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March 26, 2013

VIA E-MAIL & COURIER

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")

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

We are the solicitors for Concert Real Estate Corporation, which directly or indirectly has ownership interests in the properties set out on Schedule "A".

Based on our review of the New By-law, it appears that properties 1 through 6 inclusive on Schedule "A" are each 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 all the properties set out on Schedule "A" should reflect the permissions and provisions contemplated by the existing approvals without qualification. Provided that the placement of the above-noted properties in "holes" fully respects this principle, our client could accept this treatment, provided further that any potential future action which could alter this status is subject to controls to ensure that this principle remains intact.

The zoning provisions in the New By-law applicable to Property 7 on Schedule "A" (65-67 Shuter Street, 159-177 Church Street) engender other concerns. The "prevailing" site-specific by-law so identified specifically exempts the site from exceptions in By-law 438-86, but the New By-law specifically re-imposes those exemptions as applicable provisions. Our client therefore objects to these provisions. Furthermore, our client submits that any restructuring of the zoning applicable to this site must, on an overall basis, be consistent with the general principle outlined above.

Our client would further object to any provisions or 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 properties on Schedule "A".

We would be pleased to discuss the foregoing. Please provide us with notice of Council's decision in this matter, including any subsequent consideration by Council, Community Council, or any Committee.

Thank you for your kind consideration.

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
JAD/sc

SCHEDULE "A"

1. 151 Beecroft Road
2. 11 Dunbloor Road; 3, 7 and 15 Summerland Terrace; 5115-5121 and 5133-5145 Dundas Street West; 3710 Bloor Street West
3. 566 and 570 Bay Street; 101, 109 and 111 Dundas Street West
4. 6-18 Church Street; 51-63 Front Street East
5. 126-132 Berkeley Street; 93R and 97 Ontario Street
6. 40 Scott Street and 10 Wellington Street East
7. 65-67 Shuter Street, 159-177 Church Street
8. 75 Rexdale Boulevard