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# AIRD & BERLIS LLP

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Barristers and Solicitors

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

May 6, 2011

BY EMAIL

Our File No. 77894

City Clerk  
Toronto City Hall  
100 Queen Street West  
10<sup>th</sup> Floor, West Tower  
Toronto, ON M5H 2N2

Attention: Merle MacDonald, Administrator  
Planning & Growth Management Committee

Dear Ms. MacDonald:

**Re: Appeal of By-law 537-2011, By-law 538-2011, By-law 539-2011, By-law 540-2011, By-law 541-2011, By-law 542-2011, By-law 543-2011 and By-law-544-2011 pursuant to Section 34(19) of the Planning Act;**

**140 Carlton Street**

We act on behalf of W.J. Holdings Limited and other related corporations in respect of the above referenced lands located in the City of Toronto.

Prior to the August 2010 enactment of comprehensive Zoning By-law No. 1156-2010, written submissions were made to the City of Toronto outlining our client's concerns with respect to how the City's new zoning by-law would impact their lands. Our client's concerns were not addressed prior to the enactment of By-law No. 1156-2010 and, accordingly, our client appealed Council's decision to enact By-law No. 1156-2010. [Appeal # 207]

Under separate cover by letter dated March 22, 2011 we provided written submissions on the above noted By-laws which were considered at the public meeting held on March 24, 2011.

On behalf of our clients we hereby appeal By-law 537-2011, By-law 538-2011, By-law 539-2011, By-law 540-2011, By-law 541-2011, By-law 542-2011, By-law 543-2011 and By-law-544-2011 pursuant to Section 34(19) of the *Planning Act*. as they fail to respond to our client's objections to By-law 1156-2010.

Our clients reserve their rights to raise such further and other grounds at any hearing of their appeal.

May 6, 2011  
Page 2

In support of our clients' appeal please find enclosed our completed Appellant Form A1 for the Ontario Municipal Board with respect to each of the above noted by-laws. Our solicitor's cheques for the prescribed fee payable to the Minister of Finance in the amount of \$125.00 per appeal will follow once we determined whether City Council has repealed By-law 1156-2010.

Yours truly,

AIRD & BERLIS LLP

Robert G. Doumani

RGD/bna/eb

Encl.

c. P. Fryers  
P. Stagl

9269435.1



Environment and Land Tribunals Ontario  
**Ontario Municipal Board**  
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**APPELLANT FORM (A1)  
 PLANNING ACT**

**SUBMIT COMPLETED FORM  
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*Date Stamp - Appeal Received by Municipality*

*Receipt Number (OMB Office Use Only)*

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W. J. Holdings Limited

Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Professional Title (if applicable): \_\_\_\_\_

E-mail Address: perry@wjproperties.ca

**By providing an e-mail address you agree to receive communications from the OMB by e-mail.**

Daytime Telephone #: 416-429-5277 Alternate Telephone #: \_\_\_\_\_

Fax #: \_\_\_\_\_

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Signature of Appellant: \_\_\_\_\_ Date: May 8, 2014

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(For example: A consent application connected to a variance application)

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(Please print)  
City of Toronto By-law 1156-2010  
OMB PL 101111  
Appeal # 207





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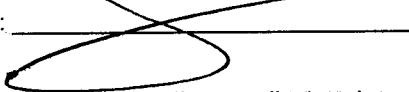
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(Please print)

City of Toronto Zoning By-law No. 540-011

2. Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). \*\*If more space is required, please continue in Part 9 or attach a separate page.

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See cover letter.

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(If application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)

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Are there other planning matters related to this appeal? YES  NO   
(For example: A consent application connected to a variance application)

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

(Please print)  
City of Toronto By-law 1156-2010  
OMB PL 101111  
Appeal # 207





Environment and Land Tribunals Ontario  
**Ontario Municipal Board**  
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 TEL: (416) 212-6349 or Toll Free: 1-866-448-2248  
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 www.eltto.gov.on.ca

**APPELLANT FORM (A1)  
 PLANNING ACT**

**SUBMIT COMPLETED FORM  
 TO MUNICIPALITY/APPROVAL AUTHORITY**

Date Stamp - Appeal Received by Municipality

Receipt Number (OMB Office Use Only)

**Part 1: Appeal Type (Please check only one box)**

SUBJECT OF APPEAL	TYPE OF APPEAL	PLANNING ACT REFERENCE (SECTION)
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Please see asterisked property on Schedule 1 attached

Address and/or Legal Description of property subject to the appeal:

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First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

W. J. Holdings Limited

Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

Professional Title (if applicable): \_\_\_\_\_

E-mail Address: perry@wjproperties.ca

By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 416-429-5277 Alternate Telephone #: \_\_\_\_\_

Fax #: \_\_\_\_\_

Mailing Address:	<u>7 St. Dennis Drive</u>	<u>Suite 101</u>	<u>Toronto</u>
	Street Address	Apt/Suite/Unit#	City/Town
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Signature of Appellant: \_\_\_\_\_ Date: \_\_\_\_\_

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Company Name: Aird & Berlis LLP

Professional Title: Solicitor

E-mail Address: rdoumani@airdberlis.com

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Signature of Appellant: \_\_\_\_\_ Date: May 6/11

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City of Toronto By-law 1156-2010  
OMB PL 101111  
Appeal # 207



## **SCHEDULE 1**

1. 1731, 1735 & 1739 Victoria Park Avenue
2. 22 Oakmount Road
3. 125 Neptune Drive
4. 2550-2560 Kingston Road
5. 10 Grenoble Drive
6. 7 St. Dennis Street
7. 140 Carlton Street\*