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Our File #102640

BY EMAIL

Chair and Members of Planning and Growth Management Committee
Toronto City Hall
100 Queen Street West
Toronto, ON
M5H 2N2

Attn: City Clerk, Merle MacDonald, Administrator

Dear Ms. MacDonald:

**Re: Planning and Growth Management Committee
Statutory Public Meeting – March 24, 2011
Repeal of Zoning By-law No. 1156-2010**

On behalf of a number of landowners in the City of Toronto, I filed appeals of By-law 1156-2010. The reasons for those appeals varied: some were substantive and others were to correct obvious errors in the new By-law. None of these appeals have been resolved by the eight correcting By-laws enacted by City Council on April 13, 2011, and we will be filing appeals against all eight By-laws. We note that none of our clients were consulted in the preparation of these amending By-laws. In addition, we are aware that there will be three additional Bills coming forward, presumably to the Council meeting in May, and should By-law 1156-2010 not be repealed by that time, we will be appealing those additional amendments as well.

By-law 1156-2010 was passed by City Council over nine months ago. The City Solicitor and your staff were not prepared to recommend that the City defend the By-law as enacted and instead, staff have set upon a course of making hundreds of amendments to it. It is clear that Planning and Growth Management Committee has lost confidence in and no longer supports By-law 1156-2010. The course of action being undertaken by your staff of bringing forward a series of amendments to the By-law has resulted in even greater difficulties in interpreting and applying the By-law to particular sites in the City. There is no consolidated version of the By-law available, hundreds of amendments were incorporated in the eight By-laws passed by Council on April 13th, and hundreds more remain to be incorporated in three additional By-laws which we presume staff intend to bring forward for enactment in May.

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All of these amending By-laws will be appealed and, as a result, if Council's intention was to relieve certain lands from errors or from the unintended application of By-law 1156-2010 pending disposition by the Ontario Municipal Board, that goal has not and can not be achieved through this route.

We agree entirely with the position taken by the Planning and Growth Management Committee on March 24, 2011. By-law 1156-2010 obviously contains numerous problems. Rather than continue down the route of successive amendments to this flawed document, making a moving target of By-law 1156-2010, we would urge Planning and Growth Management Committee and City Council to adopt the March 24th Planning and Growth Management Committee recommendation for repeal.

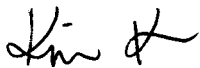
If Council continues to be of the view that a harmonized Zoning By-law is a necessity, then our clients would support a comprehensive and consistent approach to enacting a new City wide Zoning By-law that is in full conformity with the Official Plan, contains fair and appropriate transition provisions, adequately protects previous existing rights and site specific development approvals, and is coherent, readable and capable of clear interpretation.

We would confirm that all of the property owners on whose behalf we filed appeals support the repeal of By-law 1156-2010.

Thanks very much.

Yours truly,

AIRD & BERLIS LLP



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