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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 St. Michael's Hospital. Our client has an interest in properties municipally known as 30 Bond Street, 61 Queen Street East and 38 Shuter Street/209 Victoria Street.

Based on our review of the New By-law, it appears that:

1. The 30 Bond Street property is 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 this property should reflect the permissions and provisions contemplated by the existing and pending approvals without qualification. Our client could accept the placement of its property in a "hole" only on the basis that this principle was strictly followed without error;
2. The 61 Queen Street East Property is zoned *CR6.0 c.4.5;r6.0* SS1 (x2324). It is not in a "hole", as explained above; however, it is subject to minor variances approved by the Committee of Adjustment in 2009 (File No. A0342/09TEY), and should be in a "hole" to reflect the existing approvals; and
3. The 38 Shuter Street/209 Victoria Street Property is subject to two zoning categories – *CR 4.0(c.2.0; r.40)* SS1, and *CR 4.0 (C0.5; r4.0)* SS1 (x1826), as well as being partially located in a "hole" as explained above. It is also subject to minor variances approved by the Committee of Adjustment in 2006 (File No. A307/06TEY). The entire site should be in a hole.

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 they relate to these properties. In particular our client wants to ensure that the

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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.

Thank you for your attention in this regard.

Yours very truly,

McCarthy Tétrault LLP



Cynthia MacDougall
Partner