight on an otherwise successful new community in this area. The stark reality is that continuing to require Block 4 to be developed for only commercial uses will be a barrier for the completion of this community. As a result, our clients are left with no choice but to seek a conversion of Block 4 to a Mixed Use Areas designation and accordingly, following discussions with City Planning staff, our clients have filed an MCR request through Bousfields Inc. Please find attached a copy of the MCR request filed on June 11, 2021.

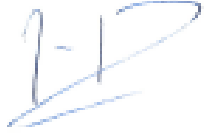
As set out in the MCR request, there are a number of reasons which justify this request including the following:

- (1) More than 6 years have passed since the current OPA and rezoning approvals and the lands have continued to remain vacant despite repeated attempts by our clients to market the property for commercial uses;
- (2) It would facilitate the completion of the residential neighbourhood to the east providing a different mix of residential units;
- (3) It would provide convenience commercial uses to serve the neighbourhood;
- (4) It would contribute to the provision of needed housing in an area well served by transit and community facilities;
- (5) In addition to the proposed Mixed Use development on Block 4, this conversion will also allow development of Block 4 for townhouse units;
- (6) It would not negatively affect the viability of any other employment uses in the vicinity of the subject lands; and
- (7) It would be consistent with the policy direction set out in the 2020 Provincial Policy Statement and 2019 Growth Plan (as amended) which generally encourages intensification and the optimization of land uses within proximity to transit.

In light of this MCR request, our clients would like to proceed immediately with the development of Block 3. Continuing to require Block 4 to be developed as a pre-condition for the development of Block 3 does not, in our respectful submission, represent good planning and will mean continued delay of these townhouse units being available for families wishing to live in this area. We would like the opportunity to discuss this matter with you and City Planning staff in seeing how Block 3 can be released for development as soon as possible.

Please kindly advise of some possible dates and times for this meeting. I look forward to hearing from you soon.

Yours very truly,  
**Devine Park LLP**



Jason Park  
JIP/ss

Enclosure (MCR Request filed by Bousfields)

cc: Councillor Michael Thompson  
Paul Zuliani, City of Toronto Community Planning  
Victor Gottwald, City of Toronto Community Planning  
The Goldman Group