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March 5, 2013

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File No.: 527459-1>

**SENT VIA E-MAIL (pgmc@toronto.ca)**

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

Attention: Committee Administrator

Dear Committee Members:

**Re: Planning and Growth Management Committee - Statutory Public Meeting on  
March 6th, 2013 re City-wide Zoning By-law (Item PG21.1)  
Submission on behalf of Burnac Holdings Limited  
700 Huron Street, Toronto**

Please be advised that we are the solicitors for Burnac Holdings Limited, the owner of 700 Huron Street, including the former municipal addresses of 700 Huron Street, 376-380 McPherson Avenue and 365-375 Madison Avenue (the "**Property**"). 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 the Property 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 particular, the Property is the subject of By-law No. 758-2006, which was approved by the Ontario Municipal Board in 2005. Subsequently, in a decision dated April 3rd, 2007, the Committee of Adjustment approved a minor variance for an increase in the total residential gross floor area permitted on the Property. Further, in a decision dated April 26th, 2012, the Ontario Municipal Board approved further minor variances for, amongst other things, an increase in the permitted number of dwelling units for the Property. In these circumstances, it would be appropriate that the Property be excluded from the new Zoning By-law at this time and instead be identified as being "Not Part of this By-law" in the text and mapping, as has been done for other properties.

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.

If the City could provide us with confirmation that the new Zoning By-law does not make any changes whatsoever to the existing zoning rights of our client, then we would be pleased to review that information. However, until such time as that confirmation is received from the City, our client maintains its objection to the new Zoning By-law in respect of its 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

Jason Park  
JIP/ss

c.c. Burnac Holdings Limited

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