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Barristers and Solicitors

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BY EMAIL

Our File No. 110254

Planning and Growth Management Committee
City Hall
100 Queen Street West
10th Floor, West Tower
Toronto, ON M5H 2N2

Attention: Merle MacDonald, Committee Administrator

Dear Members of Planning and Growth Management Committee:

**Re: Item PG16.4 – 459 Eastern Avenue
Official Plan Amendment and Zoning Amendment
PG16.5 – 462 Eastern Avenue
Official Plan Amendment and Zoning Amendment**

Please be advised that Aird & Berlis LLP are the solicitors for Weston Bakery, the owner and operator of the Weston Bakery facility located at 462 Eastern Avenue. Additionally, our client owns the lands located immediately south at 459 Eastern Avenue, which lands have long been used as a parking lot to service the bakery.

As members of the Committee may be aware, the Weston Bakery facility has been in operation on the property known as 462 Eastern Avenue for decades and a bakery has operated on the existing site since the late 1800's. Although the facility has been expanded and retrofitted on many occasions, it can no longer serve the demands of our client. *Our client has therefore proceeded to acquire lands elsewhere in the City of Toronto for its new bakery facility.* This facility will be operated in concert with our client's existing distribution centre in the west end of the City, ensuring that Weston retains a prominent and ongoing role in the City of Toronto. *Our client is relying, in part, on the redevelopment of the lands on Eastern Avenue to facilitate the development of its new bakery facility in the City for its future operations.*

In March, 2012, our client submitted applications for an Official Plan amendment and Zoning By-law amendment in respect of both 459 and 462 Eastern Avenue. These were filed as separate applications and were deemed complete by staff on April 30, 2012. Additionally, we have held a pre-consultation meeting with staff, including those from Economic Development, and an initial meeting with Councillor Fletcher. We have now had an opportunity to review the preliminary reports authored by staff in respect of both applications and have the following comments.

Community Consultation Meeting

The staff reports note that the purpose of the community consultation meeting is to provide “an opportunity to the public to review the application and to provide input and feedback on the proposal”. Notwithstanding this important element in the process, staff are recommending that the community consultation meeting in respect of both sites not be held until the completion of the Five Year and Municipal Comprehensive Reviews.

As noted above, the Weston facility has a long history in the area. Due to the close proximity of the existing bakery site at 462 Eastern Avenue with established residential neighbourhoods to the immediately east, west and north, this property is of particular interest to the surrounding residential community. While the property at 459 Eastern has been used as a parking lot to service the bakery site, it provides a unique opportunity to transition from the areas north of Eastern Avenue and the residential areas south of Eastern Avenue along Logan Avenue.

For all of these reasons, the proposed redevelopment of these sites has garnered significant attention from the community. Immediately upon the posting of notices on the property, our client has been receiving inquiries and questions from neighbours and also from staff at the facility. We believe it is appropriate, to have a community consultation meeting as soon as possible in respect of these applications and to commence engaging the public and the immediate community with these applications.

We would therefore respectfully request that staff should be directed, in consultation with Councillor Fletcher’s office, to hold a coordinated community consultation meeting in respect of both sites in the fall of 2012.

South of Eastern Employment Area – Planning Framework

Both staff reports refer to a previous decision of this Committee to request the Chief Planner to “consider a planning framework” for the South of Eastern Employment Area. The implication appears to be that the processing of these applications should await this study. We would first observe that the lands at 462 Eastern Avenue would be outside this study area. Additionally, we note that this review “has not yet commenced” pending the findings of the Five Year Official Plan Review “and a pending report on the Port Lands Acceleration Initiative”. It would be our submission that it would be unreasonable to delay the processing of our client’s applications, and most certainly the application for 462 Eastern Avenue, in order to await the outcome of a study which has yet to be commenced and which is unlikely to commence for some time.

Five Year & Municipal Comprehensive Reviews

Similarly, the staff reports indicate that the applications for 462 and 459 Eastern Avenue should await the outcome of the Five Year and Municipal Comprehensive Reviews. For

the foregoing reasons, we do not believe it is reasonable to delay the processing of these applications due to these separate planning exercises.

Accordingly, we would ask that staff be directed to report directly to Toronto and East York Community Council with a recommendation report regarding the applications for 462 and 459 Eastern Avenue by the first quarter, 2013, when sufficient progress has been made in respect of the Municipal Comprehensive Review.

As a result, we are requesting that the recommendations be amended to read as follows:

To The Planning and Growth Management Committee:

1. Direct staff to schedule a community consultation meeting, together with the Ward Councillor, for 462 and 459 Eastern Avenue as soon as possible and no later than the fall, 2012;
2. Direct notice of the community consultation meeting for these sites be given to land owners and residents within 120 metres of each subject site, and to additional residents and owners to be determined in consultation with the Ward Councillor;
3. Any additional costs of the notice to be borne by the Applicant;
4. Direct notice of the public meeting under the *Planning Act* to be given according to the regulations of the *Planning Act*; and
5. Direct staff to report directly to Toronto and East York Community Council regarding the applications for 462 and 459 Eastern Avenue in the first quarter, 2013.

As indicated in the application materials, our client believes that the revitalization and redevelopment of the former Weston Bakery site and the associated parking lot site at 462 and 459 Eastern Avenue provides an exciting opportunity to transition from the established residential neighbourhoods which surround the sites to the employment uses to the south with an appropriate, mixed use, form of intensification. The development of these sites as proposed will result in an increase in the total employment compared to the present day and will facilitate the development of another, expanded bakery facility in the City.

Based on our experience to date, we remain hopeful that the applications can be processed in an efficient manner by staff and that we can continue to work with the City and with the community on the revitalization of these sites.

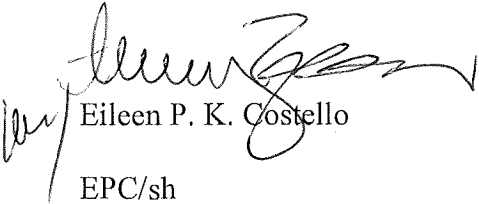
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We will be in attendance at Planning and Growth Management on the 18th to speak to these matters and look forward to answering any questions which you may have.

Yours truly,

AIRD & BERLIS LLP


Eileen P. K. Costello
EPC/sh

c: Councillor Fletcher
Client

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