

Daniel B. Artenosi
Partner
Direct 416-730-0320
Cell 416-669-4366
dartenosi@overlandllp.ca

Overland LLP
5255 Yonge St, Suite 1101
Toronto, ON M2N 6P4
Tel 416-730-0337
overlandllp.ca



June 24, 2021

VIA EMAIL

Mayor John Tory and Members of Council
Toronto City Hall
100 Queen Street West, 18th Floor, East Tower
Toronto, Ontario M5H 2N2

Attention: John Elvidge, City Clerk

Dear Mayor Tory and Members of Council:

RE: Bloor Street Study
Toronto East York Community Council – Item TE26.31
221-227 Sterling Road

We are the solicitors for 221 Sterling Road Holdings Inc. (the “**Owner**”), being the registered owner of the property municipally known as 221, 225 and 227 Sterling Road (the “**Subject Property**”), which is located within the boundary of the lands subject to the City-initiated *Bloor Street Study: St. Helen’s Avenue to Perth Avenue* (the “**Study**”).

By way of background, our client submitted Applications for Draft Plan of Subdivision Approval and Zoning By-law Amendment to the City on May 4, 2021 (City Files No. 21 151438 STE 09 SB and 21 151444 STE 09 OZ) (collectively, the “**Applications**”) to allow for the redevelopment of the Subject Property with three residential buildings of 20, 25 and 29-storeys above two residential podiums of 4 and 7 storeys. The buildings would be comprised of 892 residential units, including 23 live-work units and 33 rental replacement units, with a total of 417 vehicular parking spaces in two levels of underground parking. The proposal will facilitate the extension of Ruttan Street south to Sterling Road and it includes an on-site parkland dedication (collectively, the “**Proposed Development**”).

We have reviewed the Report from the Director of Community Planning, Toronto and East York District dated May 31, 2021 regarding Item TE26.31 (the “**Staff Report**”). We are writing to provide our preliminary comments in respect of the Staff Recommendation, including the proposed planning framework discussed in the Staff Report and illustrated in Attachments 1 through 7 (the “**Proposed Framework**”).

At the outset, we note that our client has actively participated in the Study process to-date. We enclose hereto our earlier correspondence submitted to the City on behalf of our client dated April 21, 2021, as well as the correspondence submitted by our client’s planning consultants, Bousfields Inc., dated January 8, 2021.

The Subject Property is located within the area identified as “Character Area E” in the Proposed Framework. The Staff Report states that new development will be required to expand the public realm through the provision of new public streets, pedestrian connections, parks and open spaces and appropriately transition towards the low-scale residential areas to the east and west. The Staff Report further states that many of the characteristics of the Study Area’s industrial history remain in this character area and as a result, new development is to have considerations for heritage features and be sensitive to heritage buildings.

As shown on Attachment 5 (Public Realm Network Plan), there are a number of potential new public realm improvements contemplated on the Subject Property, including the southerly extension of Ruttan Street along the west side of the Property, new pedestrian connections, as well as the introduction of a new public park where the proposed southerly extension of Ruttan Street would connect to Sterling Road.

Our client supports the general objective of promoting a policy framework for the Study area that is intended to foster a complete and mixed-use community that will support the optimization of land use and infrastructure, including existing and planned higher order transit. Our client generally supports the introduction of new community infrastructure that will support the area in achieving this planning vision. To this end, the Proposed Development will facilitate the extension of Ruttan Street south to Sterling Road and it will include the provision of on-site parkland dedication. The Proposed Development has been designed to achieve a compatible built form relationship with the surrounding area, and will promote appropriate intensification that will support the optimization of land use and infrastructure.

The Staff Report identifies a number of properties as having potential cultural heritage value, including the property at 221 Sterling Road. Our client disagrees with this preliminary identification. The Subject Property has been evaluated as part of the Proposed Development by our client’s heritage consultant, Goldsmith Borgal & Company Ltd. Architects, as set out in the Heritage Impact Assessment (“**HIA**”) dated April 26, 2021 that was filed in support of the Applications. The existing building on the Subject Property is a modest example of early twentieth century industrial development in the City of Toronto. The building has been significantly altered over the years as part of the building’s adaptive reuse following its early industrial operations, which has had the effect of undermining any potential integrity that the building may otherwise have as a potential heritage resource. The HIA concludes that the building was researched and evaluated and it does not meet the criteria of cultural heritage value under Ontario Regulation 9/06.

The Subject Property is not a significant heritage resource worthy of inclusion on the Heritage Register. We submit that this more qualitative analysis of the Subject Property should be addressed now, through the Study process, in order to properly inform the Study’s findings and recommendations. This is of particular importance given the number of public realm improvements contemplated in the Proposed Framework, which will necessitate a change to the physical features of the Subject Property.

City Staff is not advancing a draft official plan amendment at this time to implement the Proposed Framework, which will require additional stakeholder consultation through a public process. As

noted in the Staff Report, the Study is not yet at a sufficient stage in the process to advance a proposed official plan amendment to implement the Study's findings. Notwithstanding, the Staff Report recommends that City Council endorse the Proposed Framework and direct Staff to review all current and future development applications against the Proposed Framework.

In addition to the concerns generally discussed above and in the previous correspondence submitted on behalf of our client, the Staff Recommendation raises a number of concerns of public process. While the Proposed Framework is generally discussed in the Staff Report and illustrated in Attachments 1 to 7, it does not constitute a policy framework that would otherwise be set out in an implementing official plan policy framework. Fundamentally, the Proposed Framework remains part of an ongoing Study, that is not yet complete, and has not been tested through the planning process mandated under the Planning Act. The Proposed Framework should not be treated as *de facto* official plan policy, and should not prejudice the consideration of development proposals, including the Proposed Development, that will otherwise implement the planned function of the Subject Property as a matter of provincial and City policy.

Our client welcomes the opportunity to work through the substantive issues identified herein with City Staff. The Proposed Development and Applications provide an enhanced opportunity to properly plan for how the Subject Property will contribute to the planning vision of fostering a complete and mixed-use community within the Study Area, that will support the optimization of land use and infrastructure, including existing and planned higher order transit. We therefore request that this matter be referred-back to Staff for further consultation with stakeholders, and that Staff be directed to advance a proposed planning framework through implementing planning instruments in accordance with the process mandated under the *Planning Act*.

Thank you for your consideration of this matter.

Yours truly,
Overland LLP



Per: Daniel B. Artenosi
Partner

Encl.
c. Client

Daniel B. Artenosi
Partner
Direct 416-730-0320
Cell 416-669-4366
dartenosi@overlandllp.ca

Overland LLP
5255 Yonge St, Suite 1101
Toronto, ON M2N 6P4
Tel 416-730-0337
overlandllp.ca



April 21, 2021

Ms. Victoria Fusz
Senior Planner, Community Planning
City Planning Division
City Hall, East Tower
100 Queen Street West, 18th Floor
Toronto, ON , M5H 2N2

Dear Ms. Fusz,

**RE: Bloor Street Study
Community Consultation Meeting No.2 Presentation
221 Sterling Road Holdings Inc.**

We are the solicitors for 221 Sterling Road Holdings Inc. ("**Sterling**"), being the owner of the property municipally known as 221-227 Sterling Road (the "**Sterling Property**").

Our client has actively participated in the *Bloor Street Study: Perth Avenue to St. Helens Avenue* (the "**Bloor Street Study**") currently being undertaken by the City of Toronto, including the most recent Community Consultation Meeting No. 2 held on April 12, 2021. We are writing to provide our client's preliminary feedback in respect of the materials presented by City Staff at the Community Consultation Meeting (the "**April 12th Presentation**").

By way of background, our client previously submitted correspondence dated January 8, 2020 through its planning consultant, Bousfields Inc., following the public meetings held by City Staff in respect of the Bloor Street Study on November 5, 2020 and December 7, 2020, a copy of which is enclosed herewith. As stated therein, our client supports the general objective of promoting a policy framework for the Study area that is intended to foster a complete and mixed-use community that seeks to utilize and integrate high order transit.

Our client has also had a number of discussions with City Planning Staff and the local Councillor's office about a potential redevelopment of the Sterling Property. As part of this process our client has engaged a full consultant team to develop a proposal that responds to issues identified through these discussions.

The April 12th Presentation identifies the significant transit infrastructure, including higher-order transit infrastructure, that exists and is proposed in the Study Area. In general terms, much of the Study Area, including the Sterling Property, is within an area that meets the geographical criteria of a major transit station area as defined in the Growth Plan. As a matter of provincial and local official plan policy, these are areas intended to accommodate significant growth.

The April 12th Presentation further identifies a number of public realm improvements that are contemplated for the Study Area and the Sterling Property. Of particular note, the April 12th Presentation Materials identify two potential pedestrian connections, a potential new public park and a potential new street on the Sterling Property. The draft Character Area E development

considerations identified in the April 12th Presentation indicate that these public realm improvements are to be achieved through the redevelopment process.

Our client agrees that the Sterling Property provides an opportunity to facilitate a number of the identified public realm objectives through a transit-supportive mixed-use development that will support the goals of promoting the optimization of land use and infrastructure, including the significant higher-order transit infrastructure in the immediate *environ*.

The April 12th Presentation includes the Sterling Property as one of a number of "Identified Heritage Potential Properties." A photograph of an existing building on the Sterling Property is included in the Presentation, noting the building as built *circa* 1914. The April 12th Presentation appears to suggest that Staff may advance a recommendation to include Identified Heritage Potential Properties on the City's Heritage Register through a potential "listing".

The Sterling Property has been the subject of an extensive review by our client's consultant team, including its heritage consultant. The existing building on the Sterling Property is a modest example of early twentieth century industrial development in the City of Toronto. In addition, the building has been significantly altered over the years as part of the building's adaptive reuse following its early industrial operations, which has had the effect of undermining any potential integrity that the building may otherwise have as a potential heritage resource. The Sterling Property is not a significant heritage resource worthy of inclusion on the Heritage Register.

As a practical matter, our client is concerned that listing the Sterling Property on the Heritage Register will undermine the general objectives envisioned for the Property, including the public realm objectives envisioned as part of the redevelopment process, such as the potential new public road that would run along the front property line in close proximity to the existing building.

For the reasons generally discussed herein, we are requesting that City Staff reevaluate the potential recommendation to include the Sterling Property on the Heritage Register. In support of this request, our client would be pleased to assist Staff in undertaking a further, qualitative assessment of the Sterling Property.

Please provide us with notice of any further consideration of the Bloor Street Study by the City, including through future community consultation meetings, or meetings before City Council and any Committees of Council.

Yours truly,
Overland LLP



Per: Daniel B. Artenosi
Partner

Encl.

c. B. Stern, 221 Sterling Road Holdings Inc.

January 8, 2020

Via Email

City of Toronto Community Planning
Toronto & East York District, Downtown Section
Attn: Diane Silver, Senior Planner
Toronto City Hall
100 Queen Street West, 18th Floor, East Tower
Toronto, Ontario M5H 2N2

Dear Ms. Silver:

**Re: \$ Bloor Planning Study - Perth Avenue to St. Helens Avenue
221-227 Sterling Road, Toronto**

We are the planning consultants for 221 Sterling Road Holdings Inc., the registered owner (the “owner”) of the property municipally known as 221-227 Sterling Road (the “subject site”), which is within the boundary of the lands subject to the City-initiated Bloor Planning Study (the “study”).

On behalf of our client, we are writing to provide our preliminary comments in respect to the information presented at the two City-led public meetings held on November 5, 2020 and December 7, 2020 in regard to the Bloor Planning Study.

In general, our client supports the objective of promoting a policy framework for the area that is intended to foster a complete and mixed-use community that seeks to utilize and integrate high order transit. It is a vision that our client shares and believes that any redevelopment of the subject site can assist by providing some of the key elements that have been initially conceptualized in the materials presented by City staff at the first two public meetings.

Given the subject site’s proximity to the existing Bloor GO Transit/UPE station and the Dundas West and Lansdowne TTC subway stations, as well as the planned Bloor-Lansdowne GO RER station, the site represents an excellent opportunity for residential and mixed-use intensification that can contribute to the creation of a complete community within the study area. The subject site is also designated *Apartment Neighbourhoods* by the City’s Official Plan, which permits apartment and small-scale retail uses. In this regard, the subject site can provide a meaningful residential development with opportunities for small scale retail that is consistent with this planned function and that will be compatible with the surrounding area.

With respect to additional information presented at the two public meetings, at this time we are unclear of what is intended by the "Industrial Legacy" Character Area classification generally, and how the proposed inclusion of the subject site within this Character Area may inform City staff's further planning vision for the subject site. We look forward to receiving additional information from City staff in the coming weeks/months on the further development of the intended vision and policy framework for the Industrial Legacy Character Area, as well as the other proposed Character Areas. In general planning terms, it is our opinion that such further study and proposed policy framework should reinforce the planned function of the subject site as *Apartment Neighbourhoods*.

Thank you for your consideration of this submission. Our client and its consultant team support the vision of creating a vibrant mixed-use community that will see positive and longstanding impact.

We request notice of any decision of this matter by Toronto and East York Community Council and City Council.

Yours very truly,

Bousfields Inc.



David Huynh MCIP, RPP

DH/jobs

cc. Barry Stern, 221 Sterling Road Holdings Inc.