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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 the Toronto Birth Centre Inc. Our client is in negotiations with Toronto Community Housing Corporation, the owner of the Property known municipally as 230 Sackville Street, to lease tenant space for a *community health centre* or *clinic* within the building to be erected thereon. A minor variance application will be filed in the near future to permit a reduction in the loading facilities required for the proposed use.

Based on our review of the New By-law, it appears that the above 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 approvals without qualification. Our client could accept the placement of this property in a "hole" only on the basis that this principle was strictly followed without error.

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 this property.

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