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April 2, 2013

Mayor and Council
c/o City Clerk
Attn. Marilyn Toft
City of Toronto
100 Queen Street West
Toronto, ON, M5H2N2

Mr. Mayor and Members of Council:

RE: DRAFT HARMONIZED ZONING BY-LAW
140 QUEEN'S PLATE DRIVE
NORTHERN DANCER LANDS LTD
OUR FILE 1286C

We are writing on behalf of our client, Northern Dancer Lands Ltd., regarding their site at 140 Queen's Plate Drive in West District. The site is currently vacant and is zoned Class 1 Industrial (I.C1) in the former City of Etobicoke Zoning Code. Currently, the I.C1 Zone permits, among other uses, schools including elementary, secondary, private, nursery, and commercial schools.

The site is proposed to be zoned Employment Industrial (E) in the draft Harmonized Zoning By-law. This zone does not permit schools, and therefore does not recognize use permissions that the site currently enjoys.

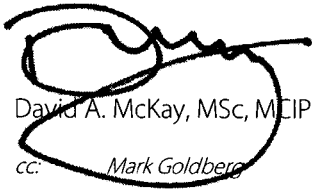
The transition provisions of the Harmonized Zoning By-law, specifically Clause 2.1.3.5, state that a property subject to a complete application for Site Plan Approval will be excluded from the new By-law. The exact wording is "nothing in this By-law will prevent the erection or use of a building or structure for a project for which a complete application for site plan approval was filed on or prior to the date of passage of this By-law, if the project in question complies with the provisions of the applicable Former General Zoning By-law as it read on the date of passage of this By-law." The former general zoning by-law in this case is the Etobicoke Zoning Code. The transition provision goes on to say that a permit can be issued under an exempted Site Plan application, once the Site Plan Approval is granted.

An application for Site Plan Approval on this site was received by the City and deemed complete as of February 12, 2013, under file number 13 118769 WET 02 SA (see attached notice of complete application). Therefore the site should be excluded from the Harmonized Zoning By-law. However, as of April 2nd, the mapping for the Harmonized Zoning By-law on the City's website does not recognize the application and continues to zone the site Employment Industrial (E).

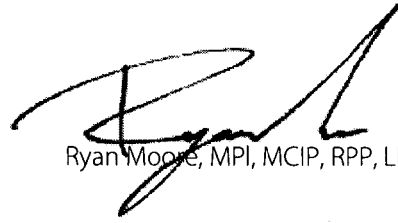
We respectfully request that 140 Queen's Plate Drive be excluded from the Harmonized Zoning By-law per Clause 2.1.3.5 prior to adoption by Council.

If you have any questions, please feel free to contact the undersigned.

Thank you,
MHBC



David A. McKay, MSc, MCIP, RPP
cc: *Mark Goldberg*



Ryan Moore, MPI, MCIP, RPP, LEED® AP



Jennifer Keesmaat, MES MCIP RPP
Chief Planner and Executive Director
City Planning Division

Etobicoke York District
3rd Floor
2 Civic Centre Court
Toronto ON M9C 5A3

Neil Crosswell
Director, Community Planning

Tel: (416) 394-8211
Fax: (416) 394-6063
Refer to: Ellen Standret at 416-394-8223
E-Mail: estandre@toronto.ca
www.toronto.ca/planning

Macnaughton Hermsen Britton Clarkson Planning Limited
7050 Weston Rd Suite 230
Woodbridge
ON L4L 8G7

March 15, 2013

Re: **Receipt of Complete Submission**
Site Plan Control Application No.: 13 118769 WET 02 SA
140 Queen's Plate Drive
CON 2 FTH PT LOT 29 30 RP 66R15341 PART 3 EXCEPT RP 66R15376 PART 1
Ward 2 - Etobicoke North

This will acknowledge receipt of your application set out above that meets the City's application submission requirements as of February 12, 2013.

You are also advised that your application has been assigned to the "routine" stream under the City's STAR (Streaming The Application Review) process. This process provides for the streaming of most planning applications and sets target timelines for their review. Staff will endeavour to complete the review of this application within 4 months.

Under the City's site plan delegation by-law, the approval of the site plan application is delegated to staff unless a member of City Council requests that the application be referred to City Council for approval. If the approval for your site plan application is referred to City Council, the assigned planner will contact you to provide details.

The planner handling this application is Ellen Standret, Planner at 416-394-8223 or estandre@toronto.ca. When contacting this Division, please quote the address of the proposal and application number.

Please contact this planner if you have any questions about the processing of your application.

Yours truly,


Bill Kiru, Manager
Community Planning Division, Etobicoke York District

cc: Northern Dancer Lands Ltd, 30 Hazelton Ave, Toronto ON 5R2E2
Councillor Doug Ford