

April 28, 2025

VIA EMAIL - etcc@toronto.ca

Nancy Martins
City Clerk,
Administrator, Etobicoke York Community Council,
Toronto City Hall,
100 Queen Street West, 2nd Floor,
Toronto, ON, M5H 2N2,

To Whom It May Concern:

Re: OPA and ZBA Application Number 23 167119 WET 03 OZ
Re: 21-25 Windsor Street, 18 Buckingham Street and 60 Newcastle Street
Re: Etobicoke York Community Council Meeting April 30, 2025

I act for Portuguese Cheese Company ("Portuguese Cheese") the owners of 2 and 4 Buckingham Street located on the west side of Buckingham Street north of Newcastle Street in the Mimico Judson Secondary Plan Amendment Area.

2-4 Buckingham Street is located immediately to the south of and abutting to 18 Buckingham Street. The westerly rear lot lines of 2-4 Buckingham Street abut the rear yards of 21 and 23 Windsor Street.

Portuguese Cheese is a family-owned business that has operated a cheese manufacturing facility at 2-4 Buckingham Street for almost 60 years and employs 15 full time employees and additional part time employees. Our client wants to continue its operation at this location and ensure the proposed development approval protects and permits the continuation of its cheese manufacturing operation.

Portuguese Cheese is a specified person as defined by the *Planning Act* as the holder of an environmental compliance approval carrying on cheese manufacturing in an area of employment.

Our client actively participated in the hearing leading to the approval of Official Plan Amendment 331 – the Mimico Judson Secondary Plan.

Our client has several concerns with the development proposal including the following:

1. As shown on Site Plan A100, The vehicular loading area entrance and a pedestrian entrance to the proposed building on Windsor Street is to the rear of that building facing the rear yard of our clients cheese

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factory where loading and unloading of trucks can take place which looks to be an incompatible land use relationship.

2. The creation of the proposed development might put the cheese factory into non compliance with environmental regulations
3. As shown on Site Plan A100, the southern setback of the building proposed for Block B from the mutual property line with 4 Buckingham is 11 metres, according to Site and Area Specific Policy 860 Map 'A'. Although this setback was established for Block B in OPA 331 it was established for buildings 4-6 storeys in height. The building proposed for Block B is 14 storeys and the setback proposed is inadequate for a tall building, proposed to be classified as a "mid-rise" building in the draft amendment. The north, east and west setbacks for Building B do not conform to, and are deficient, to the setbacks required by OPA 331.
4. Policy 6.4 of OPA 331 states that buildings between 13-30 storeys are tall buildings and the maximum mid rise building is 12 storeys. Under the City's Tall Building Urban Design Guidelines the proposed 14 storey tall building on Block B would require a 12.5 metre setback/separation distance from the mutual property boundary with 2-4 Buckingham Street.
5. No analysis was provided by the applicant's transportation consultant, that we have been able to uncover, regarding the impacts to Portuguese Cheese of the turning movements along the existing/future proposed N/S and E/W laneway along Block B and Block A (behind and to the west of PC). We would request that prior to consideration of this application by Council the applicant produce an analysis to confirm no impact/impacts to Portuguese Cheese's current truck movements and loading.
6. The existing Policy 2.17 of OPA 331 states:

"Between the north-south laneway and the west façade of the office building located east of the north-south laneway, the rear yard will consist primarily of hard landscaping with mountable curb, to accommodate the turning movements for tractor trailers accessing the Portuguese Cheese facility. Easements in favour of the City for public vehicular access will be required to accommodate truck movements."


Policy 2.14 of the draft OPA amendment removes the requirement for the applicant to convey such an easement to the City and this policy should be restored.

7. The proposed applications may be inconsistent with Policies 2.8, and 3.5.2 of the Provincial Planning Statement 2024.
8. Any required receptor based environmental mitigation required for the proposed buildings on Block B and C, and any other building that does not comprise owner occupied residential units, should be secured in the zoning bylaw. Recent changes to the City of Toronto Act have prevented the utilisation of site plan approval to secure receptor based mitigation in the exterior of a building.

We acknowledge that the Applicant offered to meet with our client but circumstances did not allow for that to occur.

Please acknowledge receipt of this correspondence in writing and provide the author with notice of adoption of any official plan amendment or passing of any zoning bylaw amendment approved pursuant to this application.

Yours very truly,



A. Milliken Heisey, K.C.

AMH/lg

Encl.

cc: *Portuguese Cheese Company*
cc: *John Alati - Counsel for Diamante*
cc: *Councillor Morley@toronto.ca* *Councillor for Etobicoke Lakeshore*