PG2.5.94

Barristers & Solicitors

WeirFoulds LLP

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2011 APR 11 P 4:43

April 11, 2011

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File 99999.99902

VIA E-MAIL

Mayor Rob Ford and Members of Council
City of Toronto
100 Queen Street West
Toronto, ON
M5H 2N2

Attention: Ulli Watkiss, City Clerk
Merle MacDonald, Administrator, Planning Growth Management Committee

Your Worship and Members of Council:

Re: Repeal of Zoning By-law 1156-2010
Item PG2.5 – Amendments to Zoning By-law No. 1156-201

Further to the meeting of the Planning and Growth Management Committee (the "**Committee**") on March 24, 2011, and on behalf of our various clients identified in Schedule "A" attached (List of Appellants), we are writing to respond to Staff's concerns regarding whether any repealing by-law can be appealed to the Ontario Municipal Board (the "**OMB**") and whether By-law No. 1156-2010 is necessary to comply with the *Planning Act* in terms of Official Plan conformity.

Firstly, we support and adopt the legal submissions made by various other counsel to the effect that any By-law enacted by Council to repeal By-law No. 1156-2010 cannot be appealed to the OMB. Accordingly, in our respectful submission, no notice of Council's repeal of By-law No. 1156-2010 is required under the *Planning Act*.

Secondly, we also adopt the submissions that the City's Growth Plan conformity exercise required by the *Places to Grow Act* is not yet complete; accordingly, the requirement to update the City's zoning by-laws within a three-year time period, as set out in Section 26(9) of the *Planning Act*, has not yet commenced.

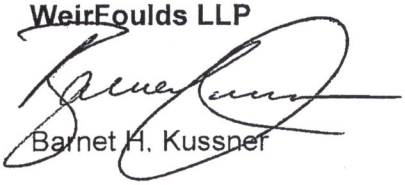
We trust that Council will consider this communication together with all of the previous submission letters filed by WeirFoulds LLP in the course of its deliberations, and that it will

support the unanimous recommendations of the Committee to repeal By-law 1156-2010 in its entirety.

Thank you for your consideration of these submissions. We await Council's decision in due course.

Yours truly,

WeirFoulds LLP



Barnet H. Kussner

BHK/PC:cl

cc: Ian Lord, WeirFoulds LLP
Chris Tzekas, WeirFoulds LLP
Mike McQuaid, WeirFoulds LLP
Kim Mullin, WeirFoulds LLP

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SCHEDULE "A"

LIST OF APPELLANTS
CITY OF TORONTO COMPREHENSIVE ZONING BY-LAW NO. 1156-2010
(OMB CASE NO. PL101111)

	APPELLANT'S NAMES	PROPERTIES	APPEAL #
1.	Borsook Holdings Limited	20 Research Road, East York	#590
2.	Calist Investments Limited	235 Wicksteed Avenue, East York	#592
3.	Jowaks Developments Limited, Durham-Mara Corporation and Fredwaks Developments Limited Jay Waks, Freddy Waks and Lujan Investments Limited Jocine Holdings Limited Finch-Main Plaza Limited	1620-30 Albion Road, Toronto 2636-2692 Eglinton Avenue East, Scarborough 1515-1575 Steeles Avenue, North York 202-210 Markham Road, Scarborough	#589
4.	Premium Properties Limited	115 Commander Blvd., Toronto	#569
5.	Premium Properties Limited	5509 Dundas Street West, Toronto	#568
6.	Premium Properties Limited	36-44 Eglinton Avenue West, Toronto	#575
7.	Premium Properties Limited	1525 Victoria Park Avenue, Toronto	#576
8.	Richwood Developments Limited	170, The Donway West, Toronto	#577
9.	Islamic Community of Afghans in Canada	88 Sunrise Avenue and 22 Hobson Avenue, North York	#588
10.	Larry Kielbowich and Lynn Guthrie	124 Browning Avenue, Toronto	#591
11.	Providence Healthcare	3276 St. Clair Avenue East, Toronto	#586
12.	MJB Corp. and Starbank Developments 1860 Corp.	1860 Bayview Avenue, Toronto	#584

	APPELLANT'S NAMES	PROPERTIES	APPEAL #
13.	Starbank Development Corporation and Toronto Stock Yards Land Development Board	2133 St. Clair Avenue West, Toronto	#585
14.	Starbank Development Corporation	603-607 Danforth Avenue, Toronto	#587
	Starbank Developments 1416 Corp.	1410 Eglinton Ave. West, Toronto	
	Starbank Developments 350 Corp.	342-350 Bloor St. W., Toronto	
	Starbank Development Corporation	1648 Avenue Rd., Toronto	
	Starbank West Corporation	1650-1660 Avenue Rd., Toronto	
	Starbank Developments 350 Corp.	4 & 6A Spadina Rd., Toronto	
15.	Chemtura Canada Co/Cie	565 Coronation Drive and 30 Chemical Court, Scarborough	#581
16.	Ron Faggetter & Cynthia Ledgley	17 Dacre Crescent, Toronto	#580
17.	Hurlburt Leasehold Properties	1197-1217 Ellesmere Road, Scarborough	#578
18.	Price Equities Limited	8 Price Street, Toronto	#570
	Price Leaseholds Limited	10 & 10R Price St., Toronto	
	1101 Yonge Street Limited	1095, 1097, 1097A, 1099, 1101, 1003 & 1107 Yonge Street, Toronto	
	North Toronto Station Corporation	10 & 30 Scrivener Square, Toronto	
	Birch Equities Limited	1017A, 1196, 1200, 1202, 1204, 1206, 1208 & 1210 Yonge Street, Toronto	
19.	Flatiron Equities Limited	49 Wellington Street, Toronto	#571

	APPELLANT'S NAMES	PROPERTIES	APPEAL #
20.	Front Street Equities Limited Market Street Leaseholds Limited Market Street Equities Limited The Esplanade Leaseholds Limited	87 Front Street, Toronto 8 Market Street, Toronto 10 & 12 Market St., Toronto 118 The Esplanade, Toronto	#573
21.	King James Place Limited King James Properties Limited	133 & 145 King Street East, Toronto 103, 105, 107 & 109 King Street East, Toronto	#572
22.	St. Marys Cement Inc. (Canada)	194 New Toronto Street, Toronto	#579
23.	Tartu College	302-310 Bloor Street West, Toronto	#582
24.	Pal Properties Limited	2930-2948 Finch Avenue East, Scarborough	#574
25.	2006199 Ontario Ltd. 1079744 Ontario Ltd. 2225108 Ontario Inc.	721 Eastern Avenue, Toronto 30 Booth Avenue, Toronto 777 Kipling Avenue, Toronto	#583