



Davies
Howe
Partners
LLP

Lawyers

The Fifth Floor
99 Spadina Ave
Toronto, Ontario
M5V 3P8

T 416.977.7088
F 416.977.8931
davieshowe.com

Please refer to: **John M. Alati**
e-mail: johna@davieshowe.com
File No. 702127

November 7, 2012

By E-mail to pgmc@toronto.ca

Merle MacDonald
Committee Administrator
Planning & Growth Management Committee
Toronto City Hall
100 Queen Street West
10th floor, West Tower
Toronto, ON M5H 2N2

Dear Ms. MacDonald:

Re: Draft New City-wide Zoning By-law (Item PG19.12)

We are counsel for the Conservatory Group of Companies ("Conservatory Group"). Conservatory Group is an umbrella organization controlling a number of related companies that own properties throughout the City of Toronto.

On October 11, 2012 we wrote to the Planning and Growth Management Committee (the "Committee") to provide some observations and comments on the draft New City Zoning By-law (the "New By-law") for consideration at their October 12, 2012 meeting (the "October Letter"). A copy of the October Letter is attached. Subsequently, the City amended the New By-law and has scheduled a meeting on November 8, 2012 where the Committee will receive an information report on the New By-law.

The latest version of the New By-law is provided electronically on the City's website; however a red-line version comparing the latest version to the older version is not yet available. We are therefore not yet able to fully assess whether our client's concerns set out in the October Letter have been addressed or whether they have additional comments based on the latest version of the New By-law.

Nonetheless at this time, we ask that the Committee consider some comments we have identified to date.



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MAPPING

In our October Letter, we made a request for Standard Set overlay maps to assist our client's consultants in evaluating the impacts of the Standard Sets on a neighbourhood basis and to help understand the boundary of the Standard Set areas. We ask that the City provide these maps as soon as possible.

SITE-SPECIFIC COMMENTS

As noted in our October Letter, we identified several specific properties that should be indicated as 'Not Part of this By-law' and shown as a "hole" on the zoning maps. However, two of these properties have not yet been indicated as 'Not Part of this By-law' in the most recent version of the New By-law. These properties are as follows:

1. **636 Bay Street** – This property is part of an integrated larger redevelopment proposal which includes above and below grade connections to the lands at 100 Edward Street, which has been excluded from the New By-law. Pre-application meetings have been held with City Staff and a request for a PPR is anticipated shortly as is the filing of a formal site plan application prior to the proposed February 13, 2013 Statutory Public Meeting. The 636 Bay Street property should be excluded from the New By-law on this basis.
2. **1255 The Queensway** – As indicated in the October Letter, a portion of this property has been excluded from the New By-law, while the balance has been included in the New By-law. These lands form one contiguous parcel and should be appropriately zoned at a later time after the passing of the New By-law in coordination with the balance of the site and surrounding lands.

We ask that City Staff make the necessary changes to the New By-law to exclude these properties.

Additionally, two properties not mentioned in our October Letter which are owned by Conservatory Group or its subsidiaries should be indicated as 'Not Part of this By-law' and shown as a "hole" on the zoning maps, as follows:

3. **543 Richmond Street West** – This property is currently identified in the New By-law in the CRE zone. The CRE zone introduces more restrictive provisions than exist in the current RA zone in the in-force by-law, which



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were identified in our "General Comments" in the October Letter. The 543 Richmond Street West property was purchased by Conservatory Group for development based on an understanding of the permissions in the in-force by-law. Given our client's concerns with the CRE zone, 543 Richmond Street West should be excluded from the New By-law.

4. **66 & 70 Dunvegan Road** – This property is currently identified in the New By-law in the RD zone. Like the 543 Richmond Street West property, the New By-law introduces more restrictive provisions for 66 & 70 Dunvegan Road which limits redevelopment otherwise permitted in the in-force by-law. Specific concerns were identified in the "General Comments" in our October Letter. At this time, we request that the 66 & 70 Dunvegan Road property be excluded from the New By-law.

For the reasons above, we ask that these properties be indicated as 'Not Part of this By-law' and shown as a "hole" on the zoning maps.

Our client's consultants continue to review the New By-law and eagerly anticipate receipt of the red-line version to allow for a thorough review of the recent changes. We will provide further comments on the New By-law prior to the Statutory Public meeting scheduled for February 13, 2013.

We would also be pleased to discuss any of our comments with City Staff.

Yours truly,

DAVIES HOWE PARTNERS LLP

John M. Alati

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Encl.

copy Client
Mr. Peter Swinton, PMG Planning