

November 20, 2013

Chair Peter Milczyn and Members of the Planning Growth
And Management Committee
10th Floor, West Tower, City Hall
Toronto, ON M5H 2N2

pgmc@toronto.ca

Attention Merle MacDonald:

Chair Milczyn and Members of the Committee:

Re: 158 Sterling Road
Re: PG 28.2 Official Plan - Municipal Comprehensive Review –
Employment Lands
Re: Planning Growth Committee Meeting November 21, 2013
Our File no. 93120

Please be advised that we are the solicitors for Castlepoint Studio Partners Limited (hereinafter Castlepoint) which is the owner of 158 Sterling Road located in the Junction Triangle neighbourhood an older mixed use neighbourhood in the City of Toronto.

The Castlepoint Lands consists of 3 irregularly shaped parcels of land on both sides of Sterling Road north of Dundas Street West, south of Bloor Street West and between the Metrolinx Newmarket Subdivision Rail corridor and the City of Toronto's West Toronto Rail Path linear park.

The Castlepoint Lands comprise a total area of 31,459 square metres (approximately 3ha) in size and constitute vacant brownfield lands, with the exception of the designated Tower Automotive heritage building which currently remains but is unused. There have been no active employment uses since 2005 and the heritage building has been vacant since the mid nineteen ninties.

Castlepoint purchased these lands for redevelopment in 2007 and has worked extensively with the local community to develop a plan that would see the development of these lands for mixed use and achieve the reuse of the Tower Automotive Building.

Pursuant to these discussions Castlepoint filed an application for Official Plan and Zoning Bylaw Amendment with the City of Toronto in June of 2011. The application was for a mixed employment-residential development, a public park, connections to the railpath and reuse of the historically designation Tower Automotive building.

The Official Plan and Zoning By-law Amendment Applications maintain the current land use designations on the site as they currently exist but introduce site-specific exceptions to allow for the modification in the amount and location of residential uses on the site and to allow for the intensification of non-residential uses.

A City Planning Staff Preliminary Report was considered by Planning and Growth Management Committee (PGMC) on January 5, 2012. At that meeting, PGMC recommended to Council which accepted the recommendation, that Staff be directed to work with the applicant and report back on a portion of the applications (heritage building renovation and proposed townhouse block) in June 2012.

Planning Staff released a May 25, 2012 Status Report. Notwithstanding the direction by Council to report on a portion of the applications, City staffs were of the opinion that a decision on the application should not be made until conclusion of the City's Municipal Comprehensive Review (which had been initiated in spring 2011) was completed.

PGMC did not adopt the recommendation in the Report but, rather, directed staff to bring forward a Final Report on the application in November providing a revised rezoning application (covering the entirety of the site) and a subdivision application which were submitted by August 1, 2012 which was done by Castlepoint as directed by PGMC.

A City Staff October 13, 2012 Final Report recommended refusal of the applications. A motion was brought forward to send the application back to planning staff to further analyze the issues related to the application. The motion was lost on a 3-3 tie and the recommendation by staff to refuse the application was adopted by City Council.

Castlepoint has appealed the refusals and our appeals are pending for hearing for 5 weeks on February 3, 2014.

Castlepoint strongly disagrees with the Report before PGMC. It provides no vision for achieving employment only policies that will guarantee no

employment for these vacant brownfield industrial properties for a very long time.

Unlike the proposals before PGMC, the Castlepoint applications offer a realisable vision that can ensure an employment future for these vacant lands and a reuse of the heritage Tower Automotive building in the context of a mixed use redevelopment.

The Ontario Municipal Board the Board is conducting a mediation with the parties to the appeals which include local residents, Nestle and the City on November 20, 2013 and our client will proceed in those discussions in good faith.

Please also provide the author Notice of Adoption of any Official Plan Amendment approved pursuant to this study and process pursuant the provisions of the Planning Act.

Please confirm receipt of this letter.

Yours very truly,



A. Milliken Heisey, Q.C.
AMH/cmb

cc: Castlepoint Studio Partners Limited
City of Toronto Legal Department
Andrew Biggart
Councillor Ana Bailao Councillor for Ward 18
Denise Baker solicitor for the Sterling Road Residents Association and
Church of the First Born (Apostolic) Inc.
Pino DiMascio – Urban Strategies