

March 3, 2015

Our File No. 113135

**BY EMAIL**

Mayor and Members of Council  
City Clerk's Office  
Toronto City Hall, 13<sup>th</sup> Floor, West  
100 Queen Street West  
Toronto, ON M5H 2N2

Dear Mayor and Councillors:

**Re: Proposed Amendments to City of Toronto Zoning By-law 569-2013  
146 to 150 Laird Drive  
Municipal File No.: 14 169650 NNY 26 OZ  
Staff Report dated January 26, 2015 re: Technical Amendments to City-  
wide By-law 569-2013  
Planning and Growth Management Agenda Item PG2.1**

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We act on behalf of VIVA Retirement Communities, owner of the above noted lands located on the west side of Laird Drive, south of Eglinton Avenue East in the City of Toronto (the "Site").

Our client submitted an application for a Zoning By-law Amendment in June, 2014 in order to permit a seniors' oriented development on the Site. The project is to be built in two phases, containing 175 rental retirement units in an eight storey building and 109 condominium units in a seven storey building, respectively, for a total residential gross floor area of 23,561 m<sup>2</sup> with three levels of underground parking.

We have reviewed the staff report dated January 26, 2015 and the proposed amendments to By-law 569-2013. Two of these amendments have a direct impact on the Site. The Site is currently zoned CR 2.0 (c2.0; r1.3) SS3 (x1163). Exception 1163 applies to this Site and states "Dwelling units are only permitted above the first floor". As indicated on proposed amended Schedule 19 of Zoning By-law 569-2013, Exception 1169 is proposed to be removed from these lands and Exception 869 is proposed to replace it. The proposed wording of Exception 869 is "Dwelling units are only permitted in a mixed-use building".

This proposed revision to the applicable exception alters the zoning provisions under which our client's application has been made. Accordingly, we request that the original clause contained in Exception 1169 be maintained for the Site and the proposed Exception 869 not apply to these lands. If the proposed Exception 869 is adopted as currently drafted, please be advised that our client will be forced to appeal in order to avoid a potential change in land use permissions which could affect the Site following the approval of our client's application.

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We ask that you kindly provide the undersigned with notice of adoption of this proposed By-law Amendment.

Yours truly,

AIRD & BERLIS LLP



Eileen P. K. Costello

EPC/jh

cc: Monica Dashwood, VIVA Retirement Communities  
Michael Bissett, Bousfields Inc.  
Klaus Lehmann, Acting Manager, Zoning By-law, SIPA, City Planning Division

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