

McCarthy Tétrault LLP
 PO Box 48, Suite 5300
 Toronto-Dominion Bank Tower
 Toronto ON M5K 1E6
 Canada
 Tel: 416-362-1812
 Fax: 416-868-0673

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Daniel B. Artenosi
 Direct Line: (416) 601-8115
 Direct Fax: (416) 868-0673
 Email: dartenosi@mccarthy.ca

March 22, 2013

Mayor and Members of Council
 City of Toronto
 Toronto City Hall
 100 Queen Street West
 Toronto ON M5H 2N2

Your Worship and Members of Council:

**Re: Proposed New Comprehensive Zoning By-law ("New By-law")
 Alterra-Zinc (Hazelton) Ltd.**

And Re: Item PG21.1 – Final Report on the City Wide Zoning By-law

We are the solicitors for Alterra-Zinc (Hazelton) Ltd., being the owner of the property known as 34-38 Hazelton Avenue (now municipally renumbered as 36 Hazelton Avenue) (the "Site").

The Site is currently under construction for a 7-storey residential building in accordance with the former City of Toronto Zoning By-law No. 438-86 and site-specific By-law No. 148-2011 (OMB). The Site is also the subject of Site Plan Application No. 10 295984 STE 27 SA.

Based on our review of the New By-law, it appears that the Property is in a "hole" – i.e. the zoning in place prior to the approval of the New By-law would continue to apply. Generally speaking, it is our client's submission that the entire zoning regime applicable to the Property should reflect the permissions and provisions contemplated by the existing approvals, the ongoing application and any approvals related thereto.

Provided the placement of the Property in a "hole" fully respects this principle, our client could accept this treatment of the Property at this time, provided further that any potential future action which could serve to alter this status is subject to controls to ensure this principle is not violated.

Our client would further object to any amendments to the New By-law which would serve to derogate from the permissions contemplated by either the existing zoning framework or official plan provisions as they relate to the Property.

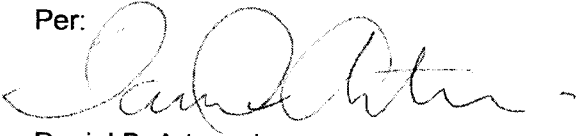
We would be pleased to discuss the foregoing. Please provide us with notice of Council's decision in this matter or of any future consideration by Community Council, Council, or any Committee.

Thank you for your attention in this regard.

Yours very truly,

McCarthy Tétrault LLP

Per:

A handwritten signature in black ink, appearing to read "Daniel B. Arsenosi". The signature is fluid and cursive, with a long horizontal stroke at the end.

Daniel B. Arsenosi

DBA

c. Robert Cooper, Alterra-Zinc (Hazelton) Ltd.