

**MUNICIPAL PLANNING & DEVELOPMENT LAW**

5 March 2013

Sent via Email to pgmc@toronto.ca and Fax to 416-392-1879

Mayor Ford and Members of Council
c/o City Clerk
Administrator, Planning and Growth Management Committee
Toronto City Hall
100 Queen Street West
10th Floor, West Tower
Toronto, ON, M5H 2N2

Dear Mayor Ford and Members of Council:

**Re: City of Toronto Revised Draft Zoning By-law
Public Meeting - 6 March 2013
Submissions by 60 Bloor Equities Inc. and Morguard Investments Limited
In regard to 60 Bloor Street West**

We are solicitors for 60 Bloor Equities Inc., the owner of the property municipally known as 60 Bloor Street West (the "60 Bloor Site") and Morguard Investments Limited, agent to 60 Bloor Equities Inc. in regard to this property.

The 60 Bloor Site is located on the north-east corner of Bloor Street West and Bay Street. Presently, the site is subject to the City of Toronto Zoning By-law 438-86 (the "Existing Zoning By-law"), and developed with an office building with retail at grade.

We have reviewed the revised draft zoning by-law dated 8 November 2012 (the "Revised Draft Zoning By-law") in regard to the 60 Bloor Site, and on behalf of our clients, provide the following submissions in that regard.

Submissions

1. The Revised Draft Zoning By-law applies a parking rate to the 60 Bloor Site, whereas presently there is no parking provided on site. There does not appear to be an exemption clause to deem the 60 Bloor Site compliant with the Revised Draft Zoning By-law in this regard, and therefore it appears that the existing site/building would become non-compliant with the passing of the new zoning by-law in regard to parking.
2. The Revised Draft Zoning By-law contains multiple regulations in regard to access to loading spaces. The provisions are unclear and it is difficult to determine which ones apply to the 60

Dennis H. Wood Direct: (416) 203-7718 dwood@woodbull.ca

65 Queen Street West Suite 1400 Toronto Ontario M5H 2M5 T (416) 203-7160 F (416) 203-8324 www.woodbull.ca



5 March 2013

Bloor Site. Moreover, there are provisions that appear to require access arrangements that are not presently in existence at the 60 Bloor Site, but no exemption clause to deem the site compliant with the Revised Draft Zoning By-law in this regard. Therefore it appears that the existing site/building would become non-compliant with the passing of the new zoning by-law in regard to access to loading.

3. There are various exemption clauses within the Zone and Parking/Loading chapters of the Revised Draft Zoning By-law, which deem the 60 Bloor Site compliant in regard to many of the regulations in the by-law. However, it appears that there are regulations for which no exemption clause applies, for example, the regulations for landscaping. Therefore it appears that the existing site/building would become non-compliant with the passing of the new zoning by-law in regard to landscaping and any other regulation for which no exemption clause applies.
4. The Revised Draft Zoning By-law attaches conditions to a number of permitted uses at the 60 Bloor Site, which uses had no such restrictions in the Existing Zoning By-law. See attached Table 1.

Request of Committee

On behalf of our clients, we request that the Council either:

- a) instruct staff to amend the Revised Draft Zoning By-law in accordance with the requests made above; or
- b) defer the enactment of the Revised Draft Zoning By-law until such time that the above matters have been addressed.

Yours very truly,

Wood Bull LLP

A handwritten signature in black ink, appearing to read "Dennis H. Wood".

Dennis H. Wood

DHW

- c. Margaret Knowles, Morguard Investments Limited (via email only)
Sham Jamal, Morguard Investments Limited (via email only)
Ray Feig, Counsel, City of Toronto (via email only)
Klaus Lehmann, Acting Director Zoning By-law, City of Toronto (via email only)



5 March 2013

Table 1: Uses Permitted Subject to Conditions

Use	Definition	Condition	Comments
Service Shop	means premises used for servicing, repairing or refurbishing goods, other than vehicles. A personal service shop is not a Service Shop	(6) In a CR Zone, the maximum interior floor area of all service shops on a lot which is subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2) is 400 square metres. The calculation of total interior floor area may be reduced by the area used for the same building areas as provided for in the calculation of gross floor area.	There do not appear to be any similar qualifications in By-law 438-86.
Laboratory	premises used for scientific or technical research, analysis, experimentation or development	(15) In a CR zone, the interior floor area of a laboratory must not exceed an area equivalent to the interior floor area of the first floor of the building in which it is located. The calculation of total interior floor area may be reduced by the area used for the same building areas as provided for in the calculation of gross floor area.	There do not appear to be any similar qualifications in By-law 438-86.
Retail Service	means premises in which photocopying, printing, postal, or courier services are sold or provided.	In a CR Zone, the maximum interior floor area of all retail services on a lot which is subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2) is 400 square metres. The calculation of total interior floor area may be reduced by the area used for the same building areas as provided for in the calculation of gross floor area.	There do not appear to be any similar qualifications in By-law 438-86. By-law 438-86 restricts the gross floor area of a courier service to 150 square metres. The condition in the revised zoning by-law refers to "all" retail services on a lot.