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October 10, 2012

BY EMAIL

Our File No. 105065

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

Attn: Merle MacDonald, Committee Administrator

Chair and Members of Planning and Growth Management Committee:

**Re: Proposed Heritage Policies (Official Plan Amendment 199)
Agenda Item PG 18.2.
Official Plan Five Year Review: Official Plan Amendment to adopt new
Heritage and Public Realm Policies
401, 407-409 and 415 King Street West
Your Application No.: 10 197695 STE 20 OZ**

We act of behalf of 1107051 Ontario Ltd. and Cabo Three Investments Inc., the owners of the properties municipally known as 401, 407-409 and 415 King Street West (the "Site") in the City of Toronto.

An application to amend the Zoning By-law was submitted to the City on November 3, 2010 and is being reviewed by City staff at this time. In our submission, this application should be processed and considered in the context of the Official Plan policies, including the heritage policies, which were in force at the time of submission.

Accordingly, we are writing to request that appropriate transition policies be added to the proposed OPA 199 to grandfather sites with applications currently in process, or in the alternative, that the above-noted lands be exempted from the application of proposed OPA 199.

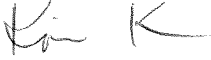
Kindly provide the undersigned with written notice of any decision respecting OPA 199.

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

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Yours truly,

AIRD & BERLIS LLP



Kim M. Kovar
KMK/jh

cc client
P. Smith
D. Nicholson, City of Toronto

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