

## Stikeman Elliott

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**BY E-MAIL**

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Toronto and East York Community Council  
Clerks Department  
City of Toronto  
13th Floor, West Tower  
Toronto City Hall  
100 Queen Street West  
Toronto ON M5H 2N2

Attention : Ms. Ellen Devlin, Committee Administrator  
E-mail: teycc@toronto.ca

Dear Councillors:

**Re: City Initiated Official Plan Amendment – Central Waterfront Secondary Plan  
Schedule “A” – Proposed Rights of Way  
Item TE21.2  
Redpath Sugar Ltd.**

We are solicitors for Redpath Sugar Ltd. (“**Redpath**”), the owner and operator of the sugar refinery heavy industrial use located at 95 Queens Quay East (the “**Property**”) within the Central Waterfront Secondary Plan.

The proposed Official Plan Amendment (“**OPA**”) to the Central Waterfront Secondary Plan (“**CWSP**”) Schedule “A” – ROW for Major Roads, proposes a Queens Quay East right-of-way (“**ROW**”) width of 38 metres in front of the Redpath Property. This ROW width is purported to be “consistent with the Council-adopted East Bayfront Transit Environmental Assessment...”.

However, the East Bayfront Transit Environmental Assessment, Toronto Transit Commission Report No. 14, from the May 28, 2009 Meeting of the TTC (considered by City Council on August 5, 2009 – Item 18a) states at Page 17 that:

*The standard 38-metre right-of-way [on Queens Quay] cannot be maintained west of Lower Jarvis Street in front of the Redpath Sugar property, where the existing building face on the south side of Queens Quay requires that the right-of-way be narrower.*

A portion of the office building, refinery and raw sugar storage shed on the Redpath Property, among other buildings and structures on the Property that are listed on Toronto’s Heritage Register, will be located within the 38-metre Queens Quay East ROW as proposed by the OPA.

It is unreasonable for the City to impose a 38-metre Queens Quay East ROW in front of Redpath based on a mistaken assumption that the ROW width will not impact Redpath until the Property is redeveloped. The City will request a dedication of lands for the widening of Queens Quay when any development approval is pursued for the Property. Given that Redpath is constantly making improvements to the facility on the Property and assesses new technology and product lines for implementation in response to market changes, the proposed OPA that sets a 38-metre ROW for Queens Quay East in front of Redpath is contrary to Policy 51 of the CWSP that prevents public realm initiatives from having an undue adverse impact on the Redpath Property and operations.

It is inappropriate for the City to secure a 38-metre ROW for Queens Quay East in front of the Redpath Property. We suggest the following OPA modifications be considered to address Redpath's concerns:

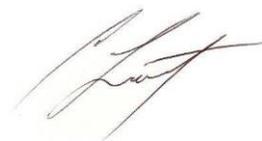
1. Amend SCHEDULE A – PROPOSED RIGHTS OF WAY (ROW) FOR MAJOR ROADS by amending the following ROWs:

Roadway (1)	From	To	ROW	Streetcar in own ROW
Queens Quay E	Yonge Street	Freeland Street	38 m	Yes
Queens Quay E	Freeland Street	Lower Jarvis Street	26 m	Yes
Queens Quay E	Lower Jarvis Street	Cherry Street	38 m	Yes

Please provide us with notice of any upcoming Council Committee or Council meetings at which the OPA will be discussed. Please also provide us with notice of Council's decision on this matter.

If you have any questions or require any further information, please contact me to discuss. Thank you for your attention to this matter.

Yours truly,



Calvin Lantz

CWL/nla

cc. A. Kittel, Project Manager, Community Planning ([anthony.kittel@toronto.ca](mailto:anthony.kittel@toronto.ca))  
B. Sadler, Florida Crystals Corporation