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March 28, 2013

**Delivered by Email**

Frances Pritchard  
 Planning and Growth Management Committee  
 10th floor, West Tower, City Hall  
 100 Queen Street West  
 Toronto, ON M5H 2N2

Dear: Chair and Members of the Committee

**Re: City of Toronto City Wide Zoning By-law  
 Krugarand Corporation  
 80 Bloor Street West, Toronto**


We act on behalf of Krugarand Corporation for the property municipally known as 80 Bloor Street West, Toronto. We have examined the Draft Comprehensive City Wide Zoning By-law (“Draft Zoning By-law”) released on June 18, 2012 with respect to our Client’s property. Through our analysis we identified a number of grievances with the new Draft Zoning By-law and the implications for our Client’s property. Subsequent Staff Reports dated September 27, 2012 and October 19, 2012 in the lead up to the November 8, 2012 Draft Zoning By-law, did not resolve the issues we identified. As such we made written submission to the City on November 23, 2012 outlining our concerns and requesting clarification or resolution of same.

We attended the preliminary Statutory Open House held on February 6, 2013 as well as the Statutory Public Meeting on March 6, 2013. We also reviewed the Staff Reports dated January 22, 2013, February 26, 2013 and February 28, 2013 and concluded that our Client’s concerns still persist and have not been resolved. Consequently we write to the Planning and Growth Management Committee to reiterate our concerns in an effort to reach a resolution before enactment of the City Wide Zoning By-law and to avert the need for appeal by our Client in the future.

Enclosed is a copy of our original letter of concern, dated November 23, 2012.

We thank you for your attention to this matter and look forward to an opportunity to work with you to resolve these concerns.

Sincerely,  
BORDEN LADNER GERVAIS LLP



*ML* May Luong

encl.

cc:

Jane Huey (Krugarand Corporation)

Sean Gosnell (Borden Ladner Gervais LLP)

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November 23, 2012

Delivered Via Email

City of Toronto  
Planning and Growth Management Committee  
100 Queen Street West  
Toronto, Ontario  
M5H 2N2

Dear: Chair and Members of the Committee

**Re: City of Toronto Revised Draft Zoning By-law  
80 Bloor Street West**

We act on behalf of Krugarand Corporation for the property municipally known as 80 Bloor Street West, Toronto, Ontario ("the property"). The property is located north of Bloor Street West, east of Bellair Street, west of Bay Street, and south of Critchley Lane. We have reviewed the draft City of Toronto Zoning By-law ("the new draft by-law") as it pertains to our client's property. Based on this review, our client has ongoing concerns with regard to various aspects of the new draft by-law.

We maintain concern surrounding minor variances, their transition to the new draft by-law, and the limited protection afforded them. If the draft by-law creates a situation where its provisions are less permissive, then the benefit of this minor variance is lost, unless a building permit is obtained within three years of the passing of the new draft by-law. This does not concretely guarantee any unused variances.

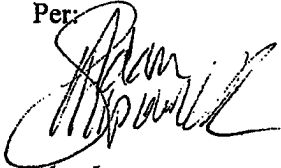
Furthermore, we are in the process of preparing the necessary documentation to submit a Zoning Amendment Application. We had a preliminary meeting with the local Councillor and have commenced the preparation of required studies and analyses for the application. The reports being prepared make reference to provisions outlined in the current Zoning By-law 438-86. We feel that the work being prepared for the application submission may be compromised if our application is not received before enactment of the new draft by-law and the property is subsequently governed by a different set of provisions. Therefore, we respectfully request that the property be placed in a hole and not be subject to the new draft by-law.

We feel there are still many unknowns as to exactly how our client's property will be affected by the enactment of this new draft by-law. Consequently, we wish to secure our appeal rights by

submitting this letter prior to the enactment of the new draft by-law. We thank you for your cooperation with this request and ask that you continue to keep us informed of any changes going forward and with regard to the enactment timeline as it becomes more concrete.

Regards,  
**BORDEN LADNER GERVAIS LLP**

Per:



May Luong  
ML/as  
Land Use Planner

cc: Joe D'Abramo (Director of Zoning By-law and Environmental Planning, City of Toronto)  
Ulli Watkiss (City of Toronto Clerk)  
Jane Huey (Manager, Krugarand Corporation)  
Sean Gosnell (Lawyer, Borden Ladner Gervais LLP)

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