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March 4, 2013

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Matter No. 527801-1

**DELIVERED BY EMAIL** (PGMC@TORONTO.CA)

Planning and Growth Management Committee  
City of Toronto  
c/o City Clerk's Department  
10<sup>th</sup> Floor, West Tower, City Hall  
100 Queen Street West  
Toronto ON M5H 2N2

**PG21.1.180**

**Attention: Ms. Frances Pritchard, Administrator**

Dear Chair Milczyn and Committee Members:

**RE Statutory Public Meeting re: New City-wide Zoning By-law**  
**- Item No. PG21.1, March 6, 2013 Agenda**  
**- Submission filed on behalf of Bateg Investments Limited and**  
**Upper Village Investments Limited**  
**- Nos. 861 Eglinton Avenue West and 875 Eglinton Avenue West**

Please be advised that we are the solicitors for Bateg Investments Limited and Upper Village Investments Limited, the owners of properties located at Nos. 861 Eglinton Avenue West and 875 Eglinton Avenue West. Our client has submitted a Zoning By-law Amendment application to allow for the redevelopment of part of this property and intends to submit a further application relating to the remainder of the property at the appropriate point in time. Accordingly, our client wants to be on record that it does not support any provisions in the proposed New Zoning By-law which create impediments to the appropriate redevelopment of these properties.

In addition, pursuant to the provisions of the *Planning Act*, in order to preserve one's right to appeal the Zoning By-law Amendment to the Ontario Municipal Board, a property owner must express its concerns on the proposed Zoning By-law Amendment before City Council adopts that amendment. Since it is possible that City Council can make amendments, without notice, up to the very last minute prior to adoption of the New Zoning By-law, the only way in which a property owner can protect its rights is by filing a letter expressing its concerns.

Accordingly, please accept this letter as our client's written letter of concern with respect to the application of the provisions, maps, overlays, etc. in the proposed New Zoning By-law which relate in any way to the above-noted properties.

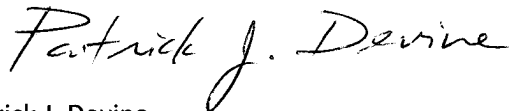
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Kindly provide the writer with notice of all further actions with respect to this matter including Notice of Passing of the new Zoning By-law. In addition, kindly ensure that this written submission is forwarded to City Council for its consideration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

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

Yours very truly,

**Fraser Milner Casgrain LLP**

A handwritten signature in cursive script that reads "Patrick J. Devine".

Patrick J. Devine

PJD/mp

cc: Bateg Investments Limited  
cc: Upper Village Investments Limited