Barristers and Solicitors

AIRD & BERLIS LLP

Robert G. Doumani Direct: 416.865.3060 E-mail: rdoumani@airdberlis.com

May 9, 2011

BY EMAIL

Our File No. 54182

Clerk Toronto City Hall 100 Queen Street West 10th Floor, West Tower Toronto, Ontario M5H 2N2

Attention: Merle MacDonald, Administrator, Planning & Growth Management Committee

Dear Ms. MacDonald:

Re: Appeal of By-law 537-2011, By-law 538-2011, By-law 539-2011, By-law 540-2011, By-law 541-2011, By-law 542-2011, By-law 543-2011 and By-law-544-2011 pursuant to Section 34(19) of the Planning Act;

310 and 320 Tweedsmuir Avenue

We act on behalf of Morguard Residential Inc. and Laurie Investments (Toronto) Limited in respect of the above referenced lands located in the City of Toronto.

Prior to the August 2010 enactment of comprehensive Zoning By-law No. 1156-2010, written submissions were made to the City of Toronto outlining our clients' concerns with respect to how the City's new zoning by-law would impact their lands. Our clients' concerns were not addressed prior to the enactment of By-law No. 1156-2010 and, accordingly, our clients appealed Council's decision to enact By-law No. 1156-2010. [Appeal # 567]

Under separate cover by letter dated March 22, 2011 we provided written submissions on the above noted By-laws which were considered at the public meeting held on March 24, 2011.

On behalf of our clients we hereby appeal By-law 537-2011, By-law 538-2011, By-law 539-2011, By-law 540-2011, By-law 541-2011, By-law 542-2011, By-law 543-2011 and By-law-544-2011 pursuant to Section 34(19) of the *Planning Act*, as they fail to respond to our clients' objections to By-law 1156-2010.

Our clients reserve their rights to raise such further and other grounds at any hearing of their appeal.

May 9, 2011 Page 2

In support of our clients' appeal please find enclosed our completed Appellant Form A1 for the Ontario Municipal Board with respect to each of the above noted by-laws. Our solicitor's cheques for the prescribed fee payable to the Minister of Finance in the amount of \$125.00 per appeal will follow once we determine whether City Council has repealed By-law 1156-2010.

Yours truly,

AIRD & BERLIS ttp;

Robert G. Doumani RGD/bna/eb Encls.

c. B. Athey

9270165.1





Environment and Land Tribunals Ontario Ontario Municipal Board 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5 TEL: (416) 212-6349 or Toll Free: 1-866-448-2248 FAX: (416) 326-5370 www.elto.gov.on.ca APPELLANT FORM (A1) PLANNING ACT

SUBMIT COMPLETED FORM TO MUNICIPALITY/APPROVAL AUTHORITY

Receipt Number (OMB Office Use Only)

Part 1: Appeal Type (Please check only one box)

SUBJECT OF APPEAL	TYPE OF APPEAL	PLANNING ACT REFERENCE (SECTION)
Minor Variance	T Appeal a decision	45(12)
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Part 2: Location Information

310 and 320 Tweedsmuir Avenue

Address and/or Legal Description of property subject to the appeal:

Part 3: Appellant Information

First Name:	Name:Last Name:						
Morguard Residential Inc. a	nd Laurie Investments	s (Toronto) Limited					
Company Name or Associatio	n Name (Association n	nust be incorporated – include copy of le	tter of incorporation)				
Professional Title (if applicable	e):						
E-mail Address BAthey@)morguard.com						
Ву	providing an e-mail addres	s you agree to receive communications from the	OMB by e-mail.				
Daytime Telephone #:905.2	81.5349	Alternate Telephone #:					
Fax #: 905.281.1800							
Mailing Address:55 City C	entre Drive	Suite 800	Mississauga				
Street Addr		Apt/Suite/Unit#	City/Town				
Ontario			L5B 1M3				
Province		Country (if not Canada)	Postal Code				
Signature of Appellant:			Date:				

(Signature not required if the appeal is submitted by a law office.)

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Part 4: Representative Information (if applicable)

I hereby authorize the named company and/or individual(s) to represent me:

First Name:Rob	ert	Last Name:	Doumani	
Company Name:	Aird & Berlis LLP			
Professional Title:	Solicitor			
E-mail Address:	rdoumani@airdberlis.com			
	By providing an e-mail address you ag	ree to receive commu	nications from the OM	/IB by e-mail.
Daytime Telephor	ne #:	Alternate Tele	phone #:	
Fax #:416.863	.1515			
Mailing Address:	Brookfield Place, 181 Bay Street	Suite 1800, H	Box 754	Toronto
	Street Address	Apt/Suite/Unit	#	City/Town
	Ontario			M5J 2T9
	Province	Country (if no	t Canada)	Postal Code
Signature of Appe	ellant:			Date:
				// /

Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

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Part 5: Language and Accessibility

Please choose preferred language: ^{1x} English

French

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Part 6: Appeal Specific Information

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(Please print)

City of Toronto Zoning By-law No. 537-2011

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(Please print)

Please see covering letter and attached letter dated March 22, 2011.

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.

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(If application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)

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Part 7: Related Matters (if known)				
Are there other appeals not yet filed with the Municipality?	YES	Г	NO K	
Are there other planning matters related to this appeal? (For example: A consent application connected to a variance application)	YES	x	NO	

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

(Please print)

OMB Case No. PL990391 OMB Case No. PL101111- Appeal #567

Part 8: Scheduling Information						
How many days do you estimate are needed for hearing this appeal? Γ 4 days Γ 1 week Γ More than 1 week – please specify					days Г	3 days
How many expert witnesses and other witnesses do you expect to have aOne (1)	t the hea	ring pro	viding	eviden	ce/testir	nony?
Describe expert witness(es)' area of expertise (For example: land use pla Planner	nner, arc	hitect, e	enginee	er, etc.).		
Do you believe this matter would benefit from mediation? (Mediation is generally scheduled only when all parties agree to participate)	YES	F x	NO	٢		
Do you believe this matter would benefit from a prehearing conference? (Prehearing conferences are generally not scheduled for variances or consents)	YES	x	NO	Г		
If yes, why? To settle the issue raised in this appeal.						
Part 9: Other Applicable Information ** Attach a separate page if mor	re space	is requ	ired.			

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Total Fee Submitted:	\$ _!	125.00				
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310 and 320 Tweedsmuir Avenue

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Morguard Residential Inc. and Laurie Invest	tments (Toronto) Limited						
Company Name or Association Name (Associa	ation must be incorporated - include copy of le	tter of incorporation)					
Professional Title (if applicable):							
E-mail Address:BAthey@morguard.com							
By providing an e-mail	address you agree to receive communications from the	e Omes by e-mail.					
Daytime Telephone #:905.281.5349	Alternate Telephone #:	<u> </u>					
Fax #:905.281.1800							
Mailing Address:55 City Centre Drive	Suite 800	Mississauga					
Street Address	Apt/Suite/Unit#	City/Town					
Ontario		L5B 1M3					
Province	Country (if not Canada)	Postal Code					
Signature of Appellant:		Date:					

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Part 4: Representative Information (if applicable)

I hereby authorize the named company and/or individual(s) to represent me:

First Name:Rot	pert	Last Name:	Doumani	<u> </u>
Company Name:	Aird & Berlis LLP			
Professional Title	Solicitor			
	rdoumani@airdberlis.com			
	By providing an e-mail address you a	gree to receive comm	unications from the O	MB by e-mail.
Daytime Telepho	ne #:416.865.3060	Alternate Tele	ephone #:	
Fax #: 416.863	3.1515			
Mailing Address:	Brookfield Place, 181 Bay Street	Suite 1800, I	Box 754	Toronto
indining / durbeer	Street Address	Apt/Suite/Unit	#	City/Town
	Ontario	•		M5J 2T9
	Province	Country (if no	t Canada)	Postal Code
Signature of App	ellant:			Date:
2 11				
Please note if v	ou are representing the appellant and a	are NOT a solicito	or, please confirm	hat you have written authorization.

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Г

Part 5: Language and Accessibility

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French

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(Please print)

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(Please print)

OMB Case No. PL990391 OMB Case No. PL101111- Appeal #567 K

NO

NO

Г

X

YES

YES

Part 8: Scheduling Information						-
How many days do you estimate are needed for hearing this appeal? 4 days 1 week More than 1 week – please specify How many expert witnesses and other witnesses do you expect to have a <u>One (1)</u> Describe expert witness(es)' area of expertise <i>(For example: land use place)</i>	y numbe at the he	r of da aring p	ys: <u>Unk</u> providing	nown evider	nce/testi	
Planner						
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310 and 320 Tweedsmuir Avenue

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First Name:	Last Name:		
Morguard Residential Inc. and Laurie Investments	(Toronto) Limited		
Company Name or Association Name (Association m	nust be incorporated – include copy of let	ter of incorporation)	
Professional Title (if applicable):			
E-mail Address:BAthey@morguard.com			
By providing an e-mail address	s you agree to receive communications from the	OMB by e-mail.	
Daytime Telephone #:905.281.5349	Alternate Telephone #:	<u></u>	
Fax #:905.281.1800			
Mailing Address: 55 City Centre Drive	Suite 800	Mississauga	
Street Address	Apt/Suite/Unit#	City/Town	
Ontario		L5B 1M3	
Province	Country (if not Canada)	Postal Code	
Signature of Appellant:		Date:	

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I hereby authorize the named company and/or individual(s) to represent me:

First Name: <u>Rob</u>	ert	Last Name:	Doumani	
Company Name:	Aird & Berlis LLP	. <u> </u>		
Professional Title:	Solicitor			
E-mail Address:	rdoumani@airdberlis.com	<u></u>		
	By providing an e-mail address you agr	ree to receive commu	nications from the OMB	by e-mail.
Daytime Telephor	ne #:416.865.3060	Alternate Tele	ephone #:	
Fax #: 416.863	.1515			
Mailing Address:	Brookfield Place, 181 Bay Street	Suite 1800, E	Box 754	Toronto
	Street Address	Apt/Suite/Unit	#	City/Town
	Ontario			M5J 2T9
	Province	Country (if no	Canada)	Postal Code
Signature of Appe	ellant:			Date:
0				

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French

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Part 7: Related Matters (if known)

k

NO

NO

Γ

X

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			,			
			<u> </u>		<u> </u>	<u> </u>

Part 10:	Required Fee	

Total Fee Submitted:	\$_	125.00				
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E-mail Address: <u>BAthey@morguard.com</u> By providing an e-mail	I address you agree to receive communications from the	e OMB by e-mail.					
Daytime Telephone #:905.281.5349							
Fax #:905.281.1800							
Mailing Address:55 City Centre Drive	Suite 800	Mississauga					
Street Address	Apt/Suite/Unit#	City/Town					
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Signature of Appellant:		Date:					

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I hereby authorize the named company and/or individual(s) to represent me:

First Name: Rob	pert	Last Name: Doumani	
Company Name:	Aird & Berlis LLP		· · · · · · · · · · · · · · · · · · ·
Professional Title			
E-mail Address: _	rdoumani@airdberlis.com		
_	By providing an e-mail address you ag	ree to receive communications from	the OMB by e-mail.
Daytime Telepho	ne #:	Alternate Telephone #:	
Fax #:416.863	3.1515		
Mailing Address:	Brookfield Place, 181 Bay Street	Suite 1800, Box 754	Toronto
Maning Maarooo.	Street Address	Apt/Suite/Unit#	City/Town
	Ontario		M5J 2T9
	Province	Country (if not Canada)	Postal Code
Signature of Appe	ellant:	,,,,,	Date:S / //
Please note: If v	you are representing the appellent and a	re NOT a solicitor, please co	nfirm that you have written authorization,

Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

Γ

Part 5: Language and Accessibility

Please choose preferred language: The English

French

Г

We are committed to providing services as set out in the Accessibility for Ontarians with Disabilities Act, 2005. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

Part 6: Appeal Specific Information

1. Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):

(Please print)

City of Toronto Zoning By-law No. 540-2011

 Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). **If more space is required, please continue in Part 9 or attach a separate page.

(Please print)

Please see covering letter and attached letter dated March 22, 2011.

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.

a) DATE APPLICATION SUBMITTED TO MUNICIPALITY:

(If application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)

b) Provide a brief explanatory note regarding the proposal, which includes the existing zoning category, desired zoning category, the purpose of the desired zoning by-law change, and a description of the lands under appeal: **If more space is required, please continue in Part 9 or attach a separate page.

 Part 7: Related Matters (if known)

 Are there other appeals not yet filed with the Municipality?
 YES
 NO
 Image: Constant application connected to a variance application

 Are there other planning matters related to this appeal?
 YES
 Image: Constant application connected to a variance application
 NO
 Image: Constant application connected to a variance application

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

(Please print)

OMB Case No. PL990391 OMB Case No. PL101111- Appeal #567

Part 8: Scheduling Information			-				
How many days do you estimate are needed for hearing this appeal?					2 days	г ₍	3 days
How many expert witnesses and other witnesses do you expect to have a One (1)	it the he	aring p	roviding	evide	nce/tes	timor	ч у ?
Describe expert witness(es)' area of expertise (For example: land use pla Planner	inner, ar	chitect,	enginee	ər, etc	.):		
Do you believe this matter would benefit from mediation? (Mediation is generally scheduled only when all parties agree to participate)	YES	r x	NO	Г			
Do you believe this matter would benefit from a prehearing conference? (Prehearing conferences are generally not scheduled for variances or consents)	YES	Γx	NO	Г			
If yes, why? To settle the issue raised in this appeal.			·				
Part 9: Other Applicable Information **Attach a separate page if mo	re space	e is rec	uired.				

Total Fee Submitted:	\$ _1	125.00		<u> </u>		
Payment Method:	Г	Certified cheque	Г	Money Order	Ī	Solicitor's general or trust account cheque
					• • •	

- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.



Environment and Land Tribunals Ontario Ontario Municipal Board 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5 TEL: (416) 212-6349 or Toll Free: 1-866-448-2248 FAX: (416) 326-5370 www.elto.gov.on.ca

SUBMIT COMPLETED FORM TO MUNICIPALITY/APPROVAL AUTHORITY

Receipt Number (OMB Office Use Only)

Part 1: Appeal Type (Please check only one box)

SUBJECT OF APPEAL	TYPE OF APPEAL	PLANNING ACT REFERENCE (SECTION)
Minor Variance	C Appeal a decision	45(12)
Consent/Severance	Appeal a decision Appeal conditions imposed	53(19)
	Appeal changed conditions	53(27)
	Failed to make a decision on the application within 90 days	53(14)
	Appeal the passing of a Zoning By-law	34(19)
Zoning By-law or	Application for an amendment to the Zoning By-law – failed to make a decision on the application within 120 days	34(11)
Zoning By-law Amendment	Application for an amendment to the Zoning By-law – refused by the municipality	
Interim Control By-law	Appeal the passing of an Interim Control By-law	38(4)
ng ng kanang panalakan na kanang k	Appeal a decision	17(24) or 17(36)
	Failed to make a decision on the plan within 180 days	17(40)
Official Plan or Official Plan Amendment	Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days	22(7)
	Application for an amendment to the Official Plan – refused by the municipality	
	Appeal a decision	51(39)
Plan of Subdivision	Appeal conditions imposed	51(43) or 51(48)
	Failed to make a decision on the application within 180 days	51(34)

Part 2: Location Information

310 and 320 Tweedsmuir Avenue

Address and/or Legal Description of property subject to the appeal:

·	N 1 .	
First	Name:	

Last Name:

Morguard Residential Inc. and Laurie Investments (Toronto) Limited Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Professional Title (if applicable): _

E-mail Address: ____ BAthey@morguard.com

By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 905.281.5349 Alternate Telephone #: _____

Fax #: 905.281.1800

Mailing Address:	55 City Centre Drive Suite 800		Mississauga		
indinig i deliver.	Street Address	Apt/Suite/Unit#	City/Town		
	Ontario		L5B 1M3		
	Province	Country (if not Canada)	Postal Code		
Signature of Appe	ellant:		Date:		

(Signature not required if the appeal is submitted by a law office.)

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Part 4: Representative Information (if applicable)

I hereby authorize the named company and/or individual(s) to represent me:

First Name: _ Robert		Last Name:	Doumani				
Company Name:	Aird & Berlis LLP						
Professional Title:		<u> </u>	······				
E-mail Address: _	a tanan i Gaindhardia a are		nications from the OMB	hy e-mail			
	By providing an e-mail address you age	ree to receive commu		by chian.			
Daytime Telephone # 416.865.3060 Alternate			phone #:				
Fax #:416.863	.1515						
Mailing Address:	Brookfield Place, 181 Bay Street	Suite 1800, E	Box 754	Toronto			
maning radiood.	Street Address	Apt/Suite/Unit	¥	City/Town			
	Ontario	شه		M5J 2T9			
	Province	Country (if no	Canada)	Postal Code			
Signature of Appellant: Da				Date:			
Please note: If y	Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as						

required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.

Г

Please choose preferred language: T English

French

Г

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1. Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):

(Please print)

City of Toronto Zoning By-law No. 541-2011

 Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). **If more space is required, please continue in Part 9 or attach a separate page.

(Please print)

Please see covering letter and attached letter dated March 22, 2011.

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a) DATE APPLICATION SUBMITTED TO MUNICIPALITY:

(If application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)

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 Part 7: Related Matters (if known)
 YES
 NO

 Are there other appeals not yet filed with the Municipality?
 YES
 NO

 Are there other planning matters related to this appeal?
 YES
 IX
 NO

 (For example: A consent application connected to a variance application)
 YES
 NO
 IX

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

(Please print)

OMB Case No. PL990391 OMB Case No. PL101111- Appeal #567

Part 8: Scheduling Information						
How many days do you estimate are needed for hearing this appeal? 4 days 1 week More than 1 week – please specify How many expert witnesses and other witnesses do you expect to have a One (1) Describe expert witness(es)' area of expertise (For example: land use place)	r numbe It the hea	r of da aring p	ys: <u>Unki</u> providing	nown evidi	ence/testi	 lays ?
Planner						
Do you believe this matter would benefit from mediation? (Mediation is generally scheduled only when all parties agree to participate)	YES	r _x	NO	Г		
Do you believe this matter would benefit from a prehearing conference? (Prehearing conferences are generally not scheduled for variances or consents)	YES	k	NO	Г		
If yes, why? To settle the issue raised in this appeal.						
Part 9: Other Applicable Information **Attach a separate page if mo	re space	e is rec	quired.			
1						

Total Fee Submitted:	\$ _125.00			
Payment Method:	Certified cheque	Money Order	x	Solicitor's general or trust account cheque

- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.



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Receipt Number (OMB Office Use Only)

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	Appeal changed conditions	53(27)	
	Failed to make a decision on the application within 90 days	53(14)	
	Appeal the passing of a Zoning By-law	34(19)	
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Interim Control By-law	Appeal the passing of an Interim Control By-law	38(4)	
	Appeal a decision	17(24) or 17(36)	
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Official Plan or Official Plan Amendment	Application for an amendment to the Official Plan – failed to make a decision on the application within 180 days	22(7)	
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	Failed to make a decision on the application within 180 days	51(34)	

Part 2: Location Information

310 and 320 Tweedsmuir Avenue

Address and/or Legal Description of property subject to the appeal:

Part 3: Appellant Information

First Name:	st Name: Last Name:						
Morguard Residential Inc. and Laurie Inves	tments (Toronto) Limited						
Company Name or Association Name (Association Na	ation must be incorporated – include copy of le	tter of incorporation)					
Professional Title (if applicable):							
E-mail Address:BAthey@morguard.com	address you agree to receive communications from the	a OMB hy amail					
By providing an e-mail	autiess you agree to receive communications non an						
Daytime Telephone #:905.281.5349	Alternate Telephone #:						
Fax #:905.281.1800							
Mailing Address: 55 City Centre Drive	Suite 800	Mississauga					
Street Address	Apt/Suite/Unit#	City/Town					
Ontario		L5B 1M3					
Province	Country (if not Canada)	Postal Code					
Signature of Appellant:		Date:					

(Signature not required if the appeal is submitted by a law office.)

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Part 4: Representative Information (if applicable)

I hereby authorize the named company and/or individual(s) to represent me:

First Name: Robert		Last Name:	Doumani	
Company Name:	Aird & Berlis LLP			
Professional Title:	Solicitor			
	rdoumani@airdberlis.com			
	By providing an e-mail address you agre	e to receive commu	unications from the OMB	by e-mail.
Daytime Telephor	ne #:416.865.3060	Alternate Tele	ephone #:	
Fax #:416.863	.1515			
Mailing Address:	Brookfield Place, 181 Bay Street	Suite 1800, I	Box 754	Toronto
	Street Address	Apt/Suite/Unit	#	City/Town
	Ontario			M5J 2T9
	Province	Country (if no	t Canada)	Postal Code
Signature of Appe	illant:			Date:/_//////
- guarate et rippe				

Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

Γ

Please choose preferred language: T English

French

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(Please print)

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 Part 7: Related Matters (if known)

 Are there other appeals not yet filed with the Municipality?
 YES
 NO
 NO

 Are there other planning matters related to this appeal?
 YES
 IX
 NO
 NO

 (For example: A consent application connected to a variance application)
 YES
 NO
 NO
 NO

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

(Please print) OMB Case No. PL990391 OMB Case No. PL101111- Appeal #567

Part 8: Scheduling Information								
How many days do you estimate are needed for hearing this appeal? Γ 4 days Γ 1 week Γ More than 1 week – please specify						r	3 days	;
How many expert witnesses and other witnesses do you expect to have a One (1)						timoı	ny? 	-
Describe expert witness(es)' area of expertise (For example: land use planner	inner, ar	chitect,	engin e e	ər, etc): 			_
Do you believe this matter would benefit from mediation? (Mediation is generally scheduled only when all parties agree to participate)	YES	۲x	NO	Г				
Do you believe this matter would benefit from a prehearing conference? (Prehearing conferences are generally not scheduled for variances or consents)	YES	ĸ	NO	Г				
If yes, why? To settle the issue raised in this appeal.								_
Part 9: Other Applicable Information **Attach a separate page if mo	re space	e is rec	uired.					

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· · · · · · · · · · · · · · · · · · ·		<u> </u>		

Total Fee Submitted:	\$ _!	125.00				
Payment Method:	Г	Certified cheque	Г	Money Order	Īx	Solicitor's general or trust account cheque
						6 F 1

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Part 2: Location Information

310 and 320 Tweedsmuir Avenue

Address and/or Legal Description of property subject to the appeal:

Part 3: Appellant Information

First Name:	Last Name:	
Morguard Residential Inc. and Laurie Inves	tments (Toronto) Limited	
Company Name or Association Name (Associa	ation must be incorporated – include copy of le	etter of incorporation)
Professional Title (if applicable):		
E-mail Address:BAthey@morguard.com	address you agree to receive communications from th	
By providing an e-mail	address you agree to receive communications from th	e ONB by email.
Daytime Telephone #905.281.5349	Aiternate Telephone #:	
Fax #:905.281.1800		
Mailing Address:55 City Centre Drive	Suite 800	Mississauga
Street Address	Apt/Suite/Unit#	City/Town
Ontario		L5B 1M3
Province	Country (if not Canada)	Postal Code
Signature of Appellant:		Date:

(Signature not required if the appeal is submitted by a law office.)

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I hereby authorize the named company and/or individual(s) to represent me:

First Name: Rot	pert	Last Name:	Doumani	
Company Name:	Aird & Berlis LLP			
Professional Title	Solicitor			
	rdoumani@airdberlis.com			
	By providing an e-mail address you agr	ee to receive commu	nications from the ON	ив руе-тал.
Daytime Telepho	ne #:	Alternate Tele	phone #:	<u> </u>
Fax #:416.863				
	Brookfield Place, 181 Bay Street	Suite 1800, B	ox 754	Toronto
Maning / lau oco.	Street Address	Apt/Suite/Unit#	ŧ	City/Town
	Ontario			M5J 2T9
	Province	Country (if not	Canada)	Postal Code
Signature of App	ellant			Date: <u> </u>
- 3				
Please note: If v	ou are representing the appellant and ar	e NOT a solicitor	, please confirm	that you have written authorization, a

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 Are there other appeals not yet filed with the Municipality?
 YES
 NO
 Image: Consent application connected to a variance application

 Are there other planning matters related to this appeal?
 YES
 Image: Consent application connected to a variance application
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(Please print)

OMB Case No. PL990391 OMB Case No. PL101111- Appeal #567

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How many days do you estimate are needed for hearing this appeal? Γ 4 days Γ 1 week Γ More than 1 week – please specify					2 days	- (3 days
How many expert witnesses and other witnesses do you expect to have a One (1)	it the he	aring p	roviding	evide	nce/tes	timor	ıу?
Describe expert witness(es)' area of expertise (For example: land use planer	nner, ar	chitect,	enginee	ər, etc	:.):		
Do you believe this matter would benefit from mediation? (Mediation is generally scheduled only when all parties agree to participate)	YES	Γ _X	NO	Г			
Do you believe this matter would benefit from a prehearing conference? (Prehearing conferences are generally not scheduled for variances or consents)	YES	Γx.	NO	Г			
If yes, why? To settle the issue raised in this appeal.							
Part 9: Other Applicable Information ** Attach a separate page if mor	re space	e is rec	uired.				

Total Fee Submitted:	\$ _125.00			
Payment Method:	Certified cheque	Money Order	I X	Solicitor's general or trust account cheque
				of Fineman

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310 and 320 Tweedsmuir Avenue

Address and/or Legal Description of property subject to the appeal:

Part 3:	Appel	lant l	nform	ation
---------	-------	--------	-------	-------

First Name:	Last Name:	
Morguard Residential Inc. and Laurie Invest	tments (Toronto) Limited	
Company Name or Association Name (Associ	ation must be incorporated include copy of le	tter of incorporation)
Professional Title (if applicable):		
E-mail Address: <u>BAthey@morguard.com</u>	address you agree to receive communications from the	OMB by e-mail.
Daytime Telephone #:905.281.5349		
Fax #:905.281.1800		
Mailing Address:55 City Centre Drive	Suite 800	Mississauga
Street Address	Apt/Suite/Unit#	City/Town
Ontario		L5B 1M3
Province	Country (if not Canada)	Postal Code
Signature of Appellant:		Date:

(Signature not required if the appeal is submitted by a law office.)

Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been assigned.

Personal information requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal may become available to the public.

Part 4: Representative Information (if applicable)

I hereby authorize the named company and/or individual(s) to represent me:

First Name: Rob	ert	Last Name:	Doumani			
Company Name:	Aird & Berlis LLP					
Professional Title	Solicitor					
	rdoumani@airdberlis.com	<u></u>				
	By providing an e-mail address you ag	gree to receive commu	unications from the O	MB by e-mail.		
Daytime Telephor	ne #:416.865.3060	Alternate Telephone #:				
Fax #:416.863	.1515					
Mailing Address	Brookfield Place, 181 Bay Street	Suite 1800, I	Box 754	Toronto		
inicianing / inclusion .	Street Address	Apt/Suite/Unit	#	City/Town		
	Ontario			M5J 2T9		
	Province	Country (if no	t Canada)	Postal Code		
Signature of Appe	ellant:			Date:////		
Diana anto if	al are representing the appallant and a	ra NOT a solicito	r nlesse confirm	that you have written authorization i		

Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

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Please choose preferred language: ^{1x} English

French

We are committed to providing services as set out in the Accessibility for Ontarians with Disabilities Act, 2005. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

Part 6: Appeal Specific Information

1. Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):

(Please print)

City of Toronto Zoning By-law No. 544-2011

2. Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). **If more space is required, please continue in Part 9 or attach a separate page.

(Please print)

Please see covering letter and attached letter dated March 22, 2011.

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.

a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: _

(If application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)

b) Provide a brief explanatory note regarding the proposal, which includes the existing zoning category, desired zoning category, the purpose of the desired zoning by-law change, and a description of the lands under appeal: **If more space is required, please continue in Part 9 or attach a separate page.

 Part 7: Related Matters (if known)

 Are there other appeals not yet filed with the Municipality?
 YES
 Image: NO
 I

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

(Please print)

OMB Case No. PL990391 OMB Case No. PL101111- Appeal #567

Part 8: Scheduling Information					
How many days do you estimate are needed for hearing this appeal? 4 days 1 week More than 1 week – please specify How many expert witnesses and other witnesses do you expect to have a	/ number	r of day	ys: <u>Unkr</u>	nown	<u></u>
One (1)		anng p	loviding		
Describe expert witness(es)' area of expertise (For example: land use pla Planner	nner, arc	chitect,	, enginee	ər, etc.):	
Do you believe this matter would benefit from mediation? (Mediation is generally scheduled only when all parties agree to participate)	YES	$f_{\mathbf{X}}$	NO	Г	
Do you believe this matter would benefit from a prehearing conference? (Prehearing conferences are generally not scheduled for variances or consents)	YES	x	NO	Γ	
If yes, why? To settle the issue raised in this appeal.					
Part 9: Other Applicable Information **Attach a separate page if mo	re space	e is rec	uired.		
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Total Fee Submitted:	\$ _]	125.00		<u></u>		
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- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.

AIRD & BERLIS LLP

Barristers and Solicitors

Robert G. Doumani Direct: 416.865.3060 E-mail: rdoumani@airdberlis.com

March 22, 2011

BY EMAIL

Our File No. 54182

Chair and Members of the Planning & Growth Management Committee Toronto City Hall 100 Queen Street West 10th Floor, West Tower Toronto, Ontario M5H 2N2

Attention: City Clerk, Merle MacDonald, Administrator

Dear Ms. MacDonald:

Re: Planning and Growth Management Committee Statutory Public Meeting March 24, 2011 Item PG2.5 Proposed Amendments to City of Toronto Zoning By-law No. 1156-2010 310 and 320 Tweedsmuir Avenue

We act on behalf of Morguard Residential Inc. and Laurie Investments (Toronto) Limited in respect of the above referenced lands located in the City of Toronto.

Prior to the August 2010 enactment of comprehensive Zoning By-law No. 1156-2010, written submissions were made to the City of Toronto outlining our client's concerns with respect to how the City's new zoning by-law would impact their lands. Our client's concerns were not addressed prior to the enactment of By-law No. 1156-2010 and, accordingly, our client appealed Council's decision to enact By-law No. 1156-2010. [Appeal #567]

We are in receipt of and have reviewed the Notice of Public Meeting respecting the proposed amendments to Zoning By-law 1156-2010.

Proposed Amendment #7 attached to the March 15, 2011 Staff Report sets out a listing of various site-specific properties which are to be identified as "Not Part of This By-law". The amending document fails to correct the various Map Schedules 50K-11 which continue to include 320 Tweedsmuir Avenue as RA(d2.5)(x732) rather than as "Not Part of This By-law" which is the status of the adjoining property at 310 Tweedsmuir Avenue. Further the amending documents fail to note that Article 950.70.1 continues to list both the property at 310 and 320 Tweedsmuir as subject to prevailing by-law 533-2010 whereas 310 Tweedsmuir already is "Not Part of This By-law" yet cited in this regulation.

March 22, 2011 Page 2

As noted in our previous submissions, By-law 533-2010 treats both properties as one lot for the purposes of zoning.

Our client's lands at 320 Tweedsmuir should qualify under the City's Transitional Protocol in the same manner as the property at 310 Tweedsmuir has qualified and it should have been included within the list of Amendment #7 corrections as "Not Part of This By-law". We are requesting the Committee modify the Draft Amendment #7 and any other related amendments to make this correction.

We therefore object to the amendments which fail to respond to our client's various submissions on By-law 1156-2010.

The Staff Report and Draft Amendments to By-law 1156-2010 posted on the City's website on March 17, 2011 contain hundreds of separate amendments to the parent by-law which are not only administrative but include material changes to the regulations as enacted and currently under appeal. Insufficient time has been provided for a proper public review of this significant undertaking. Our client reserved its right to make such further and other grounds at the hearing of the owner's appeal.

Please accept this letter as our written submission pursuant to Section 34(19)(2) of the *Planning Act*.

We are hereby requesting notice of enactment of any amending by-law passed in respect of this matter.

Should you have any questions or require any further information, please do not hesitate to contact the undersigned.

Yours truly,

AIRD & BERLIS LLI Robert G. Doumani

RGD/bna/eb

cc B. Athey

8130622.3

