

TOWNSEND AND ASSOCIATES

BARRISTERS AND SOLICITORS

LYNDA J. TOWNSEND PROFESSIONAL CORPORATION

PLEASE REFER TO:
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September 20, 2013

City of Toronto
Toronto City Hall
100 Queen Street West, 10th Floor, West Tower
Toronto, ON M5H 2N2

Attention: Kelly McCarthy, Clerk, Executive Committee

Dear Madame:

Re: South of Eastern Port Lands Landowners Group Inc.

We are counsel to a group of private landowners and leaseholders representing 163 acres of land within the South of Eastern Avenue and Port Lands area. We provided mapping of the land holdings in a previous submission to Executive Committee dated June 26, 2013.

Development Charges

We delegated at the July 3, 2013 Executive Committee meeting and also provided a written submission, a copy of which is attached hereto. We wish to reiterate the South of Eastern Avenue and Port Lands landowner group issue of concern.

Our delegation and this submission relate to the interrelationship of the City-wide Development Charge By-law, which is currently before Committee for consideration, and a proposed Area Specific Development Charge By-law ("ASDC") for the area consisting of the lands south of Eastern Avenue and within the Port Lands ("subject lands"). From information received by City staff, the ASDC is intended to provide the funding to construct and naturalize the Greenway/Spillway flood protection works.

As Committee is aware, the funding for this important flood protection infrastructure has not been included in the City-wide Development Charge By-law. Rather, it is the intent of the City to secure portions of the funding for flood protection through an ASDC, which is intended to be finalized sometime next year. We have requested of Committee and of staff that this infrastructure be included in the City-wide Development Charge as the benefit of this infrastructure appears to extend well beyond the lands proposed to be included in the ASDC. Further, we feel that delivery of the flood protection infrastructure in a piecemeal fashion would ensure that very limited growth and investment will take place in this area and ultimately the Port Lands Acceleration Initiative process would be for not.

Committee should be aware that when the ASDC is implemented next year, should the benefiting area be found to include lands beyond those ultimately included in the ASDC the City may have to contribute the funds for the Greenway/Spillway that relate to additional benefiting owners. As the

City's objective is to avoid paying for this infrastructure, this risk should be fully addressed at this time. We have not been provided with any technical substantiation for the restriction of the benefit to the subject lands and as such remain concerned that the assumptions being made today will adversely impact the City's finances in future.

Response to Council Resolution EX22.1 (10)

In addition we wish to take this opportunity to respond to Council's resolution of October 2, 2012:

City Council direct the Deputy City Manager responsible for the Waterfront Initiative to coordinate, following the Port Lands Acceleration Initiative Steering Committee model, the creation of a landowners' group consisting of property owners and long-term lease holders within the Port Lands in order to secure infrastructure cost sharing and front-ending agreements as well as other mechanisms for funding the infrastructure necessary for redevelopment and direct the landowners' group to report back on their progress within one year.

Further to the three information meetings held in late 2012 and early 2013, on July 25, 2013 some of our client group met with the City to discuss planning and development charge matters pertaining to the subject lands. Our clients advised the City that a landowners group was formed to review the changes proposed in the City of Toronto Development Charges By-law as it relates to the funding of required infrastructure for the subject lands. At our meeting on July 25, 2013 we also advised the City that at this time the group members are not in a position to provide any financial commitments of the nature sought by Council. Meaningful dialogue on infrastructure funding can only take place at such time as the precinct planning is completed, including the approval of EAs (Don Mouth Naturalization Plan and EA and Lower Don Lands Infrastructure Class EA) and the associated planning instruments to implement precinct plan concepts (i.e. Zoning By-laws), as it will be sufficiently informed by densities and land uses.

We are supportive of the work completed to date and look forward to more detailed information so that we can actively participate in the next phase of the Port Lands Acceleration Initiative. We would encourage the City to accelerate the EA and planning processes in order to better inform the next steps in the Port Lands and South of Eastern Area.

Yours truly,
TOWNSEND AND ASSOCIATES



Lyn Townsend

Cc: Rob Hatton, City of Toronto
SEPL Group and Consultants

Encl.

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BARRISTERS AND SOLICITORS

LYNDA J. TOWNSEND PROFESSIONAL CORPORATION

June 26, 2013

PLEASE REFER TO:

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SENT BY EMAIL

City of Toronto Executive Committee
Toronto City Hall
100 Queen Street West, 10th Floor, West Tower
Toronto, ON M5H 2N2

Attention: Ms. Kelly McCarthy, Committee Administrator
Members of City of Toronto Executive Committee

Dear Sirs and Mesdames:

**Re: City of Toronto Development Charge Background Study & Proposed By-law
South of Eastern Port Lands Landowners Group Inc.**

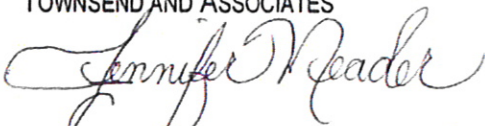
We are counsel to the *South of Eastern Port Lands Landowners Group Inc.* (SEPLG), which is a collection of private landowners and long term lease holders whom have formed a group to coordinate a comprehensive review of the City of Toronto Development Charge (DC) Background Study and proposed By-law as it relates to infrastructure requirements for our client's members. A map, setting out the location of the lands owned by SEPLG participating members, is attached to this correspondence as Appendix A. The land holdings of the SEPLG membership are substantial and total approximately 163 acres.

We are in receipt of the DC Background Study and proposed DC By-law, which were made available on June 18, 2013. We would like to advise the Committee that our client's consultant team is in the process of undertaking a detailed, technical review of the DC Background Study and proposed By-law. We will be meeting with City staff in the near future and will also be providing detailed comments in this regard. We look forward to working with City staff on addressing any issues affecting the SEPLG during this consultative process.

We note the final passage of the By-law is proposed for the October 8, 2013 meeting of City Council. We appreciate the City's accommodation in delaying the anticipated approval of the DC By-law in order to allow for additional consultation time to review and comment on the proposed DC.

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

Yours truly,
TOWNSEND AND ASSOCIATES

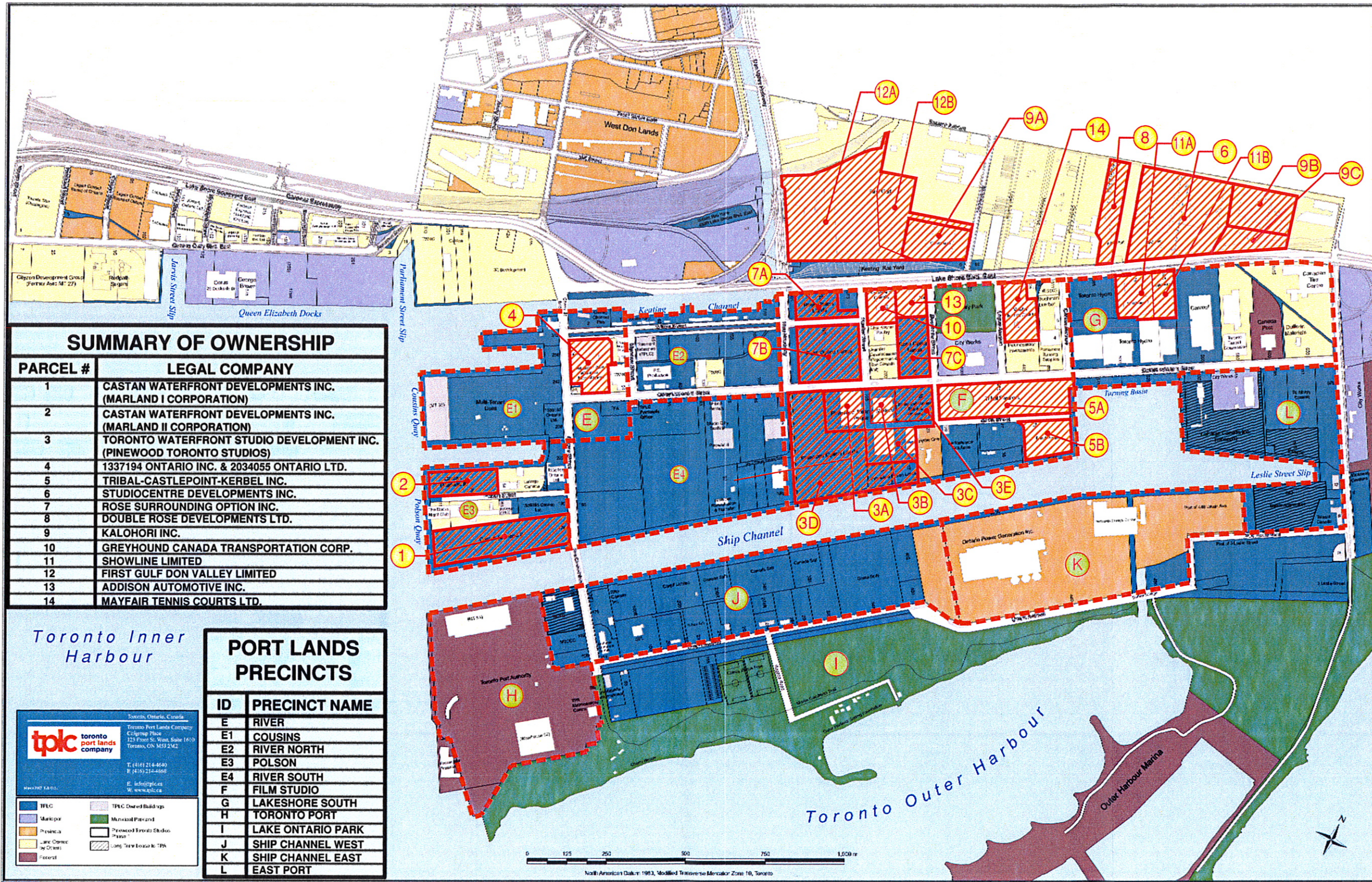


for: Lyn Townsend

cc. Rob Hatton, City of Toronto
Templar Tsang-Trinaistich, Delta Urban
Scott Cole, Cole Engineering
Jeannette Gillezeau, Altus Group
South of Eastern / Portlands Landowners Group Inc.

Encl. Appendix A – SEPLG Map

TORONTO PORT LANDS MAP - OWNERSHIP BOUNDARIES



SUMMARY OF OWNERSHIP	
PARCEL #	LEGAL COMPANY
1	CASTAN WATERFRONT DEVELOPMENTS INC. (MARLAND I CORPORATION)
2	CASTAN WATERFRONT DEVELOPMENTS INC. (MARLAND II CORPORATION)
3	TORONTO WATERFRONT STUDIO DEVELOPMENT INC. (PINWOOD TORONTO STUDIOS)
4	1337194 ONTARIO INC. & 2034055 ONTARIO LTD.
5	TRIBAL-CASTLEPOINT-KERBEL INC.
6	STUDIOCENTRE DEVELOPMENTS INC.
7	ROSE SURROUNDING OPTION INC.
8	DOUBLE ROSE DEVELOPMENTS LTD.
9	KALOHORI INC.
10	GREYHOUND CANADA TRANSPORTATION CORP.
11	SHOWLINE LIMITED
12	FIRST GULF DON VALLEY LIMITED
13	ADDISON AUTOMOTIVE INC.
14	MAYFAIR TENNIS COURTS LTD.

Toronto Inner Harbour

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TPIC
 TPIC Owned Buildings
 Municipality
 Municipal Precinct
 Precincts
 Proposed Toronto Studios "Phase"
 Long Term Lease to TPIC
 Forest

PORT LANDS PRECINCTS	
ID	PRECINCT NAME
E	RIVER
E1	COUSINS
E2	RIVER NORTH
E3	POLSON
E4	RIVER SOUTH
F	FILM STUDIO
G	LAKESHORE SOUTH
H	TORONTO PORT
I	LAKE ONTARIO PARK
J	SHIP CHANNEL WEST
K	SHIP CHANNEL EAST
L	EAST PORT

SCALE 1:12,500



COLE ENGINEERING
 75 VALLEYWOOD DRIVE, MARKHAM, ON L3R 4T5
 TEL: 905.477.1111 FAX: 905.477.1111
 PROJECT NO. LD13-0103
 DATE: JUNE 24, 2013
 SCALE: 1:12,500
 MAP - OB-PREC_REV1