

PG21.1.269

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March 20, 2013

**VIA E-MAIL & COURIER**

Mayor and Members of Council  
City of Toronto  
Metro Hall, 24th Floors  
55 John Street  
Toronto ON M5V 3C6

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Your Worship and Members of Council:

**Re: Proposed New Comprehensive Zoning By-law ("New By-law")**

**And Re: Planning and Growth Management Committee PG 21.1  
Final Report on the City-Wide Zoning By-law**

We are the solicitors for Samper Developments Limited an owner of property known municipally as 25, 35, 41 and 53 Warrender Avenue. Our client has filed applications for minor variance and site plan approval respecting this property.

Based on our review of the New By-law, it appears that the above property is in a "hole" i.e. the zoning in place prior to the approval of the New By-law would continue to apply. Generally speaking, it is our client's submission that the zoning applicable to the above-referenced property should be amended to reflect the permissions and provisions contemplated by its applications. It would further object to any amendments to the New By-law which would serve to derogate from the permissions contemplated by either the existing zoning or official plan provisions as such relate to this property.

Please note that our client could only accept the placement of its property in a "hole" provided that a protocol to co-ordinate such treatment with the consideration/approval of its applications is adequately secured.

We would be pleased to discuss the foregoing. Please provide us with notice of Council's decision in this matter or of any future consideration by Council, Community Council or any Committee.

Thank you for your attention in this regard.

Yours very truly,

McCarthy Tétrault LLP

Per:



John A.R. Dawson  
JAD/rlo