

LORNE ROSS PLANNING SERVICES INC.

36 Saratoga Drive, Scarborough, ON, M1P 4J1
Tel: 416-289-2789 e-mail lrps@sympatico.ca

February 18, 2013.

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Frances Pritchard
Planning & Growth Management
Toronto City Hall
100 Queen Street West, 10th Floor
Toronto ON
M5H 2N2

FEB 21 2013

**RE: OBJECTION TO PROPOSED CITY-WIDE ZONING BY-LAW
844940 ONTARIO INC - LOT 32 RCP 9828
EAST SIDE OF KENNEDY ROAD NORTH OF McNICOLL**

Dear Ms Pritchard:

Lorne Ross Planning Services Inc has been retained by 844940 Ontario Inc with respect to the City of Toronto's proposed comprehensive Zoning By-law with respect to their property described above.

Please consider this an objection to the proposed zoning of my client's property.

Map 685 attached to the proposed Zoning By-law places an E-Employment Zone on the front half of the subject property, nearest to Kennedy Road, and an EH-Heavy Employment Zone on the rear half of the site.

Our concerns can be substantially resolved were the entire property placed in an E-Employment Zone.

Given the breadth and scope of the proposed By-law it may well be that the proposed EH zoning on the rear half of the relatively small site arises from a misconstruction of the existing zoning and incomplete understanding of existing conditions in the surrounding area, as set out below.

Site Context

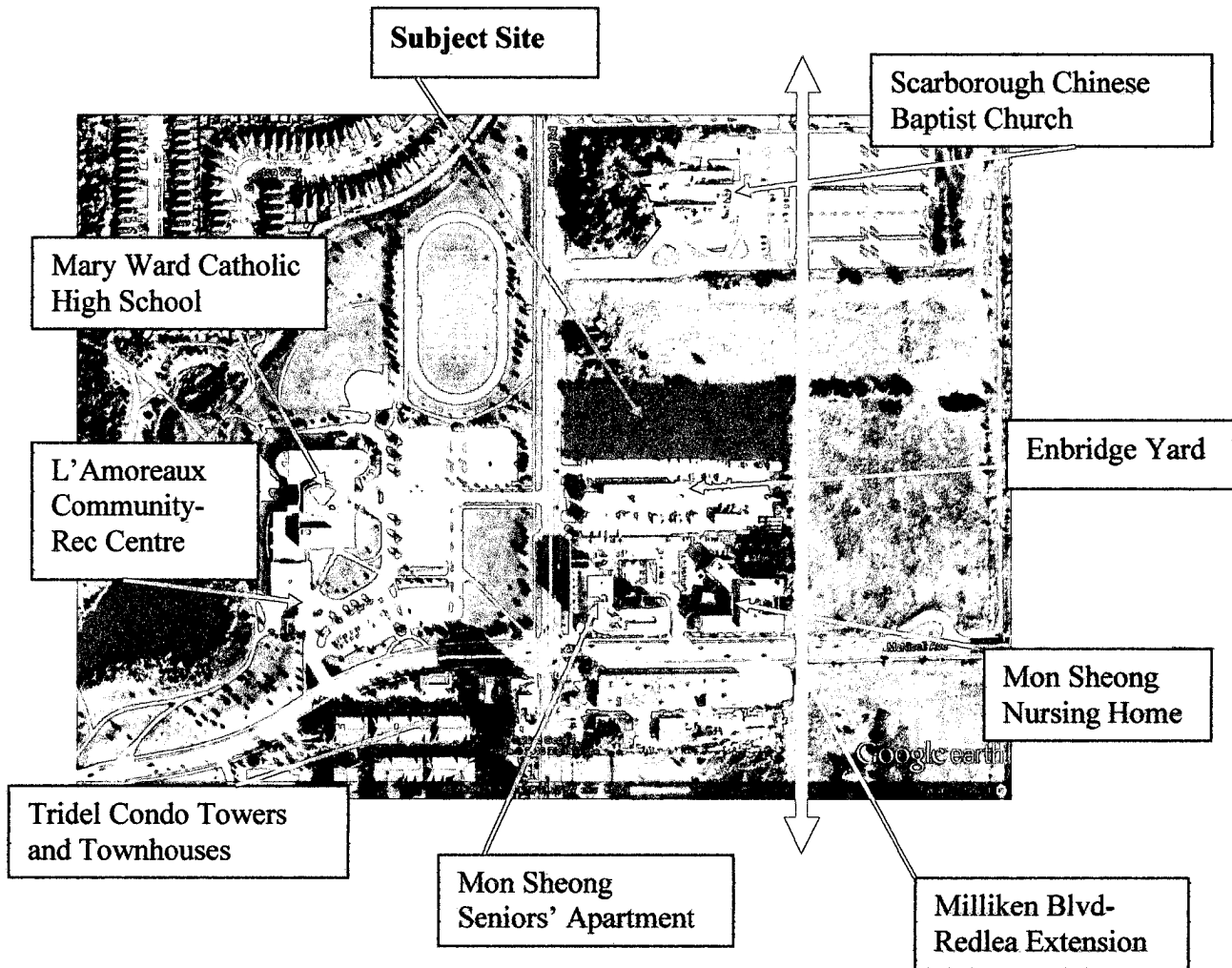
The subject property, shown in blue below, has 60m frontage on the east side of Kennedy Road, north of McNicoll Avenue, and a depth of +/- 200m.

- To the immediate north and east of the site are vacant lands owned by the City/TTC. The next property to the north, approximately 100m away, has developed as the Scarborough Chinese Baptist Church.
- The property adjacent to the south is a maintenance and construction equipment storage yard for Enbridge. The next property to the south, approximately 70m away, is the 11 storey Mon Sheong seniors' apartment and 4 storey nursing home complex.
- Directly across Kennedy Road are the Mary Ward Catholic Secondary School and L'Amoreaux Community and Recreation Centre complex.

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- The south west corner of Kennedy and McNicoll has been developed by Tridel with a 15 storey condominium apartment and 3 storey townhouses.



Milliken Boulevard-Redlea Extension

Schedule 2 to the Official Plan, "Planned but Un-built Roads", commits the City to extending Milliken Boulevard from its present terminus just south of the Ontario Hydro right of way, north to Redlea Avenue. The Environmental Assessment was completed in 2007 and a route approved which runs north south immediately east of the rear lot line of the subject property. When completed Milliken-Redlea will be a continuous two lane street with centre left turn lane road connecting Steeles to McNicoll to Finch.

Existing Official Plan

Due to the site's location on a major street forming the boundary of an Employment area, the existing Official Plan provides for industrial uses, offices, places of worship, business and trade schools and recreation and entertainment uses. The site is also subject to Site

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and Area Specific Policy 104. This policy reiterates the permission of places of worship and business and trade schools and in addition permits development of fraternal organizations and long term care facilities.

Policy 104 applies not only to the subject property but also to all lands in the district fronting onto Steeles, Kennedy, Midland and Finch as well as both sides of McNicoll Avenue. [See SASP Policy 104 attached] It is under this policy that the Scarborough Chinese Baptist Church and the Mon Sheong seniors' apartments and nursing home have been permitted in very close proximity to the subject site.

The proposed By-law removes existing as-of-right zoning for day nurseries/day care, places of worship, and education/training facility uses from the entire property, contrary to the Official Plan policies.

Further with respect to office and/or recreational facilities development, the existing zoning permits these uses on the entire site. The proposed By-law would permit offices and recreational uses only on half of the site.

The proposed By-law would therefore impose a significant and material reduction in the as-of-right development potential of the site.

Inappropriate Visions for Future Development

The range and type of uses proposed under the Heavy Industrial Zone for the rear half of the site may be appropriate elsewhere in the City where it is appropriate to permit major sources of noise, vibration, outdoor operations or other disruptive industrial activities. It is not however an appropriate Zone for the subject site given its exposure to a major arterial road and its proximity to sensitive land uses such as nursing homes, senior citizens' apartments, places of worship, high schools, community centres and residential uses. No 'heavy industrial' business would even consider buying-building on such a site nor would it be desirable to see that occur.

A Heavy Industrial Zone is also inconsistent with Site and Area Specific Policy 104's permission of sensitive land uses along both the Kennedy and McNicoll frontages.

Inconsistent with Proposed Official Plan Designation

The Official Plan Review-Municipal Comprehensive Review of Employment Areas released proposed land use designations for all employment areas, including the subject Milliken Employment District in the Staff Report dated October 2012.

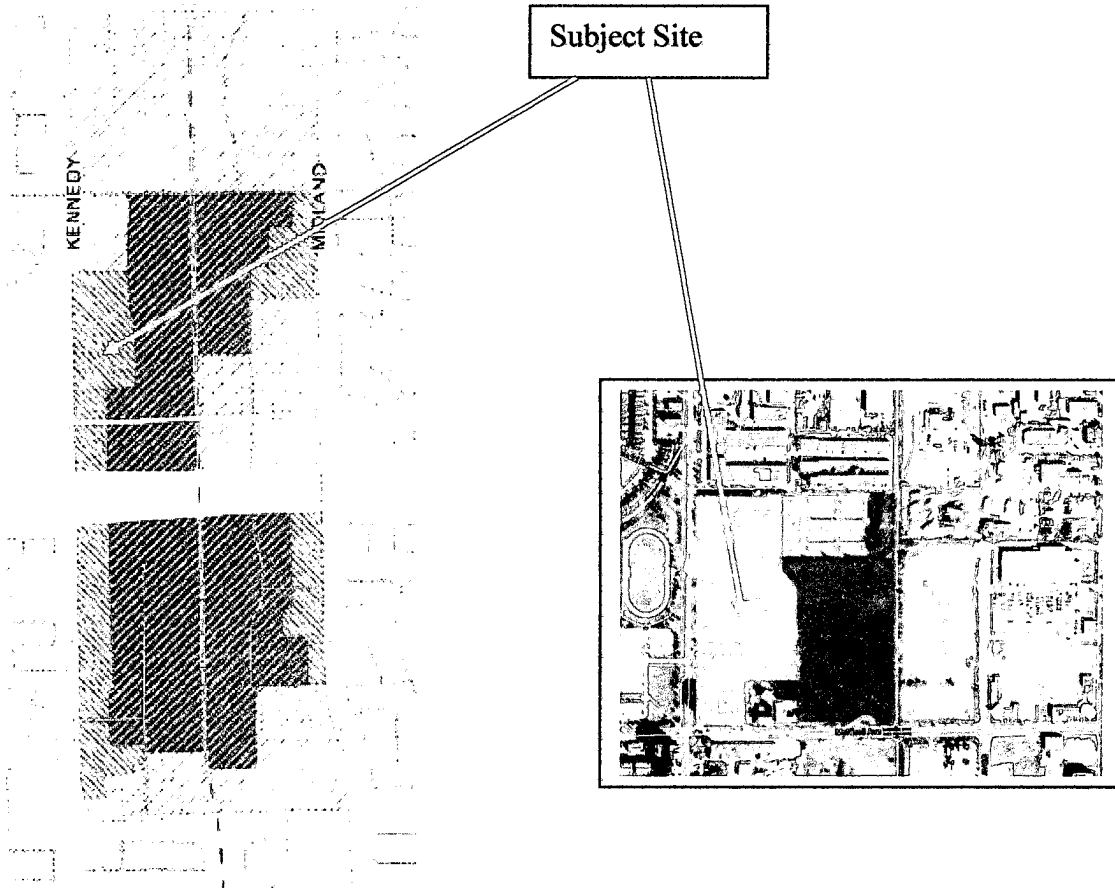
Map 7 of the Staff Report proposes a General Employment designations extending east from Kennedy Road, half way to the GO rail corridor. The proposed General Employment designation applies to the whole of the subject property. This designation provides for offices, industrial-warehousing uses, hotels, recreation and entertainment uses, education and training facilities and restaurant uses in addition to small scale shops and services. Places of worship and large scale stand alone commercial developments as

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well as power centres are provided for subject to certain policies. East of that designation, on lands owned by the City-TTC is a proposed Core Employment designation which provides for 'heavy industry'.

I have interpreted Map 7 to the air photo below with the proposed Core Employment in blue and the proposed General Employment in yellow.



It is my submission that a Heavy Industrial Zone is not appropriate and will not attract heavy industrial users to this area in view of the sensitive land uses which have been built in close proximity, which are permitted by existing zoning, and which are provided for in the Official Plan. Having said that, should the City wish to place a Heavy Industrial Zone in this area, it should be east of the Redlea extension and not on the subject site.

We are therefore obliged to object to the proposed By-law.

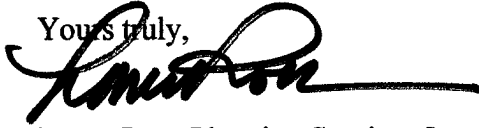
We respectfully request Committee to direct staff to come up with revised zoning which implements the Official Plan, does not remove present zoning, which is consistent with Staff proposed Official Plan designations arising from the Municipal Comprehensive

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Review and which provides a range of uses cognizant of the location and sensitive land use context of the subject site.

Yours truly,



Lorne Ross Planning Services Inc.

CC: Mr. J. D'Abramo, Manager, City Planning
Mr. Chin Lee, Councillor, City of Toronto

Attachments:

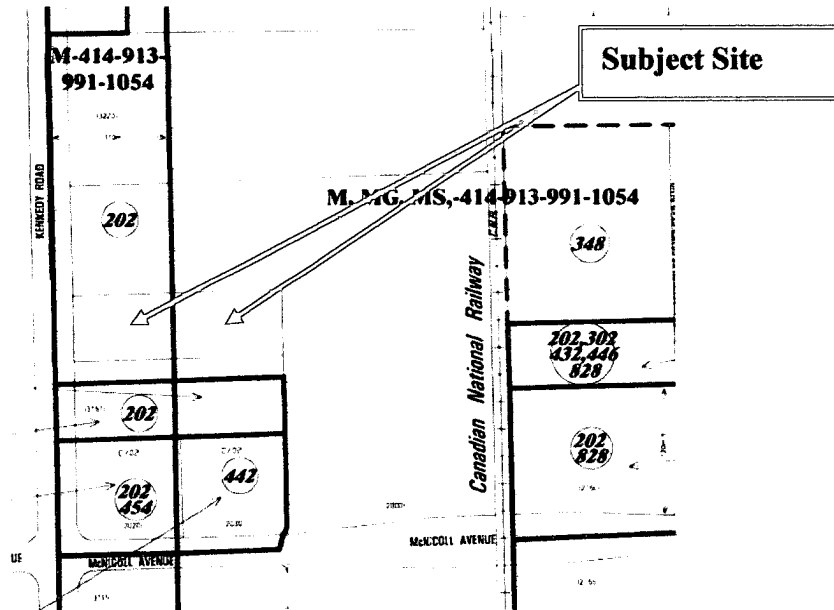
1. Site and Area Specific Policy 104.
2. Summary of existing zoning – By-law 24982
3. Zoning Map 685

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Exiting Zoning:

The front portion of the property, to a depth of +/- 92m is zoned M-Industrial Uses. The remaining depth of the property is zoned M-Industrial Uses as well as MG-General Industrial and MS- Special Industrial, as shown on the extract of the Zoning map below.



Permitted Uses

M- Industrial Uses Zone

1. Educational and Training Facility Uses
2. Industrial Uses
3. Offices, excluding medical and Dental offices
4. Places of Worship
5. Recreational Uses
6. Day Nurseries.

MG-General Industrial Zone

Permits exactly the same as M-Zone uses plus open storage

MS- Special Industrial Zone

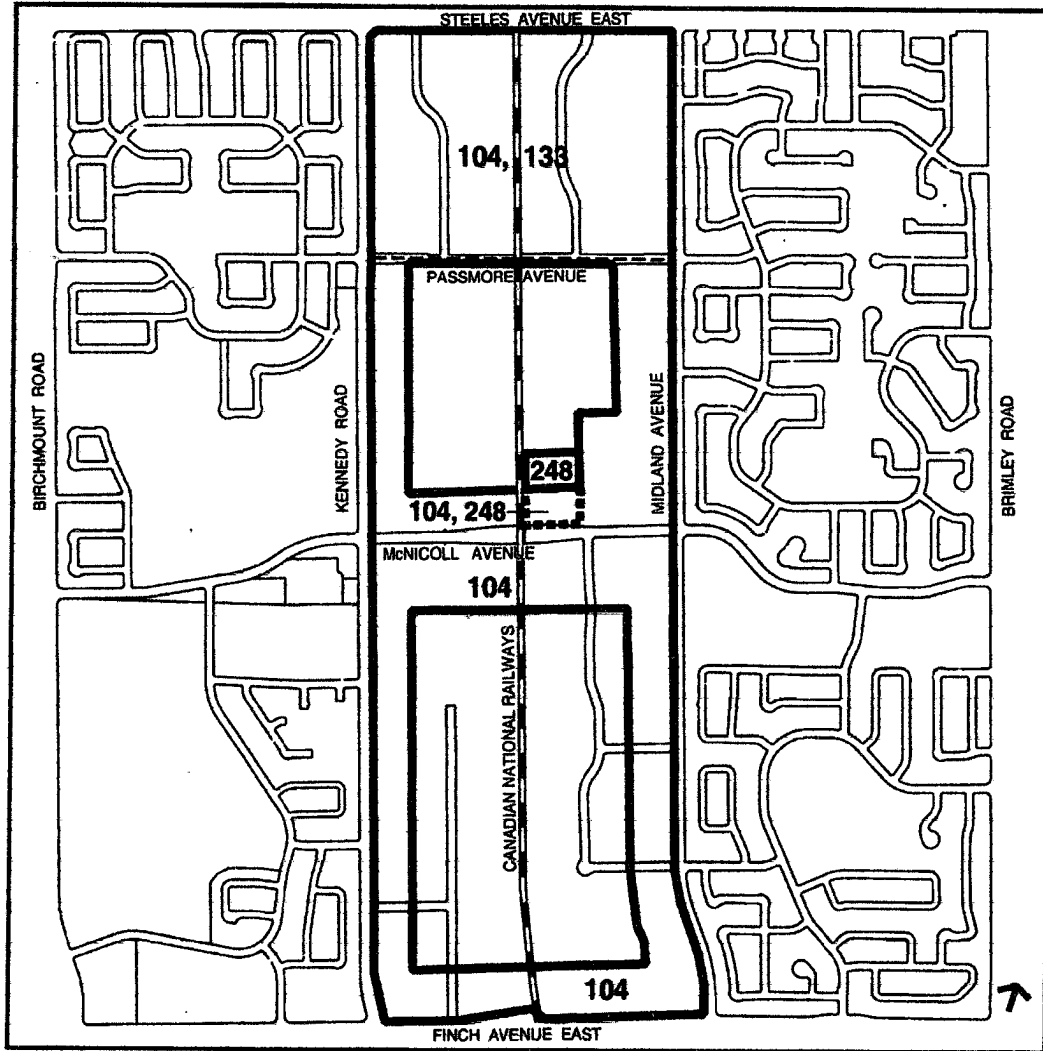
Permits exactly the same as the m and MG Zones plus Special Industrial uses defined as chemical manufacturing-processing-warehousing and also Metal-mineral-ore smelting.

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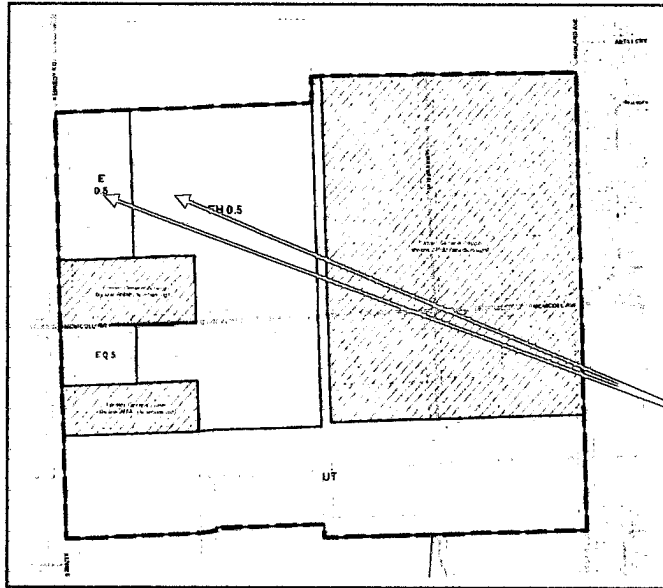
- 104. Lands Bounded by Steeles Avenue, Kennedy Road, Passmore Avenue and Midland Avenue, and Along Midland Avenue, Finch Avenue, Kennedy Road and McNicoll Avenue Frontages, South of Passmore Avenue**

Business and trade schools, libraries, fraternal organizations, long term care facilities, recreational uses and places of worship are permitted.



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Proposed Zoning Map 685

Subject Site