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2013 APR -2 P 4: 12

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**PG 21.1.378**

April 2, 2013

**VIA E-MAIL & COURIER**

Mayor and Members of Council  
City of Toronto  
100 Queen Street West  
Toronto ON 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 25 Merton Street Inc. which has an interest in the property known as 1815 Yonge Street and 25 Merton Street.

Based on our review of the New By-law, it appears that the above referenced 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 our client's submission that the entire zoning regime applicable to the site should reflect the permissions and provisions contemplated by the existing approval (including but not limited to site specific provisions and minor variances). Our client could accept the placement of its property in a "hole" only on the basis that this principle was strictly followed without error. Alternately, the New By-law could be amended to so provide. Our client would further object to any change to the New By-law that would derogate from any of its existing permissions.

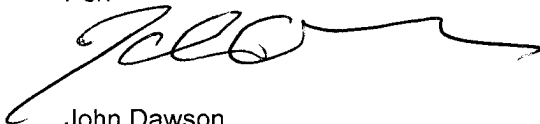
We would be pleased to discuss the foregoing. Please provide us with notice of any decision by Council in this matter or of any subsequent consideration by Council, Community Council or any Committee.

Thank you for your kind consideration.

Yours truly,

McCarthy Tétrault LLP

Per:



John Dawson

JAD/sc