

January 9, 2012

Joe D'Abramo
Acting Director
Zoning By-law and Environmental Planner
City of Toronto
Metro Hall
55 John Street, 22nd Floor
Toronto, ON M5V3C6

Dear Mr. D'Abramo;

**RE: REVIEW OF HARMONIZED ZONING BY-LAW
1911 FINCH AVENUE WEST (JANE FINCH MALL)
BRAD-JAY INVESTMENTS LIMITED
OUR FILE 1087B**

We are writing on behalf of Brad-Jay Investments Limited to outline our concerns with the City's draft new Zoning By-law with respect to the above-noted address.

The majority of the Jane Finch Mall lands are currently zoned Local Shopping Centre (C2) Zone with site-specific exceptions in the former City of North York Zoning By-law. A small portion of the site, located at the south end along Yewtree Boulevard, is zoned Multiple Residential 2 (RM2) Zone.

The site is also subject to site-specific by-laws 15421, 18828, and 22918. These by-laws have the following effect:

- By-law 15421 is the Zoning By-law Amendment that originally created the Local Shopping Centre (C2) and Multi-Family Residential Second Density (RM2) zones on this site.
- By-law 18828 permits a rear yard setback for commercial buildings of 1 foot, and permits a parking station on the southern portion of the subject lands. This is the area where the RM2 Zoning exists on the property.
- By-law 22918 permits the sale of gasoline and oil in conjunction with a shopping centre on the subject lands.

The majority of the Jane Finch Mall is proposed to be zoned in the Harmonized Zoning By-law as Commercial Residential Zone (CR 1.0 (c1.0; r0.0) SS3 (x275)). The remainder of the site, following the RM2 Zone in the former North York Zoning By-law, is excluded from the Harmonized Zoning By-law.

Exception 275 recognizes site-specific by-laws 15421, 18828, and 22918 from the original North York Zoning By-law.

The Jane Finch Mall will continue to enjoy its commercial use permissions. No residential uses are permitted on the portion of the lands to be rezoned Commercial Residential, because the maximum residential density permitted is 0.0 FSI.

A portion of the mall continues to be excluded from the Harmonized Zoning By-law. In a letter that we submitted to the City in 2010 during the initial consultation on the Harmonized Zoning By-law, we had requested that the previous version of the by-law zone the entire site within the Commercial Residential Zone. This has not been done in the most recent version of the by-law. Therefore we again recommend that the whole site be included in the CR Zone, with increased permissions for residential density in accordance with the Official Plan's Mixed Use Areas designation for the site. We would recommend the entire property be subject to a CR 2.0 (c1.0; r1.0) S3 zoning description, with the removal of Exception 275.

We request that the draft Zoning By-law incorporate the above modifications prior to adoption by Council.

We would be pleased to meet with City staff to discuss this matter.

Thank you,

Yours truly,

MHBC



David A. McKay, MSc, MCIP, RPP



Ryan Moore, MPI, MCIP, RPP, LEED® AP

cc: *Richard Orshorn*
Grace Russo
Jay Feldman