



**BRATTYS** <sup>LLP</sup>  
BARRISTERS AND SOLICITORS

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Planning and Growth Management Committee  
City of Toronto  
Toronto City Hall, 10<sup>th</sup> Floor, West Tower  
100 Queen Street West  
Toronto, Ontario M5H 2N2

**Attention: Chair and Members of the Planning and Growth Management Committee**

Dear Chair and Members of the Committee,

**Re: 1845 Birchmount Road**  
**Item No. PG21.1 – Final Report on the City-wide Zoning By-law**  
**City File No: A108/12EYK**

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We are the solicitors acting on behalf of Neamsby Investments Inc. (“Neamsby”) with respect to the above referenced matter. Neamsby is the owner of lands municipally known as 1845 Birchmount Road in the City of Toronto (“Site”).

We are writing herein to respectfully request that the Site be excluded from the new Zoning By-law. As this Committee may be aware, our client is currently participating in the current “Five Year Review of the Official Plan and Municipal Comprehensive Review”. In this regard we note that it would be inappropriate to zone the property “E 0.8” given the recent set of recommendations that are still before the Committee with respect to the “Five Year Review of the Official Plan and Municipal Comprehensive Review”.

### **Background**

1. The Site is bounded on the south and east side by low scale residential uses.
2. The existing 14,500 square metre, single storey industrial building on the Site has been largely vacant for the last several years and is used for warehousing purposes on a periodic basis.
3. The Site is designated as “Employment Area” in the approved Official Plan.

4. The existing zoning applicable to the Site is "M" Industrial in the Scarborough "Ellesmere Employment District" By-law.

### Summary

As the Committee has previously been advised, Remington is prepared to explore permissions for including uses permitted in Employment Areas within either single use or mixed use buildings on the Site as part of a re-designation of the Site to Mixed Use Areas. In the absence of a determination from the Committee and Council with respect to Remington's recommendations with respect to the "Five Year Review of the Official Plan and the Municipal Comprehensive Review" the Site should be excluded from the Zoning By-law.

Our client is available to meet with City Staff to discuss its interests in greater detail.

We hope that you will find the above of some assistance in your consideration of this matter.

Yours truly,  
**BRATTYS LLP**



Barry A. Horosko

cc: Randy Peddigrew, The Remington Group Inc.