

Reply to the Attention of Mary Flynn-Guglietti
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Our File No. 206875
Date September 25, 2012

VIA E-MAIL: pgmc@toronto.ca

City of Toronto
Planning and Growth Management Committee
Toronto City Hall
100 Queen Street West
10th Floor, West Tower
Toronto, Ontario
M2H 2N2

Dear Chair and Members of the Planning and Growth Management Committee:

**Re: Letter of Concern re: the City of Toronto's June 2012
version of the Harmonized City-Wide Zoning By-law
(the "Harmonized By-law") in relation to the Public
Meeting of the Planning and Growth Management
Committee of October 12, 2012 (the "Meeting")**

We are the solicitors retained on behalf of Torgan Management Limited ("**Torgan**"), owners of the property municipally known as 4186, 4188 and 4190 Finch Avenue East (the "**Property**").

The Property is located on the northwest corner of the intersection of Finch Avenue East and Midland Avenue. The Property is approximately 2.05 ha in size, with approximately 126 metres of frontage on Midland Avenue and approximately 149 metres on Finch Avenue East. The Property is currently occupied by three buildings having a combined GFA of approximately 10,300m². Two of the buildings are one storey commercial plaza buildings, municipally known as 4186 and 4188 Finch Avenue East. These buildings, which have a combined GFA of 4,412 m², include personal service shops, retail stores and restaurants. The third building, located at 4190 Finch Avenue East, is a four storey office building with a GFA of approximately 5,883m². The uses in the office building include medical offices, medical-related uses and financial offices. There are currently 385 parking spaces on the property.

We would like to register our concerns regarding the Harmonized By-law in relation to the Property and will be attending the Meeting on October 12th, 2012. Kindly list me as a deputant.

The Property is currently zoned for employment, community commercial and recreational use and is located in an **Employment Area** designation under the Official Plan. Under the Official Plan "Employment Areas are places of business and economic activity. Uses that support this function consist of: offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, retail outlets ancillary to the preceding uses, and restaurants and small scale stores and services that serve the area business and workers."

Based on our review of the Harmonized By-law, the Property is currently not included as part of the Harmonized By-law and would therefore remain subject to Milliken District By-law 8380 as amended (December 10, 1996) by Zoning By-law 24982. The property was zoned in the early 1980s for offices with restaurants, small scale stores and services that serve the area's businesses and workers, in keeping with the Employment Area policies under the Official Plan. The current zoning for the site contains convoluted ratios related to parking and capps on certain uses that are not found in other nearby sites. The difficulties encountered in interpreting the current by-law have resulted in unnecessary variance after variance applications and puts our client at an unfair disadvantage when leasing the building. Therefore, we respectfully submit that the Property should be included under the Harmonized By-law to prevent further and continued complications. The Property complies with the Official Plan and any delay in including the Property in the Harmonized By-law is not in the best interest of either the City of Toronto or Torgan.

Yours truly,



Mary Flynn-Guglietti

c.c. Eli Swirsky, Torgan Group (eli@torgan.com)
Joe D'Abramo, City of Toronto (jdabramo@toronto.ca);