



# PG21.1.146

Toronto-Dominion Centre  
Toronto, ON, Canada M5K 0A1

MAIN 416 863 4511  
FAX 416 863 4592

March 4, 2013

**Patrick J. Devine**  
**patrick.devine@fmc-law.com**  
**Direct 416 863 4515**  
**Matter No. 529536-97**

**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

**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 Bentall Kennedy (Canada) LP**  
**- Nos. 15-19 Cordova Avenue**

Please be advised that we are the solicitors for Bentall Kennedy (Canada) LP, the owner of Nos. 15-19 Cordova Avenue. Our client has monitored the process with respect to the proposed new City-wide Zoning By-law and wants to ensure that its existing zoning rights with respect to Nos. 15-19 Cordova Avenue are not impacted in any way. Unfortunately, in reviewing the draft of the proposed new By-law, our client has not been able to determine with certainty that its existing zoning rights are fully protected and that those rights are not undermined by other proposed new provisions.

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 a request that the City ensure that all of our client's 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 client is satisfied by the City that its existing zoning rights are not prejudiced in any way, our client objects to the adoption of the new Zoning By-law as it relates to our client's property.

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 black ink that reads "Patrick J. Devine". The signature is written in a cursive, flowing style.

Patrick J. Devine

PJD/mp

cc: Bentall Kennedy (Canada) LP