

LORNE ROSS PLANNING SERVICES

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February 28, 2013.

Ulli S. Watkiss
City Clerk, City of Toronto
13th Floor W – 100 Queen Street West
Toronto M5H 2N2

2013-921

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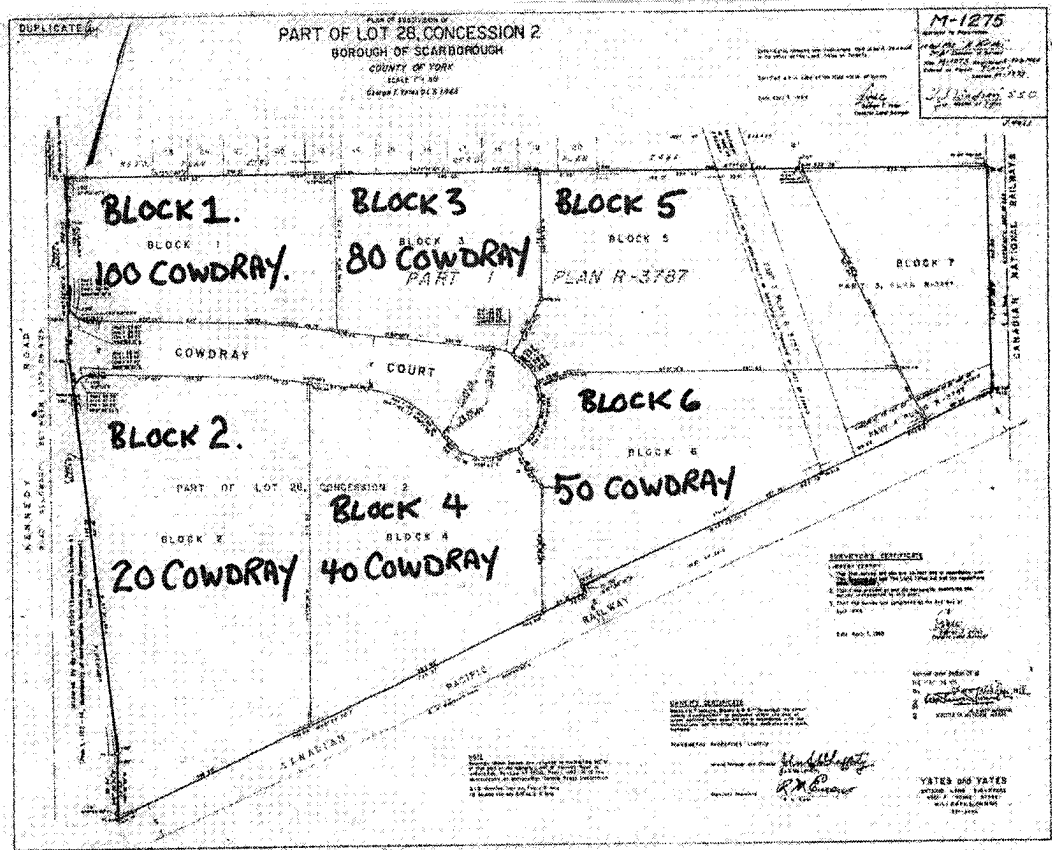
MAR 04 2013

CITY OF TORONTO
CITY CLERK

**RE: PROPOSED NEW TORONTO ZONING BY-LAW
OBJECTION TO PROPOSED ZONING
BLOCKS 3, 4 AND 5 PLAN M-1275
COWDRAY COURT – SCARBOROUGH
PUBLIC MEETING MARCH 6TH 2013.**

Dear Ms Watkiss:

Transmetro Limited is the registered owner of all of the lands on Cowdray Court and has retained Lorne Ross Planning Services with respect to the proposed new City of Toronto Zoning By-law. Below is Plan M-1275 with the Blocks and municipal addresses labeled.



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All of these lands are presently zoned under the Scarborough Employment District By-law 24982. Blocks 1 and 2 are zoned for Office Uses permitting office and commercial uses. Block 6 is zoned RU-Recreational uses. These three Blocks are exempt from the proposed new Toronto Zoning By-law.

Blocks 3, 4 and 5 are presently zoned M-Industrial permitting the following uses:

- Educational and Training Facility Uses
- Industrial Uses
- Offices, excluding medical and dental offices
- Recreational Uses, and
- Day Nurseries.

According to Map 721 of the proposed new By-law, Blocks 3, 4 and 5 are proposed to be rezoned E 0.7 (x 159). The E Zone would continue to permit industrial, office and recreational uses. The proposed E zone would prohibit Educational and Training Facility Uses and Day Nurseries.

Please consider this letter my objection to the proposed zoning of Blocks 3, 4 and, 5 for the reasons set out below:

1. The building on Block 4 has been renovated in accordance with Building Permits issued by the City to accommodate a Montessori School. Permits were issued in 2012 in accordance with the existing permission of "Education and Training Facility Uses";
2. On behalf of their tenant, Transmetro Limited objects to the prospect of the Montessori school becoming a legal non-conforming use.
3. Removing day nursery and education-training facility uses is contrary to the mandate of the Zoning Review Project as set out in the Staff Report dated March 27th 2009:

"...capture the intent of the existing zoning By-laws..." and NOT to
"...revise, alter or change the development standards related to matters such as height, density, setbacks **and use**,..." [Page 5, my emphasis]
4. We are not aware of any planning rationale advanced by the City or its Staff to support deleting these two permitted uses.
5. Both land uses are appropriate uses for all three Blocks given their proximity to recently constructed high density residential developments, the traffic signal at Cowdray-Kennedy and access to City parks and open space immediately to the north.

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6. It may well be good planning to prohibit day nurseries and educational facilities in the heart of Employment Districts due to concerns for conflicts with heavy industrial truck traffic or to prevent introduction of a 'sensitive use' into the depths of an industrial area. Neither concern occurs on Cowdray Court. It is a cul-de-sac with no through traffic. There is only one operating 'industry' on Cowdray Court, located on Block 3. It does not generate tractor trailer traffic and has been adjacent to 'sensitive' land uses for decades, being the rear yards of 12 detached homes and the City's Collingwood Park.
7. Transmetro has requested that its lands on Cowdray be redesignated to Mixed Use as part of the Municipal Comprehensive Review of Employment Policies. Pending a response from Staff and Council to this request it is premature to rezone Blocks 3, 4 and 5.

For these and such other reasons as Transmetro may put forward should the matter come to a hearing, I wish to register formal objection to the proposed new City of Toronto By-law scheduled for Public Meeting on March 6th 2013.

Please provide notice of all future Public Meetings and Decisions regarding the proposed new City of Toronto Zoning By-law to Transmetro's solicitor:

Ms Kim Kovar
Aird & Berlis,
BCE Place
Suite 1800, Box 754
181 Bay Street
Toronto Ontario M5J 2T9

Yours truly,



Lorne Ross Planning Services Inc.

CC: Mr. Tom Flood, Transmetro Limited
Ms Kim Kovar, Aird & Berlis
Mr. J. D'Abramo, Manager. Zoning By-law Project, City Planning.