

Patrick G. Duffy
Direct: +1 416 869 5257
pduffy@stikeman.com

June 25, 2021
File No.: 136574.1001

By E-mail
phc@toronto.ca

Planning and Housing Committee
10th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Nancy Martins, Committee
Administrator

Dear Sirs/Mesdames:

**Re: PH25.5 – Zoning Conformity for Official Plan Employment Areas - Phase 1 Final
Report and Phase 2 Update
Letter of Concern**

We are counsel to 39 Wynford Inc., the owner of the property municipally known in the City of Toronto as 39 Wynford Drive (the “**Property**”).

We are writing to express our client’s serious concerns regarding City staff’s proposed amendments to various zoning by-laws, including City of Toronto Zoning By-law No. 569 and Former City of North York Zoning By-law No. 7625 (the “**Proposed Zoning Amendments**”) which, according to staff, are intended to bring the City’s zoning by-laws into conformity with the Official Plan, as amended by Official Plan Amendment No. 231 (“**OPA 231**”).

By this letter, we hereby request that the Committee direct that staff revise the Proposed Zoning Amendments to exclude the Property from the Proposed Zoning Amendments.

In the alternative, we request that the Committee defer consideration of the Proposed Zoning Amendments to allow staff an opportunity to discuss with our client and consultant team and to make the necessary revisions to the Proposed Zoning Amendments.

As drafted, the Proposed Zoning Amendments inappropriately downzone the Property, stripping away a wide range of existing land use permissions (including adult education school, college, commercial gallery, community centre, day nursery, fitness centre, hotel, museum, place of worship, public library, theatre and university uses) even though the policies of OPA 231 do not presently apply to the Property.

As it relates to the Property, our client maintains an ongoing site-specific appeal of OPA 231 before the Ontario Land Tribunal (the “**Tribunal**”), which is proceeding under OLT Case No. PL140860 as Appeal No. 38 (the “**Appeal**”). The Appeal has yet to be scheduled for a hearing before the Tribunal, and while the Appeal is maintained, the policies of OPA 231 do not apply to the Property.

Downzoning the Property through the Proposed Zoning Amendments, in advance of the hearing of the Appeal, goes beyond staff’s stated intent of bringing zoning into conformity with OPA 231.

We would welcome the opportunity to discuss this matter further with staff in an effort to resolve our client's concerns.

Should you have any questions, please do not hesitate to contact me.

Yours truly,

A handwritten signature in black ink, appearing to read "PD - 1/17".

Patrick G. Duffy

PGD/jsc

cc. Jonathan S. Cheng, *Stikeman Elliott LLP*
Mike Dror, *Bousfields Inc.*
Client