

September 26, 2012

Our File No.: 10-1693

Via Email: twall@toronto.ca

City of Toronto, Legal Services
Metro Hall, 55 John Street
Toronto, ON
M5V 3C6

Attention: Thomas Wall

Dear Mr. Wall:

**Re: Draft New Toronto Zoning By-law (the "Draft New By-law")
105 & 109 Vanderhoof Avenue
195-209 Wicksteed Avenue
1320 Kennedy Road**

We are solicitors for the owners of the above-noted properties. The various owners are all corporations related to The Rockport Group. We are writing to express our clients' concerns in respect of the Draft New By-law.

105-109 Vanderhoof Avenue

The 2010 version of the new by-law permitted showrooms as an ancillary use of the property. The Draft New By-law does not permit showrooms. Indeed, it does not even appear to define such a category of use. Given that a number of our clients' tenants have showrooms in association with the permitted use, our clients request that the ancillary permission for showrooms be restored. Alternatively, at a minimum, our clients would appreciate clarification regarding the rationale for this change.

195-209 Wicksteed Avenue

As with the property above, our clients request that the ancillary permission for showrooms be restored for this property.

1320 Kennedy Road

The current use of this property is as a 43-unit townhouse rental complex. These buildings were constructed in or about 1973, in full conformity with the applicable zoning and building standards at the time. This use is in full conformity with the City's Official Plan.

Exception 451 permits a dwelling unit in a townhouse building on the property, but only if it is a rental unit. This is an inappropriate restriction for a number of reasons: (1) the ability of the City to permit a use only for a specific tenure is questionable; (2) there is no planning reason to distinguish between rental and ownership; and, (3) the City has other instruments to control any potential conversion of the existing rental units. Our clients therefore request that the words "if it is a rental unit" be deleted from Exception 451.

Conclusion

We submit that that the requested changes are housekeeping in nature and hope that the staff report being presented to the October 12, 2012 meeting of Planning & Growth Management Committee will address these concerns through recommended amendments to the Draft New By-law, so that our client can avoid the further unnecessary expense of another OMB appeal.

We look forward to your response.

Yours very truly,

Goodmans LLP



David Bronskill
DJB/mr

cc: Joe D'Abramo
Client