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March 22, 2013

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File 13703.00013

Chair and Members of Council  
City of Toronto  
Toronto City Hall  
100 Queen Street West  
2<sup>nd</sup> Floor  
Toronto, Ontario M5H 2N2

**Attention: Ulli Watkiss, Clerk**

Dear Ms. Watkiss:

**Re: Proposed new City of Toronto Comprehensive Zoning By-law  
Starbank Group of Companies - 3711 Keele Street, Toronto**

We are counsel for the Starbank Group of Companies ("**Starbank**"), which has an ownership interest in the lands municipally known as 3711 Keele Street (the "**subject site**"), in the City of Toronto (the "**City**"). The subject site is a rectangular shaped lot comprising 1.805 hectares (4.461 acres) and is located at the southeast corner of Keele Street and Ashwarren Road. It is currently occupied by a one-storey building containing several retail/industrial units.

Our client has an ongoing interest in the City's processing of its proposed new City-Wide Comprehensive Zoning By-law ("**CWZBL**") and as such, it has sought our advice and recommendations respecting the effect of the CWZBL on the subject site.

We have conducted a preliminary review of the November 8, 2012 draft version of the CWZBL as well as the additional by-law changes contained in Staff Reports dated January 22, 2013 and February 26, 2013 (collectively referred to as the "**current draft CWZBL**"). The purpose of this correspondence is to register our client's concerns with the current draft CWZBL as it relates to the subject site.

In addition to monitoring the progress of the proposed new CWZBL, our client is also conducting its own independent land use analysis to consider options for the subject site. In part, this review has been triggered by the City's on-going Five-Year Official Plan Review and the concurrent Municipal Comprehensive Review. These planning initiatives will all be relevant to determining the long-range planned function of the subject site.

From our review, we understand that the subject site is currently proposed not to be part of the new CWZBL, and would instead remain subject to the "Former General Zoning By-law 7625 (North York) as shown on Map Sheet 267." Our client would be satisfied if that were to remain the status of the subject site under the CWZBL once enacted – provided it is understood and acknowledged that this status also encompasses existing approvals of minor variances from By-law 7625, as amended.

That said, we continue to have the same general concerns with the need to protect our client's existing property rights and zoning/planning approvals. Among other things, we are seeking to verify how the other City planning initiatives may impact the subject site. We are also continuing to monitor the precise manner in which the new CWZBL will delineate those parcels of land which are to continue under the former General Zoning By-laws and how they will eventually be transitioned into the new CWZBL.

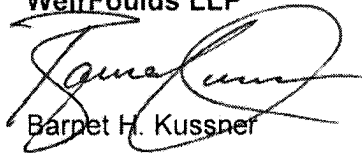
Please accept this correspondence as our client's written comments filed prior to Council's consideration and enactment of the CWZBL for the purposes of confirming the current zoning of the subject site and reserving our client's *Planning Act* appeal rights, if necessary. We reserve the right to further supplement our concerns as the CWZBL evolves, particularly since we are not aware what further amendments (and to which provisions of the CWZBL) may be made by Staff and Council which could have zoning impacts on the subject site.

Please also accept this correspondence as our formal request that we be provided with any Staff Reports, Council and/or Committee's resolutions, and Notice of Decision by the City under s. 34(18) of the *Planning Act* with respect to the CWZBL.

Thank you for your attention to this matter. Should you have any questions or require clarification, please do not hesitate to contact the undersigned.

Yours truly,

**WeirFoulds LLP**



Barnett H. Kussner

BHK:PC/cl

c: Joe D'Abramo, City of Toronto  
Dung Lam, Starbank Group of Companies  
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