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October 11, 2012

BY EMAIL

Our File No. 98814

Honourable Mayor Ford & Members of Council
City of Toronto
Toronto City Hall
100 Queen Street West
Toronto, ON
M5H 2N2

Attn: Mr. Joe D'Abramo, Acting Director, Zoning By-law and Environmental Planning

**Re: City of Toronto's New Draft Comprehensive Zoning By-law
Application to Amend the Official Plan, Zoning By-law and Site Plan
Approval with respect to 0 and 1100 – 1150 Caledonia Road
Your Application Nos.: 10 105227 NNY 15 OZ, 10 255341 NNY 15 OZ and
10 105218 NNY 15 SA**

We represent Excel Development Corporation with respect to the above noted applications at 0 and 1100 – 1150 Caledonia Road (the "Property"). The Property is located west of Caledonia Road and north of Lawrence Avenue West.

OPA 167 and Zoning By-law 143-2012, a site specific amendment to By-law 7625 of the former City of North York Zoning was passed in February of this year to permit the redevelopment of the Property. The site plan approval application continues to be reviewed by City staff.

We have reviewed the City of Toronto's new draft comprehensive zoning by-law and note that the majority of the Property has been put in a "hole" but two portions along the railway corridor appear to have been included in the new By-law and proposed to be zoned Utility and Transportation.

In your letter dated April 26, 2012, you advised that the proposed transition protocol for the new By-law will operate to prevent the new By-law from applying to properties with active site plan applications that have not received a building permit. In accordance with that intent, we request that the new By-law not be applied to our client's entire property at this time in order to allow the ongoing planning process relating to this application to be completed in the context of the current policies and regulations.

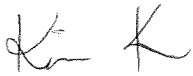
Although we have been advised by Zoning Team staff that the portions of the Property not excluded from the site will be excluded, revised mapping is not available at this time to confirm same.

Please provide the undersigned with notice of further public meetings, including the Statutory Public Meeting, in this matter and notice of enactment of the new By-law.

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

Yours truly,

AIRD & BERLIS LLP



Kim M. Kovar
KMK/SM

cc Client
S. McAlpine, City of Toronto

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