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March 8, 2022

Our File Nos. 139337/147488

By E-Mail
councilmeeting@toronto.ca

Mayor John Tory and Members of Council
City of Toronto
12th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Mayor Tory and Members of Council:

**Re: City Council Meeting - March 9, 2022
Item No. PH31.1: Development in Proximity to Rail: Amendment to the Official Plan
- Final Report**

We represent 2495965 Ontario Inc., being the registered owner of 39 Newcastle Street, and 2402871 Ontario Inc., being the registered owner of 327 Royal York Road. Both of these properties are adjacent to the Mimico GO Station.

We have reviewed the above-noted Final Staff Report and the draft Official Plan Amendment (“OPA”). We request that the draft Official Plan Amendment be revised to clarify that, where a rail safety study has been prepared and accepted as part of a rezoning application (“ZBA Rail Safety Report”), a rail safety report prepared as part of a future site plan approval application is required only for the purpose of confirming that the rail safety measures recommended by the ZBA Rail Safety Report have been incorporated into the drawings submitted for site plan approval.

As currently drafted, the OPA suggests that the City could reassess the rail safety measures as part of the site plan approval process even where an acceptable ZBA Rail Safety Report has already been prepared, which is not, or should not, be the intention of this proposed amendment. Accordingly, prior to City Council’s adoption, we ask that the necessary revisions be made to the OPA to address the concern raised herein.

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Please contact the undersigned should you have any questions.

Yours truly,

AIRD & BERLIS LLP

A handwritten signature in black ink, appearing to be 'MB' with a long, sweeping flourish extending to the right.

Maggie Bassani
Partner

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