

March 5, 2013

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VIA E-MAIL

File 00527.15898

Chairman and Members
Planning and Growth Management Committee
City of Toronto
City Hall, 100 Queen Street West
10th Floor, West Tower
Toronto, ON M5H 2N2

**Attention: Ms. Frances Pritchard, Committee Administrator
City Clerk's Department**

Dear Sirs/Mesdames:

**Re: Planning and Growth Management Committee
Meeting No. 21 - March 6, 2013 - Agenda Item PG21.1
Statutory Public Meeting City-wide Zoning By-law**

We represent Richwood Developments Limited in respect of its property interest at 170 The Donway West (the "Site").

We understand that your Committee will be considering the above-noted item at a Statutory Public Meeting on March 6, 2013 and we take this opportunity to submit our client's comments for your consideration.

Background

The subject site has an existing 4-storey office building, with retail at grade. The existing zoning applicable to the subject property is "C1". The site is designated as "Mixed Use Area" in the approved Official Plan.

Comments

On review of the November 8, 2012 and the January 22, 2013 By-law materials, we understand that the City proposes to zone the subject site as "CR 1.0 (c1.0; r1.0) SS3 (x281)", further subject to a Maximum Lot Coverage overlay of 33% and a Height overlay of 10.5 metres or 3 storeys. Exception CR "x281" has reference to a Site Specific Provision prescribing a maximum height of 161.54 metres above sea level and eight storeys.

While the proposed “CR” zoning is acceptable in principle to our client, the manner in which it and other associated Zoning proposals have been applied are not acceptable. Specifically, issues continue to include that the proposed zoning does not fully carry-forward existing permissions, the proposed zoning has the effect of creating legal non-conforming issues for elements of the existing development, and new regulations and definitions (such as gross floor area, height, minimum build to setbacks, etc.) also negatively impact existing uses and permissions.

Summary

Our client is not in a position to support the proposed “CR 1.0 (c1.0; r1.0) SS3 (x281)” zoning, and they request that existing permissions and protections be carried forward by way of a full and unrestricted Chapter 900 Site Specific provision.

We take this opportunity to bring these concerns to your attention at this time, and request that you direct staff to amend the By-law in order to fully provide for the above.

We also take this opportunity to request the Clerk to provide us with Notice of any subsequent considerations or decisions of the related Zoning By-law Review.

We trust that you will find the above of some assistance in your consideration of this matter. Should you have any questions, please contact the undersigned, or our client’s planning consultant, Mr. Paul Stagl (416-784-2952).

Yours truly,

WeirFoulds LLP



Bruce H. Engell

BHE/jnb

c: Mr. M. Winberg, Richwood Developments Limited
Mr. Paul Stagl, MCIP, RPP, Opus Management Inc.

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