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Planning and Growth Management Committee
City of Toronto
Toronto City Hall, 10th Floor, West Tower
100 Queen Street West
Toronto, Ontario M5H 2N2

Attention: Chair and Members of the Planning and Growth Management Committee

Dear Chair and Members of the Committee,

**Re: 956 Islington Avenue
Item No. PG21.1 – Final Report on the City-wide Zoning By-law
City File No: A108/12EYK**

We are the solicitors acting on behalf of Candykerr Limited (“Kerr”) with respect to the above referenced matter.

Kerr is the owner of lands located in the City of Toronto on the west side of Islington Avenue between Nordin Avenue and Jutland Road, municipally known as 956 Islington Avenue (the “Site”). The Site is approximately 4 acres in size.

We are writing herein to respectfully request that the whole Site be excluded from the new Zoning By-law. (In this regard we note that a portion of the Site is already proposed to be excluded from the Zoning By-law.)

As this Committee may be aware, our client is currently participating in the current “Five Year Review of the Official Plan and Municipal Comprehensive Review”. In this regard we note that it would be inappropriate to zone a portion of the Site “E 1.0” given the recent set of recommendations that are still before the Committee with respect to the “Five Year Review of the Official Plan and Municipal Comprehensive Review”.

Background

This Site currently has a split Official Plan designation and a split Zoning By-law designation.

More specifically, the frontage of the Site and the lands north to Jutland Road are designated “Mixed Use” in the City of Toronto Official Plan. To the south of the Site, the lands are designated “Neighbourhoods”. Lands to the rear of the “Mixed Use” designation are designated “Employment

Areas". The Site is surrounded on three sides by sensitive land uses. The playground area of the school yard directly abuts the Site. The priest associated with Holy Angels School lives in the Rectory. The backyards of homes on Nordin Avenue back onto a significant portion of the Site.

City's Five Year Review of the Official Plan and Municipal Comprehensive Review

As part of the City's "Five Year Review of the Official Plan and Municipal Comprehensive Review" Kerr has requested that the City redesignate the portion of the Site not already designated as so, *Mixed Use Areas*.

Islington Avenue is evolving from a primarily industrial/commercial strip to a more mixed use urban residential corridor. To the north of the Site at Norseman Street, the former Sunbeam Factory was recently rezoned to permit approximately 250 townhouse units along Islington Avenue. Further north, a former commercial site was redeveloped for townhouse units.

This change in character is reflected in the Official Plan designation of Mixed Use along Islington Avenue. However, the depth of the Mixed Use designation varies along Islington Avenue. For example, the Mixed Use Area that extends north from the hydro corridor to Norseman Street, which includes the Sunbeam property, extends to a depth that would be comparable to the depth of the subject Site. Given that the entire depth of subject Site is adjacent to sensitive land uses including residential, it is considered appropriate to consider a Mixed Use designation for the depth of the Site, to the same extent as the designation north of the hydro corridor.

Summary

A portion of the Site has been excluded from the Zoning By-law. The other portion of the Site is proposed to be zoned Employment Industrial. Committee and Council have yet to determine whether the portion of the Site not already so designated should be re-designated *Mixed Use Areas* through the "Five Year Review of the Official Plan and the Municipal Comprehensive Review". We believe the request to redesignate the Site *Mixed Use Areas* is supportable and anticipate a positive response to that proposal.

In the absence of a determination from the Committee and Council with respect to Kerr's recommendations with respect to the "Five Year Review of the Official Plan and the Municipal Comprehensive Review" the total Site should be excluded from the Zoning By-law.

We hope that you will find the above of some assistance in your consideration of this matter.

Please do not hesitate to contact the undersigned should you have any questions or concerns.

Yours truly,
BRATTYS LLP

Per:
Barry A. Horosko
/cf

