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February 27, 2013

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**SENT VIA E-MAIL (PGMC@TORONTO.CA;
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Planning and Growth Management Committee
City of Toronto
c/o City Clerk's Department
10th Floor, West Tower, City Hall
100 Queen St W
Toronto, Ontario
M5H 2N2

Attention: Merle MacDonald, Committee Administrator

Dear Committee Members:

**Re: Planning and Growth Management Committee - Statutory Public Meeting
on March 6th, 2013 re City-wide Zoning By-law (Item PG21.1)
Submission on behalf of Joseph Caruana, Louise Debono, Joel Hienz and George
Debono**

Please be advised that we are the solicitors for Joseph Caruana, Louise Debono, Joel Hienz and George Debono, the owners of a number of properties which are listed in the attached schedule (the "Properties"). Our clients have monitored the process with respect to the proposed new City-wide Zoning By-law and want to ensure that their existing zoning rights with respect to the Properties are not impacted in any way. Unfortunately, in reviewing the draft of the proposed new By-law, our clients have not been able to determine with certainty that their existing zoning rights are fully protected and that those rights are not undermined by other proposed new provisions.

In particular, the Properties are the subject of the current By-law. In these circumstances, it would be appropriate that the Properties be excluded from the new Zoning By-law at this time and instead be identified as being "Not Part of this By-law" in the text and mapping, as has been done for other properties.

Accordingly, please accept this letter as a request that the City ensure that all of our clients' existing zoning rights as provided for under the existing Zoning By-law (together with any related Committee of Adjustment variances) are not negatively impacted by the provisions of

the new By-law. Until such time as our clients are satisfied by the City that their existing zoning rights are not prejudiced in any way, our clients object to the adoption of the new Zoning By-law as it relates to the Properties.

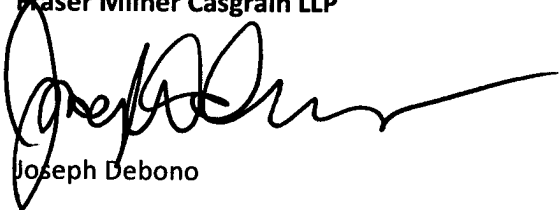
If the City could provide us with confirmation that the new Zoning By-law does not make any changes whatsoever to the existing zoning rights of our clients, then we would be pleased to review that information. However, until such time as that confirmation is received from the City, our clients maintain their objection to the new Zoning By-law in respect of the Properties.

Kindly provide the undersigned with notice of all further actions with respect to this matter including Notice of Passing of the new Zoning By-law. In addition, kindly ensure that this written submission is forwarded to City Council for its consideration prior to the adoption of the new Zoning By-law.

Should you require anything further with respect to this matter, kindly contact the undersigned at your earliest convenience.

Yours very truly,

Fraser Milner Casgrain LLP

A handwritten signature in black ink, appearing to read 'Joseph Debono', with a long horizontal flourish extending to the right.

Joseph Debono

JCD/ms

c.c.: Mr. Joseph Caruana
c.c.: Ms. Louise Debono
c.c.: Mr. Joel Hienz
c.c.: Mr. George Debono

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List of Properties

- (i) 21 Birch Avenue is owned by Louise Debono;
- (ii) 23 Birch Avenue is owned by Joel Hienz;
- (iii) 25 Birch Avenue is owned by Joseph Caruana;
- (iv) 27 Birch Avenue is owned by George Debono;
- (v) 130 Balmoral Avenue is owned by George Debono and Joseph Caruana;
- (vi) 574 Indian Road is owned by George Debono and Joseph Caruana;
- (vii) 577A Indian Road is owned by George Debono and Joseph Caruana; and
- (viii) 419 Markham Street is owned by George Debono.