

AIRD & BERLIS LLP

Barristers and Solicitors

Robert G. Doumani
Direct: 416.865.3060
E-mail: rdoumani@airdberlis.com

May 5, 2011

VIA EMAIL

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

Attention: Ms. Merle MacDonald, Committee Administrator
City Clerk's Department

Dear Sirs/Mesdames,

**Re: Planning and Growth Management Committee
Agenda Item PG4.1 – May 10, 2011
Statutory Public Meeting – Repeal of Zoning By-law 1156-2010**

We represent Metrontario Investments Limited and Rathburn Commercial Inc. in respect of 452 Rathburn Road (the "Site").

You will also recall that on behalf of our client we appealed Zoning By-law 1156-2010 (Appeal No. 90).

We understand that your Committee will be considering the above-noted item at a Statutory Public Meeting on May 10, 2011 and we take this opportunity to submit our client's comments for your consideration.

Under separate cover, we have previously provided comments to your Committee highlighting numerous problems with the manner in which the City's proposed harmonized Zoning By-law is structured, noting particularly issues of conformity with the official plan, legal non-conforming uses, errors in respect of existing approvals and development rights, conflicts, new regulations and transition problems. For the above reasons, our client does not support By-law 1156-2010 or the amendments that have recently been enacted.

Our client continues to support a comprehensive and consistent approach to enacting a new citywide Zoning By-law that is in full conformity with the Official Plan.

May 5, 2011

Page 2

In that regard, **our client supports the repeal of By-law 1156-2010** to enable an appropriate opportunity to consider these issues.

Our client also requests that staff be directed to conduct a stakeholder working group review with appropriate stakeholders prior to the Zoning By-law being brought back for Committee's consideration.

In the interim, our client remains available to meet with staff, together with other stakeholders, to discuss these concerns in greater detail.

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

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,

AIRD & BERLIS LLP

Robert Doumani

RGD/eb

cc: Mr. Scott M. Zavaros, Metrontario Investments Limited
Mr. Paul J. Stagl, MCIP, RPP, Opus Management Inc.

9262437.1

