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March 4, 2013

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Matter No. 535734-1

DELIVERED BY EMAIL (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 Street West
Toronto ON M5H 2N2

PG21.1.182

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 Onni Fort York Development Limited Partnership
- Lands South of Fort York Boulevard, West of Bathurst Street

Please be advised that we are the solicitors for Onni Fort York Development Limited Partnership, the owner of lands located south of Fort York Boulevard, west of Bathurst Street. 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 lands south of Fort York Boulevard, west of Bathurst Street 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.

As well, our client is about to submit a Zoning By-law Amendment application for part of the property. Accordingly, our client wants to be on record that it does not support any provisions in the proposed New Zoning By-law which create impediments to the appropriate redevelopment of this property.

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.

Therefore, 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.

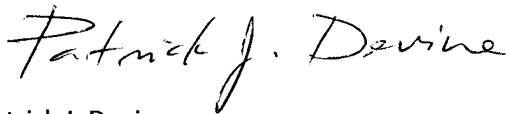
Please also accept this letter as our client's written letter of concern with respect to the application of the provisions, maps, overlays, etc. in the proposed New Zoning By-law which relate in any way to that part of the property which will be the subject of the pending rezoning application.

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 cursive script that reads "Patrick J. Devine".

Patrick J. Devine

PJD/mp

cc: Onni Fort York Development Limited Partnership