

AIRD & BERLIS LLP

Barristers and Solicitors

N. Jane Pepino, C.M., Q.C., LL.D.

Direct: 416.865.7727

E-mail: jpepino@airdberlis.com

May 10, 2011

BY EMAIL (pgmc@toronto.ca)

Our File No. 103872

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

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

Dear Sirs/Mesdames,

**Re: Planning and Growth Management Committee
Statutory Public Meeting – May 10, 2011
Repeal of Zoning By-law No. 1156-2010**

323-333 King Street West

We represent Mr. Dani Cohen, owner of 323-355 King Street West and 451019 Ontario Limited, owner of 327-333 King Street West in the City of Toronto.

We are in receipt of the Notice of Public Meeting and understand the Committee will consider the repeal of By-law 1156-2010 on May 10, 2011.

Prior to the City of Toronto enacting By-law 1156-2010 on August 2010 and By-laws 537-2011 to 544-2011 inclusively ("Amending By-laws") on April 13, 2011, we made submissions on behalf of our clients. We outlined a number of concerns and asked that the above-noted site be removed from any new zoning by-law as it is the subject of an active Zoning By-law Amendment application (File No. 10 182677 STE 20 OZ).

By-law 1156-2010 was enacted and included the site. On behalf of our clients we appealed Zoning By-law 1156-2010 (Appeal No. 30). The 8 Amending By-laws provides exclusions for some projects, but not the above-noted site. The appeal period for the Amending By-laws has not yet lapsed. We understand that there are 3 addition bills that were not enacted at City Council on April 13, 2011 and they may be considered by City Council later this month.

May 10, 2011

Page 2

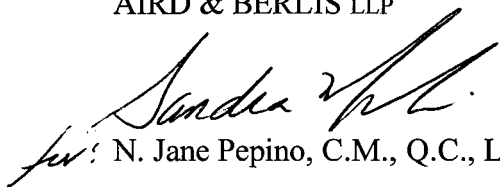
As noted above, we have previously provided comments to the Committee and City Council highlighting numerous problems with the manner in which the City's proposed harmonized Zoning By-law is structured, noting particularly issues of conformity with the official plan, mapping inconsistencies and errors, errors in respect of existing approvals and development rights, conflicts, new regulations and transition problems.

Our client supports a comprehensive and consistent approach to enacting a new citywide Zoning By-law and does not support the piecemeal approach taken by the City. As a result, our client must support the repeal of By-law 1156-2010.

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


for: N. Jane Pepino, C.M., Q.C., LL.D.

NJP/SMN

c: Mr. D. Cohen
P. Stagl, Opus Management Inc.