

October 1, 2019

Our File: 124695

BY EMAIL

[councilmeeting@toronto.ca](mailto:councilmeeting@toronto.ca)

Your Worship, Mayor John Tory and Members of City of Toronto Council

Attention:  
City Clerk Secretariat  
c/o Marilyn Toft  
12<sup>th</sup> Floor, West Tower, City Hall  
100 Queen Street West  
Toronto ON M5H 2N2

Dear Mayor and Members of Council

**Re:        Statutory Public Meeting  
          City Initiated Amendment of Zoning By-law 569-2013  
          Planning Application No. 14 266183 STE 30 OZ  
          100-150 Cherry Street (west side)  
          151-171 Cherry Street (east side)  
          100 – 400 Unwin Avenue (north side) 600 Unwin Avenue  
          3-20 Leslie Street (west side), 5-7 Leslie Street (east side)  
          500 – 650 Commissioners Street (north side)  
          515-675 Commissioners Street (south side)  
          885-1015 Lake Shore Boulevard East (south side)**

**Agenda Item TE8.13  
Port Lands Zoning Review Study – Final Report  
Ward 14**

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At its meeting September 16, 2019 Toronto and East York Community Council adopted the above noted item without amendment.

The City Planning Division report recommends four (4) zoning by-law amendments to Zoning By-law 569-2013: Warehouse District Zoning By-law Amendment, East Port and South Port Zoning By-law Amendment, Maritime Hub Zoning By-law Amendment, and Open Space Zoning By-law Amendment.

We act for Manufacturers Life Insurance Company which holds a long-term land lease with respect to properties in Polson Quay, municipally known as 20 Polson Street and 176 Cherry Street, within the Port Lands.

The proposed amendments to Zoning By-law 569-2013 do not amend the zoning of our client's land lease holdings. However, our client is a party to the proceedings of the Local Planning Appeal Tribunal ("LPAT") Case No(s): PL030514 et al, which has scheduled a further

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prehearing conference on December 10, 2019 and has reserved twenty (20) days commencing September 1, 2020 for a Phase One Hearing pertaining to issues listed under the category of Land Use and Street Network, and Building Heights. Our client has a strong interest with planning initiatives in the Port Lands.

At this time, City Legal Services and the parties are settling a Draft Procedural Order, a Cross Referenced List of Issues and a Work Plan proceeding towards the Phase One Hearing. Unless altered by the Tribunal, our understanding is that the Phase One Hearing will deal with the Port Lands as a single geographic area. Our client is engaged with City Legal Services in their coordinated efforts to move these proceedings forward. We do not know at this time if the proposed zoning amendments will be included in any future Issues List. One of the important land use considerations with the Port Lands is the location of port user and industrial operation activities. The proposed zoning amendments will be relevant to these discussions by all parties. The City has determined that the East Port, the South Port and the Warehouse District will continue to serve Toronto's port and industrial needs. We note that in the East Port and the South Port, an Asphalt Plant, Cement Plant and Concrete Batching Plant are proposed permitted uses. Our client has a strong interest in whether this strategy has been accompanied by a relocation strategy for such uses outside of these districts .


At the present time, Zoning By-law 569-2013 does not apply to lands within the Central Waterfront Secondary Plan area. Procedurally, we have concerns regarding the manner in which the carrying forward of the proposed zoning of individual districts within the Port Lands under By-law 569-2013 will be coordinated to supersede the regulations of By-law 438-86 which remain in place for the balance of the Waterfront. Nothing in By-law 569-2013 repeals the provisions of the former General Zoning By-laws. By-law 569-2013 supersedes the former General By-laws where it applies, but By-law 569-2013 does not apply to lands depicted on the zoning maps in Section 990.10 with diagonal hatching and the name and number of one of the former General Zoning By-laws. The proposed amendments will remove the diagonal hatching on the overlay maps of the subject lands. The proposed zoning recommendations do not propose to amend By-law 438-86 in any complementary manner.

Please provide the undersigned with Notice of Council's Decisions(s) and Notice of the Passing of any Zoning By-law Amendment(s) pertaining to Agenda Item TE8.13 Port Lands Zoning Review Study – Final Report.

Thank you for your consideration.

Yours truly,

AIRD & BERLIS LLP

  
Christopher J. Williams

c. Manufacturers Life Insurance Company

CJW/RD/rd

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