

October 11, 2016

TO: Councillor Sam Merulla

Joanne Hickey, Manager, Planning Policy and Zoning By-Law Reform

✓ Rose Caterini, City Clerk

Ida Bedioui, Planning Co-ordinator

Councillor Brenda Johnson, Chair Planning Committee

Shannon Mckie, Senior Planner

From: Valerie Righton

Owner of 165 Queenston Road held by 2358058 Ontario Limited

I request a site specific exemption from the change to the Zoning By-Law Amendment being proposed. I request this to be presented as an amendment at the next meeting, October 12, 2016..

If this is not possible, I would appreciate clarification of the proposed designation and assurance of continued use in writing.

I am concerned that this property is East of the Queenston Traffic Circle, where the proposed change has been outlined. My property is the last included in this change of zoning. Why would this not wait until the properties to the East are included. I believe this change in zoning will devalue the property and limit options for the future. The property has operated as an auto repair facility and previously as auto sales for 40-50 years. The building has a front lot and the setbacks being proposed would make access difficult and would reroute it to the rear of building which would create much more traffic in a residential street off Queenston Road (Jefferson).

I attended the Planning Committee meeting last week and presented my concern and was assured by those present that the businesses could continue as they are, under a legal non-conforming status. I had attended an LRT meeting earlier in the year and understood that was not the case. However, I had not requested the site specific exemption.

I was advised by Brenda Johnson following the Planning Meeting (when I was waiting to request an appointment with Mr. Merulla), that this site specific exemption should not be a problem and that she would give Diane (Assistant to Mr. Merulla) the wording in order to phrase the request to Mr. Merulla, in order to present as an amendment at the next meeting. I received a telephone call from Diane the next morning to say that Mr. Merulla could not support my request. I requested a meeting with him.

I attended a meeting with Mr. Merulla and Joanne Hickey on October 6th at the office of Councillor Merulla. Mr. Merulla and Joanne Hickey assured me that the legal non-conforming designation would permit the present auto related businesses to continue as they are for as long as the owners or tenants wanted and further that if the tenants moved, I would be able to have new tenants also operating an

auto service repair shop. Also, if the property was sold, the new owner could also operate an auto repair facility. This needs to include parking and access to the building as is its present use. One of the tenants is my son and the whole purpose of purchasing the property in 2013, at considerable expense to me, at purchase, and in the future for many years to come, was that my son could operate his business in that location in the future. This, of course, involves the parking lot at the front of the property. Joanne Hickey stated that there had been a misunderstanding of information at the LRT meeting held earlier in the year and that legal non-conforming status would allow the auto related businesses to continue as long as owners-tenants wanted, even to new owners or tenants. I understand that if the use was changed, then it could not go back to auto.

I have checked my files around the time of my purchase related to zoning and I see nothing about the change being proposed now.

I would also like reassurance that none of the properties that have received a site specific exemption would be in competition with the business my tenants have (auto service, sales, repair). It is very difficult to read Appendix B, Page 55 due to the small print, even with a magnifying glass, in order to identify where the exempted properties are. I would like this clarified as it appears there may be an exemption and there are other auto repair businesses located in that area. I have spoken with Shannon Mckie this morning and she has told me that there is an exemption at 1440 Main East but there is no auto service related business there.

I would appreciate this assurance and confirming in writing as Mr. Merulla offered at our meeting that the legal non-conforming status would permit the present and future auto related business to continue, extending to new tenants or owners and would include the present parking.

I apologize for delay in sending this letter but was unable to reach anyone on Friday, October 7, to discuss.

Your time and attention to this matter is much appreciated. I can be reached at

Respectfully submitted

Valerie Righton

2358058 Ontario Limited

(owner of 165 Queenston Road)