

AIRD & BERLIS LLP

Barristers and Solicitors

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

November 2, 2012

Our File No. 63662

BY EMAIL

Councillor Peter Milczyn, Chair
c/o Merle MacDonald
Secretarial Contact, Planning and Growth Management Committee
10th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Chair and Members of the Committee

**Re: Revised Draft City-wide Zoning By-law
Agenda Item PG 19.12**

Aird & Berlis LLP acts for Kenneth-Sheppard Limited, the owner of the property municipally known as 160 Greenfield Avenue et al, and Metrontario Investments Limited, the owner of the property municipally known as 452 Rathburn Avenue. Our clients appealed the now repealed Zoning By-law 1156-2010 [appeal #89 – Kenneth Sheppard Limited and appeal #90 Metrontario Investments Limited].

Then and now we are seeking an amendment to provide that notwithstanding anything in the draft by-law, that site specific zoning and any related minor variances and other planning approvals continue to prevail, and that the new By-law will not subsequently be applied to impose further restrictions through zoning regulations that do not at present govern the property.

As per our letter to the Planning and Growth Management Committee of October 4, 2012, we have reviewed the revised version of the Draft Zoning By-law. We note that a review of the revisions prior to the November 8, 2012 Planning and Growth Management Committee has been made difficult as a red-line version of the text will not be released on the Zoning By-law Project's web page until after this meeting. As such, the entire version of the Draft Zoning By-law has to be reexamined with respect to our client's interests. We are hereby writing to request that a red-lined version of all subsequent revisions to the draft Zoning By-law be made available prior to any future Committee or Council meeting.

We will continue to monitor the precision of the manner in which the new zoning by-law will delineate those parcels of land which are to continue under the formal General Zoning By-laws. We will provide final comments on the form and content of and subsequent revisions to the Draft Zoning By-law prior to the Statutory Public Meeting scheduled for February 13, 2013.

November 2, 2012
Page 2

Yours truly,

AIRD & BERLIS LLP

Robert G. Doumani

RGD/ee

cc. P. Stagl
S. Zavaros

13421381.1