



Blake, Cassels & Graydon LLP
Barristers & Solicitors
Patent & Trade-mark Agents
199 Bay Street
Suite 4000, Commerce Court West
Toronto ON M5L 1A9 Canada
Tel: 416-863-2400 Fax: 416-863-2653

Gerald S. Swinkin
Partner

Dir: 416-863-5845
gerald.swinkin@blakes.com

Reference: 35273/715

November 19, 2013

VIA E-MAIL

Chair and Members of the
Planning and Growth Management Committee
City of Toronto
100 Queen St. West
Toronto, Ontario
M5H 2N2

Attention: Ms. Nancy Martins
Committee Administrator

Re: Official Plan and Municipal Comprehensive Reviews:
Amendment to the Official Plan for Economic Health and Employment Land
Policies and Designations and Recommendations on Conversion Requests
PGMC Meeting - November 21, 2013 – Item PG 28.2

Dear Chair and Members of Committee:

We are counsel to Nestlé Canada Inc., the owner of lands at 72 Sterling Road (and associated parcels) and the operator of a major manufacturing facility at that location.

The purpose of this communication is to advise Committee that Nestlé Canada Inc. fully supports the recommendations in the Staff Report dated November 5, 2013 regarding the protection of employment designated lands within the Sterling/Perth Industrial Area in particular but also generally in the City in order to ensure the retention of areas that are conducive to industrial use and which are subject to policies that will exclude sensitive land uses and thereby protect against undue operating burdens on employment/industrial operators.

Nestlé Canada Inc. has been consistent in its opposition to the development applications which have been filed and pursued by Castlepoint Studio Partners Limited regarding their lands further north on Sterling Road, which applications are now before the Ontario Municipal Board. These applications to introduce residential uses into this Employment Area were refused by Planning and Growth Management Committee and City Council.

The principle of protection of Employment Lands is Provincially mandated and is a critical component to the health of the City's economy now and going into the future. We trust that Committee will be consistent with its past actions in its approach to the issue and will adopt the recommendations being made by Planning Department staff in the report now before Committee.

The pressure for conversion is undeniable, as reflected in the 116 requests for conversion addressed in the Staff report. The ongoing challenge to maintain the separation of sensitive uses from industrial uses is underlined here by the fact that within the November 5th Staff Report, in addition to the Castlepoint application for conversion, there is a further conversion request addressed which is on the immediate north boundary of the Nestlé Canada site, being the property municipally known as 128 Sterling Road (Ehrlich (128 Sterling) Limited).

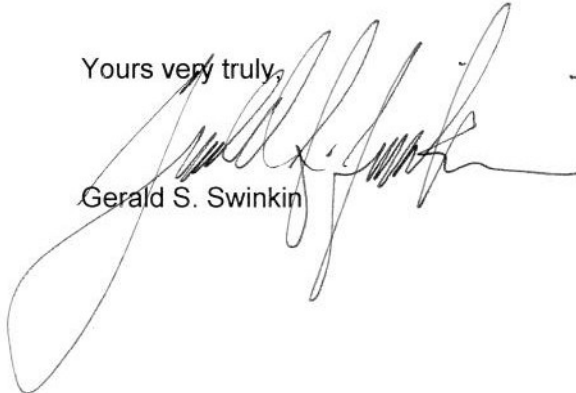
Once the door to change of use to sensitive uses is opened, the precedent is set, the pressure for conversion mounts and the erosion of the City's Employment Land base is inevitable. This is an outcome that we are well served to avoid.

Committee's consideration and ongoing commitment to protect the City's employment land base is most appreciated.

We would request being placed on the mailing list for notice of Council's decision in this matter.

Yours very truly,

Gerald S. Swinkin



GSS/ml

c: T. Ellwood
C. O'Brien
D. Butler
K. Voumvakis
P. Bain

22187512.1