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March 28, 2013

VIA E-MAIL (clerk@toronto.ca)

Mayor and Members of Council
City of Toronto
Toronto City Hall
100 Queen Street West
Toronto, Ontario M5H 2N2

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 1660866 Ontario Inc., the owner of the property known municipally as 2330 Kennedy Road, a medical office building located to the south east of the Agincourt Mall at Kennedy and Sheppard Avenue East.

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 will continue to apply. Generally speaking, it is our client's submission that the entire zoning regime applicable to this property should reflect the permissions and provisions contemplated by the existing approvals without qualification. Our client could accept the placement of its property in a "hole" only on the basis that this principle was strictly followed without error. Our client would further object to any change to the New By-law that could have the effect of diminishing or lessening in any way the development permissions currently in place for each property.

Please provide us with notice of Council's decision in this matter, including any subsequent consideration by Council, Community Council, or any Committee.

Thank you for your kind consideration.

Yours very truly,

McCarthy Tétrault LLP


Tara L. Piurko

(TLP/csb