



May 10, 2011
WCGI File No. 5195

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

**ATTENTION: Ms. Merle MacDonald, Administrator, Planning and Growth
Management Committee**

Dear Sirs/Mesdames:

**Re: Planning and Growth Management Committee
Agenda Item No. PG4.1 - May 10, 2011 (Special Meeting)
Statutory Public Meeting Regarding Repeal of Zoning By-law 1156-2010**

Weston Consulting Group Inc. (WCGI) is the planning consultant for Brovi Investments Limited, the owners of 3875 Keele Street, in the City of Toronto (herein referred to as the "subject property").

The purpose of this correspondence is to respond to the City of Toronto's Planning and Growth Management Committee (PGMC), which will be considering item number PG4.1 at its Special Statutory Public Meeting of May 10, 2011.

On behalf of the owners, Aird & Berlis LLP appealed the Toronto By-law No. 1156-2010 on September 29, 2010 (enclosed for reference). In addition, Aird & Berlis LLP has subsequently appealed all eight (8) amending Zoning By-laws on May 9, 2011, which include By-law Nos. 537-2011, 538-2011, 539-2011, 540-2011, 541-2011, 542-2011, 543-2011, and 544-2011.

Our client's concerns have not been addressed in the amending By-laws. On that basis, **our client supports the repeal of Zoning By-law 1156-2010** in order to permit the opportunity for our client's concerns to be addressed appropriately.

We would be pleased to meet with City Staff to discuss our client's concerns and the appropriate resolution of these matters.

We reserve the right to provide further comments in relation to Toronto By-law process, as appropriate, and request to be notified concerning notice of any decisions, and/or further meetings relating to this process.

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Should you have any questions concerning the content of this submission, please contact the undersigned or Nusrat Omer (ext. 243).

Yours truly,
Weston Consulting Group Inc.
Per:

A handwritten signature in black ink, appearing to read 'Ryan Guetter', with a stylized flourish extending to the right.

Ryan Guetter, BES, MCIP, RPP
Vice-President

Cc. M. Winter, Brovi Investments Limited
R. Doumani, Aird & Berlis LLP
City Clerk, City of Toronto

Encl.

AIRD & BERLIS LLP

Barristers and Solicitors

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

September 29, 2010

BY COURIER

Our File No. 106565

City Clerk
Attn: Merle MacDonald
Committee Administrator
Planning and Growth Management Committee
City of Toronto
10th Floor West Tower
100 Queen Street West
Toronto, ON
M5H 2N2

Dear Ms. MacDonald:

**Re: Appeal of Zoning By-law 1156-2010 (New Comprehensive Zoning By-law)
Pursuant to Section 34(19) of the Planning Act, R.S.O. 1990 c.P. 13
3875 Keele Street**

We act on behalf of Brovi Investments Limited, owner of property known municipally as 3875 Keele Street located in the City of Toronto (the "subject lands").

We are writing to appeal Council's decision to pass Zoning By-law 1156-2010 as it pertains to the subject lands pursuant to Section 34(19) of the Planning Act R.S.O. 1990 c.P. 13, as amended. The reasons for this appeal are set out in our letter dated August 19, 2010, a copy of which is attached hereto. Our client's concerns which were outlined in the earlier correspondence have not been addressed. We are requesting that the entire parcel be excluded from the new Zoning By-law and identified as "not part of the by-law" and that all schedules be modified to reflect this.

In addition, our client continues to have concerns with the proposed Employment (E) zoning of the subject lands given that the proposed zoning contains new provisions and restrictions which did not exist in the former general Zoning By-law. In certain instances, the new provisions and restrictions could operate to render the existing development as non-conforming. Specific provisions to which our client objects include, but are not limited to, the following:

- (a) 60.5.1.10(3) – Calculation of Gross Floor Area for Manufacturing Use;
- (b) 60.5.80.1(1) – Calculation of Parking for Manufacturing Use;
- (c) 60.5.80.10 – Parking in Yards;
- (d) 60.20.20.10(1) – Principle Use permissions;

- (e) 60.20.20.20(1) – Principle Use Conditional permissions;
- (f) 60.20.20.100 – Use conditions;
- (g) 60.20.40.10 – Height (office building); and
- (h) 60.20.50.10 – Landscaping requirements.

We reserve the right to advance further and other grounds at the hearing of the owner's appeal.

In support of this appeal we enclose herewith the following material:

- 2. a cheque in the amount of \$125.00 representing the Board's appeal fee; and
- 3. a completed Appellant Form (A1) Planning Act – Bill 51.

If you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

AIRD & BERLIS LLP



Robert G. Doumani

RGD/bna

cc M. Winter
Ryan Guetter

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