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Delivered Via Email

City of Toronto
Planning and Growth Management Committee
100 Queen Street West
Toronto, Ontario
M5H 2N2

Dear: Chair and Members of the Committee

**Re: City of Toronto Revised Draft Zoning By-law
80 Bloor Street West**

We act on behalf of Krugarand Corporation for the property municipally known as 80 Bloor Street West, Toronto, Ontario (“the property”). The property is located north of Bloor Street West, east of Bellair Street, west of Bay Street, and south of Critchley Lane. We have reviewed the draft City of Toronto Zoning By-law (“the new draft by-law”) as it pertains to our client’s property. Based on this review, our client has ongoing concerns with regard to various aspects of the new draft by-law.

We maintain concern surrounding minor variances, their transition to the new draft by-law, and the limited protection afforded them. If the draft by-law creates a situation where its provisions are less permissive, then the benefit of this minor variance is lost, unless a building permit is obtained within three years of the passing of the new draft by-law. This does not concretely guarantee any unused variances.

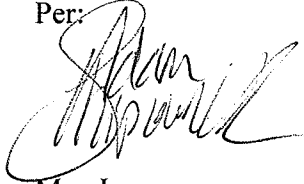
Furthermore, we are in the process of preparing the necessary documentation to submit a Zoning Amendment Application. We had a preliminary meeting with the local Councillor and have commenced the preparation of required studies and analyses for the application. The reports being prepared make reference to provisions outlined in the current Zoning By-law 438-86. We feel that the work being prepared for the application submission may be compromised if our application is not received before enactment of the new draft by-law and the property is subsequently governed by a different set of provisions. Therefore, we respectfully request that the property be placed in a hole and not be subject to the new draft by-law.

We feel there are still many unknowns as to exactly how our client’s property will be affected by the enactment of this new draft by-law. Consequently, we wish to secure our appeal rights by

submitting this letter prior to the enactment of the new draft by-law. We thank you for your cooperation with this request and ask that you continue to keep us informed of any changes going forward and with regard to the enactment timeline as it becomes more concrete.

Regards,
BORDEN LADNER GERVAIS LLP

Per:



May Luong
ML/as
Land Use Planner

cc: Joe D'Abramo (Director of Zoning By-law and Environmental Planning, City of Toronto)
Ulli Watkiss (City of Toronto Clerk)
Jane Huey (Manager, Krugarand Corporation)
Sean Gosnell (Lawyer, Borden Ladner Gervais LLP)

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