

June 12, 2024

By E-Mail: phc@toronto.ca

Planning and Housing Committee
City of Toronto
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Nancy Martins

Dear Members of the Planning and Housing Committee:

**Re: Item PH13.2 – Villiers Island Precinct – City-initiated Official Plan and Zoning
By-law Amendment – Decision Report – Approval**

Aird & Berlis LLP represents 2034055 Ontario Limited and 1337194 Ontario Inc. (collectively, our “**Client**”). Our Client is the owner of lands within the City of Toronto municipally known as 309 Cherry Street (the “**Site**”).

Brief Description of Site

The Site is located within the Villiers Island Precinct Plan Area of the Port Lands, with frontages along Villiers Street, Commissioners Street, Cherry Street and the future Foundry Street. A future Centre Street (east-west) will bisect the Site, creating two distinct development blocks – a northerly block bounded by Villiers Street, Cherry Street, and the future Centre Street and Foundry Street (the “**North Block**”) and a southerly block bounded by Cherry Street, Commissioners Street, and the future Centre Street and Foundry Street (the “**South Block**”).

The Site contains the former Canadian Oil Companies Warehouse and the former Bank of Montreal Building, both of which have been designated under Part IV, Section 29 of the *Ontario Heritage Act*. The Site is presently being used for a mix of industrial and temporary uses.

Context and Background Regarding the Villiers Island Precinct Plan and Port Lands OPM

The Villiers Island Precinct Plan was endorsed by City Council in December 2017. It provides the vision and planning framework for the development of Villiers Island and the Precinct Plan sets out a number of guiding principles.

The Port Lands OPM was also approved by City Council in December 2017. This OPM modified OPA 257, referred to as the Central Waterfront Secondary Plan (the “**CWSP**”). The Port Lands OPM was appealed by a number of parties including our Client. The hearing of the Port Lands OPM was divided into a series of phases. Phase 1 focused on land use and transportation issues and was concluded by way of a settlement reached among the parties, resulting in an OLT Decision and Order issued May 18, 2021. Phase 2 focused on built form, heritage, community services and facilities, views, sustainability and biodiversity issues. Phase 2 similarly concluded

by way of a settlement, resulting in an OLT Decision and Order issued July 11, 2022. In both cases, our Client supported the settlements achieved amongst the City and the various parties.

In terms of the Port Lands OPM appeals, there remains outstanding a small number of contested policies related to growth funding tools, including the City's former Section 37 (i.e. bonusing) policies, which our Client has maintained under appeal.

Current Proposed Amendments to the Port Lands Official Plan Modification ("OPM")

Our Client has reviewed the Villiers Island Precinct - City-Initiated Official Plan and Zoning By-law Amendment - Decision Report prepared by the Interim Chief Planner and Executive Director, City Planning and the associated draft Official Plan Amendment ("**draft OPA**") (Attachment 10). Our Client is in support of the draft OPA in Attachment 10, subject to a technical correction changing the policy reference in Section 23 from Policy 8.5 to Policy 8.4 as per the below:

23.Amendment to Port Lands Area Specific Policy **8.5 8.4.** to add "unless otherwise secured, to the satisfaction of the Chief Planner and Executive Director.

We note that the draft Zoning By-law Amendment as filed does not contemplate the inclusion of our Client's Site and accordingly, our Client takes no position with respect to this instrument at this time. However, our Client does hereby reserve its rights to make further submissions and/or file appeals to the OLT should the draft OPA or the draft ZBA be amended by City Council in a manner that materially affects the future development of the Site.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

AIRD & BERLIS LLP



Sidonia J. Tomasella
SJT/JCMF

cc: Patrick Harrington, Aird & Berlis LLP
Clients

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