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November 12, 2015

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BY EMAIL

pgmc@toronto.ca;

City Clerk
Nancy Martins, Administrator
Planning and Growth Management Committee
100 Queen Street West, 10th Floor, West Tower
Toronto City Hall
Toronto ON M5H 2N2

Dear Ms. Martins:

**Re: Notice of Public Meeting, November 16, 2015
Proposed Amendments to City of Toronto Zoning By-laws
By-law No. 569-2013 and By-law No. 559-2014
Item: PG8.4**

We act for W. J. Holdings Limited the owner of several properties in the City of Toronto which are the subject of a series of Ontario Municipal Board appeals with respect to By-law 569-2013, OMB File: PL130592, which properties are more particularly described as follows:

- 1731,1735,1739 Victoria Park Avenue [Appeal 116]
- 22 Oakmount Road [Appeal 117]
- 10 Grenoble Drive [Appeal 118]
- 2550-2560 Kingston Road [Appeal 119]
- 7 St. Dennis Drive [Appeal 120]
- 140 Carlton Street [Appeal 121]
- 125 Neptune Drive [Appeal 122]

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Please consider this letter our written submission pursuant to Section 34(19) of the *Planning Act*.

On June 23, 2015 the City Solicitor served Notice of Motion for the settlement of Appeals 116 to 120 and Appeal 122 with the Ontario Municipal Board and all Parties. Similarly, on October 7, 2015, the City Solicitor served Notice of Motion for the settlement of Appeal 121 with the Ontario Municipal Board and all Parties.

These Motion materials remain outstanding before the Board and will be on the agenda of matters to be considered at the next Prehearing Conference of the Ontario Municipal Board scheduled for January 4, 2016.

Based upon our review of the Draft Zoning By-law attached to the Staff Report dated October 14, 2015, from the Chief Planner and Executive Director, which will be considered by the Planning and Growth Management Committee at its Statutory Public Meeting on November 16, 2015, we do not believe that the proposed technical amendments to By-law 569-2013 and to By-law 559-2014 will have an adverse impact on the above noted executed settlements.

We reserve our right however to review the Zoning By-law Amendments as enacted by Council in final form.

Please provide the undersigned with Notice of the Passing of the By-law(s).

We have a concern with the manner in which the proposed Zoning Amendments will affect the coming into force of By-law 559-2014 which we support because the by-law as adopted made material corrections to By-law 569-2013 which in part are relied upon in our executed Minutes of Settlement for Appeal 121.

In the event of an appeal of the newly proposed amendments, we will support a Motion to consolidate such further appeals with the ongoing proceedings of the Ontario Municipal Board. Further we will support the coming into force of By-law 559-2014.

Our second concern is with the manner in which the explanatory notes in the Notice of Public Hearing defy understanding for any reader in the absence of a detailed technical investigation of the parent zoning by-law as to its implications. There is little explanation of the general intent and purpose of the proposed zoning amendments to provide direction to landowners or to the public.

Our third concern is that as these iterative amendments to Zoning By-law 569-2013 and to related amendments to By-law 569-2013 come forward, there does not appear to be any consistent direction from Council that such further amendments be annotated within the Consolidation of By-law 569-2013 which is provided on-line by the City of Toronto pursuant to the direction of the OMB. The on-line version of By-law 569-2013 was last consolidated on June 26, 2015. For the purposes of clarity and accuracy, there should be

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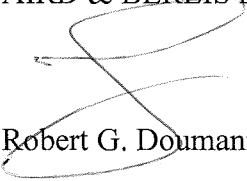
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one document which is consistently updated for the benefit of all Parties to the Hearing and which can be relied upon to understand the measure of change being made at any time.

Please acknowledge receipt of this letter and provide your Notice of the Passing at the appropriate time.

Yours truly,

AIRD & BERLIS LLP



Robert G. Doumani

c. Thomas Wall and Kelly Matsumoto, City Legal Services
W. J. Holdings Limited

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