

PG21.1.399

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April 3, 2013

Via Email and 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 Plazacorp Investments Limited. Our client (and its subsidiaries) have an interest in the properties municipally known as 46 Wellesley Street East, 125 Western Battery Road, 525 Adelaide Street West and 10 Wanless Avenue (formerly 3143 Yonge Street), and therefore in the zoning provisions applicable to each.

Based on our review of the New By-law, it appears that the first three properties are in "holes", i.e. the zoning in place prior to the approval of the New By-law is intended to continue to apply. Generally speaking, it is our client's submission that the entire zoning regime applicable to those properties should reflect the permissions and provisions contemplated by the existing approvals, or where applicable, by an application for minor variance or zoning by-law amendment. Our client could accept the placement of these properties in "holes" provided that a protocol to coordinate such treatment with the consideration/approval of any application as referenced above are adequately secured.

The fourth property at 10 Wanless Avenue is zoned CR 3.0 (c2.0; r2.5) SS2 (x2443). It is not in a "hole", as explained above; however, it is subject to minor variances approved by the Committee of Adjustment and should be in a "hole" to reflect the existing approvals.

Our client would further object to any 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 such relate to this property. In particular our client wants to ensure that the provisions of s.2.1.2 – Variances and s.2.1.3 – Transition Clauses will apply to the above-noted properties.

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

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Thank you for your attention in this regard.

Yours truly,

McCarthy Tétrault LLP



Cynthia MacDougall
Partner

- c. Mr. Mark Tutton, Plazacorp Investments Limited
Ms. Leslie Yager, Plazacorp Investments Limited