

Reply to the Attention of	Mary Flynn-Guglietti
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Our File No.	96866
Date	October 11, 2012

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Planning and Growth Management Committee
City of Toronto
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Merle MacDonald, Committee Administrator

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

**Re: Planning and Growth Management Committee
Meeting of October 12, 2012
Agenda Item No. PG18.7, Draft City-wide
Zoning by-law
3000 Lawrence Property Inc.
3000-3010 Lawrence Avenue East**

We are the solicitors retained to act on behalf of 3000 Lawrence Property Inc. (“Lawrence Property”) with respect to its property located at 3000-3010 Lawrence Avenue East (the “Property”) in the City of Toronto. Our clients have reviewed the proposed draft City-wide Zoning By-law (“Draft By-law”) as it relates to their property and have a number of concerns that should be addressed before the final version of the by-law is introduced to Council.

Background Information:

The subject property has three existing buildings, including an existing 2 and 3 storey medical office building complex (2 interconnected buildings) located to the front of the property (3000 Lawrence Avenue East) and a 11-storey mixed commercial and senior citizen’s residential apartment building located to the rear of the site (3010 Lawrence Avenue East). The medical office buildings were constructed in 1960. The mixed commercial and senior citizens residential building was constructed in 1988. Commercial tenants include medical offices, medical clinics, pharmacy, labs, and similar uses.

Lawrence Property purchased the property in November 2002. The existing 170-unit senior citizens apartment building is the subject of a long-term land lease with Jack Goodlad Senior Citizens Residences Corporation (Goodlad).

The property is designated “Institutional Area” under the City of Toronto Official Plan. The current zoning is “I-23-26”, subject to “Exception “C”, all as set out in By-law No. 9350, being the Scarborough Community Bendale Zoning by-law. The current “I” Institutional Zoning permits a range of institutional uses including fraternal organizations, homes for the aged, hospitals, private and public educational institutions, private and public recreational uses (including incidental commercial uses) and senior citizen apartments. Performance regulations in respect of this site are limited only to lot coverage and to setbacks from Lawrence Avenue.

Exception No. “C” permits institutional uses including the senior citizens apartments, nursing homes, residential living accommodation for personnel associated with the hospital and offices for medical practitioners.

Proposed Zoning:

Pursuant to the proposed Draft By-law the property remains Institutional as the previous By-law but will be zoned Institutional “I” (x86).

The Exception “x86” carries forward some of the regulations currently applicable to the property, including the existing Exception “C” use permissions and it specifies that all lot coverage and gross floor area is now to be limited to that which existed on the date of the enactment of the By-law.

The proposed Draft By-law however still does not fully recognize or fully carry-forward the approved zoning, it does not reflect or support existing approved uses, including expansion opportunities, and it does not appropriately reflect the recently approved minor variance in respect of parking supply for all uses. As well, new regulations and definitions (such as gross floor area, height, parking standards, etc.) also negatively impact on existing uses and permissions.

It does not fully reflect the private ownership of the subject lands. The use of an ‘Institutional’ zoning category is misleading in respect of the existing and expected uses on this site.

The information available to date would appear to significantly down zone the property of current zoning permissions. The Draft By-law does not adequately or appropriately address the concerns our client previously identified to your Committee regarding the repealed By-law No. 1156-2010.

Request:

We respectfully submit that the current “Institutional” Official Plan designation is out of step with the current private ownership. We have brought this issue to the attention of the Official Plan Review staff so that an appropriate designation can be reflected for this property.

Until that time, we request that the 3000-3010 Lawrence Avenue East property be “excluded” from the Draft By-law so that an appropriate zoning category can be reflected once the Official Plan has been updated.

Yours very truly,



Mary L. Flynn-Guglietti

/kc
cc

3000 Lawrence Property Inc., Attention: Mr. Eli Swirsky
Opus Management Inc., Attention: Mr. Paul Stagl