

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

PG21.1.274

**mccarthy  
tétrault**

**John A.R. Dawson**  
Counsel  
Direct Line: (416) 601-8300  
Direct Fax: (416) 868-0673  
Email: jdawson@mccarthy.ca

*Assistant: Chiu, Stephanie Ying Hui  
Direct Line: (416) 601-7863*

March 20, 2013

**VIA E-MAIL & COURIER**

Mayor and Members of Council  
City of Toronto  
Metro Hall, 24th Floor  
55 John Street  
Toronto ON M5V 3C6

RECEIVED

[ 2013 ]

CITY OF TORONTO  
CITY CLERK

Your Worship and Members of Council:

**Re: Proposed New Comprehensive Zoning By-law ("New By-law")**

**And Re: Planning and Growth Management Committee PG 21.1  
Final Report on the City-Wide Zoning By-law**

We are the solicitors for Rogers Communications Inc. which is interested in the zoning of all properties identified on the list attached hereto as Schedule "A".

Generally speaking, our client is concerned with any provision in the New By-law which serves to derogate in any way from the existing permission on these properties. For example, our client is concerned that its Downtown Campus (1 Mount Pleasant Road, 333 Bloor Street East and 350 Bloor Street East) is not in a "hole" (i.e. subject to the zoning provisions applicable prior to the approval of the New By-law) and is instead subject to a regime where the zoning by-law under which this facility has been developed are merely "prevailing" by-laws. A similar concern applies to the 33 Dundas Street East property.

Our client is also concerned that there is a lack of clarity in definitions applicable to its properties and operations. For example, the term "telecommunications" is undefined. As another example, our client's properties in the Dyas Road/York Mills Road and Upjohn Road area are the location of a number of critical functions and as the New By-law is currently framed, our client is concerned that not all of these functions may be adequately described as permitted uses.

Rogers would be pleased to work with city officials on resolving its concerns. Please provide us with notice of any decision of Council respecting this matter, or of any subsequent consideration by Council, Community Council or any Committee.

Thank you for your attention in this regard.

Yours very truly,

McCarthy Tétrault LLP

A handwritten signature in black ink, appearing to read "John A.R. Dawson", with a long horizontal flourish extending to the right.

John A.R. Dawson

JARD/sc

**SCHEDULE "A"**

1. Blue Jays Way
2. 2235 Sheppard Avenue East
3. 1530 Markham Road
4. 4630 Kingston Road
5. 145 Birmingham Street
6. 3015 Bloor Street West
7. 65 Comstock Road
8. 545 Lakeshore Boulevard West
9. 4000 Victoria Park
10. 100 Queen Street West
11. 151 Front Street West
12. 20 Bay Street
13. 568 Jarvis Street
14. 2582 Birchmount Road
15. 1 Mount Pleasant Road
16. 333 Bloor Street East
17. 350 Bloor Street East
18. 33 Dundas Street East
19. 60 Bloor Street West
20. 222 Jarvis Street
21. 35 Scarlett Road
22. 735 Renforth Drive
23. 10 Maple Leaf Drive
24. 10 San Romanoway

25. 2441 Finch Avenue West
26. 3330 McNicoll Avenue
27. 1820 Midland Avenue
28. 433 Horner Avenue
29. 1000 Dupont Street
30. 11 Greensboro Drive
31. 750 Birchmount Road
32. 10 Dyas Road
33. Upjohn Road
34. 853 York Mills Road