

Planning and Growth Management Committee - PG21.1 - Comprehensive Zoning Bylaw - 158, 164, 181 and 200 Sterling Road - February 13 and March 6 PGMC Meetings

From: Alan Heisey <heisey@phmlaw.com>
To: "'pgmc@toronto.ca'" <pgmc@toronto.ca>
Date: 2/12/2013 4:24 PM
Subject: PG21.1 - Comprehensive Zoning Bylaw - 158, 164, 181 and 200 Sterling Road - February 13 and March 6 PGMC Meetings
CC: "councillor_bailao@toronto.ca" <councillor_bailao@toronto.ca>
Attachments: image001.jpg; 158 Sterling.pdf; 158 Sterling Road ltr march 8, 2011.pdf; Sterling ltr to Chair Milczyn Nov 7 12.pdf

Chair Milczyn and Members of the Committee

Please be advised that we are the solicitors for Castlepoint Studio Partners Limited the owners of 158, 164, 181 and 200 Sterling Road.

We have written to the Committee previously expressing our client's concerns with the draft bylaw and its predecessor Bylaw 1156-2010.

The previous communications together with a response received from City Planning Staff are attached to this email.

Our client maintains its concerns with the new Comprehensive Zoning Bylaw which takes away long standing use permissions and fails to recognize the existing historical structure on the site the Tower Automotive Building.

We would request the Committee adopt a height limit exception in the bylaw for our client's properties to recognise the existing Tower Automotive Building and the previously existing heritage industrial buildings on the properties, restore the permitted uses proposed to be removed and permit a Church as a permitted use for the properties.

Kindly acknowledge receipt of this email in writing.

Please provide the author with notice of any bylaw passed pursuant to this review.

A. Milliken Heisey Q.C.

Papazian | Heisey | Myers, Barristers & Solicitors

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Jennifer Keesmaat, Chief Planner & Executive Director
City Planning Division

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January 23, 2013

VIA ELECTRONIC MAIL

Mr. Milliken Heisey
Papazian, Heisey Myers Barrister & Solicitor
Standard Life Centre, Suite 510
121 King Street West
P.O. Box 105
Toronto, Ontario
M5H 3T9

Dear Mr. Heisey,

RE: 158, 164, 181 and 200 Sterling Road

Further to your letter dated November 7, 2012, I am writing regarding your concerns about the 23 metre height limit, the removal of permission for specific uses and adding permission for places of worship in the Employment (E) zone.

In consultation with the Official Plan Team, clinics, community health centres, day nurseries, union halls, personal grooming establishments, tailor shops, veterinary hospitals and education use are considered retail uses or sensitive uses that are not compatible with manufacturing uses found in the (E) zone. For this reason they have not been carried forward into the new E zone as permitted uses. Each site in an E zone must provide on-site parking. Public parking and uses servicing the public are not permitted in an E zone as they are not considered an employment use

In the E zone, police stations, retail service, and transportation uses are permitted in the E zone. A brew-on-premise establishment is considered a manufacturing use and is permitted in the E zone.

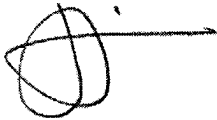
The maximum permitted gross floor area for an eating establishment has been reduced from 475 metres square to 300 metres square for a standalone establishment and increased to a maximum of the greater of 500 metres square or 10% of the building. The Official Plan Team considered this maximum size appropriate to service the needs of uses located in this zone without becoming a destination for the general public.

The maximum height (23 metres) for this property is the existing maximum height for this property found in By-law 438-86. No site specific by-law was found changing this maximum height. Regulations 60.20.40.11 (1) & (2) exempt lawfully existing buildings from the maximum height regulation. This regulation is intended to prevent the existing building from becoming legal non-conforming.

A place of worship is not permitted on this site under the current zoning in By-law 438-86. In consultation with manufacturing groups and faith groups it has been agreed that places of worship are a sensitive use and not a compatible use in an E zone. This use will not be added to the list of permitted uses in the E zone.

If you have any additional comments, suggestions or questions with respect to this letter, please contact the assigned planner in my office, Lorne Berg, at 416-392-0189 or lberg@toronto.ca.

Yours Truly,

A handwritten signature in black ink, consisting of a stylized, overlapping circular shape followed by a horizontal line extending to the right.

Joe D'Abramo
Acting Director, Zoning By-law Project & Environmental Planning
City Planning Division

cc. Tom Wall, Legal Services