Dear Ms. Ritz:

Re: Draft Official Plan Amendment – The Port Lands

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As you are aware, OPG has articulated its concerns through participation in the PLPF process and through its original appeals of the earlier policy documents. In reviewing the draft Official Plan Amendment for the Port Lands ("Draft OPA") many of OPG’s concerns clearly articulated in the OPG Appeals filed over 10 years ago continue to be unresolved. Specifically, the Draft OPA does not recognize the important existing land uses on OPG’s lands within the Port Lands. For example, the Portlands Energy Centre provides essential energy to the downtown core and will continue to do so for the extended future. The former Hearn Generating Station site is currently subject to a long-term lease and is presently used as a film studio, which is part of a billion dollar industry that is an important component of the Toronto economy. It is our respectful submission that the intended land uses proposed in the Draft OPA are in direct conflict with the continued uses on OPG’s lands and could create significant land use conflicts that are not in the public interest. The proposed new extension of Broadview Avenue onto OPG lands and the proposed realignment of Unwin Avenue would result in fragmented functionality of OPG lands and its ongoing uses, as well as create potential safety concerns.

We believe that the Draft OPA fails to acknowledge ownership of the OPG lands, as well as existing and long-term uses on these lands. We are attaching two plans, which illustrate the ownership of land in this area, being the OPG lands, the Hydro One lands and the TEDCO lands that are subject to a 999-year lease with OPG. It is clear from these plans that the proposed parks and open space system as well as the proposed cycling network occupies lands that are currently lands used by Hydro One for its high voltage switchyard and lands used by Portlands Energy Centre for its sub-station. The proposed cycle track and proposed Unwin Avenue realignment bisects OPG’s lands and would create safety issues, land use conflicts and negatively impact the functionality of the site.

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a) Public event gathering space;

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Further to our concerns identified on Schedule A, the generous provision of open space on the west and south facades of the Hearn Station building may not be compatible with existing uses at site. For instance, the maintenance work on Hydro One’s transmission equipment and the tenant’s use of the Hearn property may conflict with public events/seating areas.

A provision should be added to this draft policy to specify that the proposed uses will only be considered at such time as the existing uses discontinue or appropriate mitigation measures are installed to protect the public from noise and/or air emissions.

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As noted in my correspondence dated April 12, 2017, both my client and I continue to welcome an opportunity to meet with City staff to discuss our concerns with the proposed draft OPA as it affects OPG’s lands. We look forward to hearing from you.

Yours very truly,

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McMillan LLP | Brookfield Place, 181 Bay Street, Suite 4400, Toronto, Ontario, Canada M5J 2T3 | t 416.865.7000 | f 416.865.7048
Lawyers | Patent & Trade-mark Agents | Avocats | Agents de brevets et de marques de commerce
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Potentially Contaminated Lands to be Conveyed to the City under the Planning Act”.

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Cycling Network

Legend
- OPG Ownership
- Hydro One
- TEDCO (TPLC) 999 Year Lease to OPG

Proposed/Planned
- Priority Raised Cycle Track
- Optional Raised Cycle Track
- Multi-use Trail
- Water's Edge Promenade
- Trail

Protected for Future Cycling/Pedestrian Connection

Existing
- Cycle Track
- Lanes / Sharrow
- Multi-use Trail
- Trail
- Improved/Realigned Existing Multi-Use Trail

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, MapmyIndia, and the GIS User Community