

April 2, 2025

**VIA E-MAIL: TEYCC@TORONTO.CA**

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File 99999.99904

Toronto and East York Community Council  
100 Queen Street West  
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Attention: Cathrine Regan

Dear members of the Toronto and East York Community Council:

**Re: 158 Sterling Road (Blocks 5B, 5C, and 5D) & 190 Sterling Road (Block 3B)  
Official Plan and Zoning By-law Applications, file numbers 24 168035 STE 09 OZ  
and 240169956 STE 09 OZ  
Written Objection from Philip Share, representative for South Perth & Sterling  
Road Residents Association**

We are legal counsel to Philip Share, who is a representative for South Perth & Sterling Road Residents Association (collectively, the “**Association**”). We have reviewed the Official Plan Amendment Application and the Zoning By-law Amendment Application (the “**New Applications**”) for 158 Sterling Road (Blocks 5B, 5C, and 5D) & 190 Sterling Road (Block B) (the “**Subject Site**”) and write to provide the Association’s written objection to the New Applications for the following reasons:

1. The Association was involved in the hearing for prior applications for the Subject Site, which matter went before the Ontario Municipal Board (“**OMB**”) as a settlement hearing, due in part to a settlement between the Association and then owners of the Subject Site;
2. The Settlement between the Association and then owners of the Subject Site required that in order to preserve the heritage value of the property at 158 Sterling Road (the “**Heritage Property**”) maximum height limits were included in City of Toronto (“City”) By-law 943-2015 as follows: 10 storeys in Block 5B and 8 storeys in Block 3B. Block 5C is reserved as a public park and Block 5D is reserved as open space.
3. The New Applications propose a development well in excess of the 8 and 10 storey height maximums including a 31-storey building on 158 Sterling Road – Block 5B and a 28-storey building on 190 Sterling Road – Block 3B.

Accordingly, on behalf of the Association, we request the Toronto and East York Community Council refuse the New Applications as proposed.

### **Background**

The Heritage Property was designated under the *Ontario Heritage Act* in 2005 by passage of by-law 969-2005 (the “**Heritage By-law**”). The Heritage By-law was repealed and amended by By-law 425-2022 (the “**Amended Heritage By-law**”). The Amended Heritage By-law included a list of heritage attributes for the Heritage Property including “the scale, form and massing of the 10-storey building with the penthouse”. The Heritage Property currently houses the Museum of Contemporary Art Toronto.

Original Official Plan Amendment and Zoning By-law Amendment Applications were filed for the Subject Site in 2011 (the “**Original Applications**”) by Castlepoint Studio Partner Limited (“**Castlepoint**”). In December 2012 the City refused the Original Applications and Castlepoint appealed the refusal to the OMB. The Association was granted Party status in the OMB proceeding. The appeals were ultimately settled between the various parties and the parties made submissions in support of the Original Applications. The Association’s terms of settlement with Castlepoint and its support for the Original Application included the preservation of the Heritage Property.

### **Reasons for Objection**

The Heritage Property is a building of cultural heritage value and interest, as evidenced by its designation under the *Ontario Heritage Act*. The Amended Heritage By-law notes the scale, form and massing of the 10-storey building with the penthouse as one of the heritage attributes of the Heritage Property. The Association submit that the size and scale of the proposed development on the Subject Site, particularly the 31-storey building on Block 5B and the 28-storey building on Block 3B will negatively and significantly impact the scale, form and massing attributes of the Heritage Property. The prominence of the 10-storey Heritage Property will be overshadowed by the construction of these high-rise towers.

Additionally, the prior settlement between the Association and then owner of the Subject Site was predicated in part on the proposed development’s conservation of the Heritage Property. To allow the New Applications as proposed would be contrary to that prior settlement and the agreements that led to same. Notwithstanding the above, the Association welcomes an opportunity to engage in discussions with the applicant and the City regarding how the Applications may address density on the Subject Site without dwarfing the historical aspects that they seek to preserve.

We seek to make an oral deputation on this written submission at the Public Meeting on April 3, 2025.

Should you have any questions regarding the above, please do not hesitate to contact the undersigned.

Yours truly,

**WeirFoulds LLP**



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Partner

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