



**Fraser Milner Casgrain LLP**  
77 King Street West, Suite 400  
Toronto-Dominion Centre  
Toronto, ON, Canada M5K 0A1

MAIN 416 863 4511  
FAX 416 863 4592

October 11, 2012

**Mark A. Piel**  
Mark.Piel@fmc-law.com  
DIRECT 416 863 4744  
File No.: 549831-1

**VIA EMAIL**

Chairman and Members  
Planning & Growth Management Committee  
City of Toronto  
City Hall, 100 Queen St W  
10th Floor, West Tower  
Toronto ON M5H 2N2

Attention: Ms. Merle MacDonald, Committee Administrator  
City Clerk's Department

Dear Sirs/Mesdames,

**RE: Planning & Growth Management Committee  
Agenda Item PG18.7 - October 12th, 2012  
Recommended Changes to the Draft City-Wide Zoning By-law Resulting from  
Public Consultation**

We are the solicitors for 650455 Ontario Ltd. (hereinafter referred to as the "**Owner**") with respect to the property known as 0 Harlton Crescent in the City of Toronto (the "**Site**"). The Site is located south of Eglinton Avenue West and west of Caledonia Road.

The Site is currently the subject of appeals to the Ontario Municipal Board from decisions of the Etobicoke York Panel of the Committee of Adjustment (Board Case No. PL101259: Board File Nos. , PL101260, PL101261, hereinafter referred to as the "**Appeals**"). The Owner proposes to develop the Site for the purpose of a semi-detached dwelling unit. The Appeals are scheduled to be heard on January 16th and 17th, 2013.

We are writing pursuant to our review of the draft City of Toronto zoning by-law which was made available to the public on June 18th, 2012 (the "**Proposed By-law**"). Zoning maps in the Proposed By-law indicate the City intends to zone the Site as RM (f12.0; v2; d0.8) (x252). Subject to further comments we have on the substance of the Proposed By-law, we are writing to request that the Site be excluded from the scope of the Proposed By-law until such time as the Appeals have been finally resolved and the Owner applies for and receives building permits for the Site.

We understand that City Planning staff continue to explore options for excluding properties in this manner, whether it is through a "Not Part of this By-law" designation or a "See Former City of York By-law No. 1-83" designation on Zoning and Overlay maps to be incorporated into the Proposed By-law. Until such time as City Planning staff ultimately recommends an approach in this respect, our client reserves comment.

We understand that a revised draft of the Proposed By-law is scheduled to be released to the public before a statutory meeting sometime in February 2013. We would ask that the Site's excluded status be reflected in that revised draft and that the Zoning and Overlay maps be updated accordingly, after which time we will be able to review the matter in greater detail and provide additional comments, if necessary, to City Planning staff, without prejudice to any rights of appeal our client maintains.

If you have any questions regarding the above, please do not hesitate to contact the undersigned at 416.863.4744.

Yours very truly,  
**Fraser Milner Casgrain LLP**



Mark A. Piel  
MAP/ss

c.c. 640455 Ontario Ltd.

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