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PG21.1.286

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March 21, 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")  
Huntington 1900 Bayview Inc.**

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

We are the solicitors for Huntington 1900 Bayview Inc., the owner of the property at 1888 and 1900 Bayview Avenue (the "**Site**").

The Site is being developed for two residential buildings in accordance with the former North York Zoning By-law No. 7625 and site-specific By-law No. 1125-2007 (OMB) and subsequent minor variances. The Site is also the subject of Site Plan Application No. 04 201763 NNY 25 SA.

Based on our review of the New By-law, it appears that the Site 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 Site should reflect the permissions and provisions contemplated by the existing approvals and the ongoing application.

Provided the placement of the Site in a "hole" fully respects this principle, our client could accept this treatment of the Site 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 or official plan provisions as they relate to the Site.

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 Council Community, 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 'CJT', with a long horizontal stroke extending to the right.

Christopher J. Tanzola

CJT/rlo

c. S. Cavarretta/M. Cristofoli (Huntington 1900 Bayview Inc.)