

Calvin Lantz  
Direct: (416) 869-5669  
Fax: (416) 947-0866  
E-mail: CLantz@stikeman.com

**BY E-MAIL**  
**councilmeeting@toronto.ca**

December 12, 2023  
File No.: 043970.1006

Mayor and Members of Council  
City of Toronto  
Toronto City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

Attention: Ms. Sylwia Przewdziecki, Manager

**Re: Item TE9.13**  
**1-7 Yonge Street, Phases 2 and 3**  
**Official Plan Amendment and Zoning Amendment Applications**  
**Redpath Sugar Ltd.**

We are solicitors for Redpath Sugar Ltd. ("Redpath"), the owner and operator of the sugar refinery, heavy industrial use located at 95 Queens Quay East, in proximity to 1-7 Yonge Street, Phases 2 and 3 that are the subject of the above-noted Official Plan Amendment and Zoning By-law Amendment ("OPA/ZBA") application. In June, 2023, Redpath filed concerns with City staff concerning air quality aspects of this OPA/ZBA application that do not comply with the applicable Minutes of Settlement<sup>1</sup>.

The City Staff Report, "1-7 Yonge Street, Phases 2 and 3 – Official Plan Amendment and Zoning By-law Amendment Applications – Decision Report – Approval", tries to address Redpath's concerns with the following statement:

"Additional review and mitigation measures in relation to Redpath and the additional storeys will be secured through Site Plan Approval. An additional review can also occur at the building permit stage, as per the Three Party Agreement between the City, landowners, and Redpath."

The applicant has not demonstrated that the additional height and density being sought through this OPA/ZBA can be mitigated at-receptor for air quality in compliance with the Minutes of Settlement – this is a feasibility threshold.

Until the applicant's air quality model(s) and Emission Studies are appropriately updated and the Architectural Drawings clearly indicate the necessary at-receptor mitigation (or it is captured in the OPA/ZBA instruments), the OPA/ZBA is not compliant with the Minutes of

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<sup>1</sup> Three Party Agreement between the City of Toronto, Redpath Sugar Ltd. and Pinnacle International (One Yonge) Ltd. and Pinnacle International (Seven Yonge) Ltd. (collectively referred to as "Pinnacle") (the "Minutes of Settlement").

Settlement and potentially puts Redpath at risk. It is premature to approve the OPA/ZBA at this time.

Please provide us with notice of Council's decision on this matter.

If you have any questions or require any further information, please contact me to discuss. Thank you for your attention to this matter.

Yours truly,



Calvin Lantz

CWL/nla

cc. G. Pantazis, City of Toronto Community Planning (George.Pantazis@toronto.ca)  
J. Park, Kagan Shastri DeMelo Winer Park LLP (jpark@ksllp.ca)  
B. Sadler, Redpath Sugar Ltd.  
A. Lightstone, Valcoustics Canada Ltd.  
T. van der Vooren, WSP E&I Canada Limited