



MUNICIPAL, PLANNING & DEVELOPMENT LAW

4 October 2016

TE18.7.183

Sent via E-mail & Facsimile

Mayor and Members of Council  
c/o City Clerk's Office  
City of Toronto  
13<sup>th</sup> Floor, West Tower, City Hall  
100 Queen Street West  
Toronto, Ontario M5H 2N2

Attention: Ms. Ulli S. Watkiss, City Clerk

Dear Mayor and Members of Council:

**Re: Item No. TE 18.7 to be considered by City Council on October 5, 2016**  
**TOcore: Updating Tall Building Setbacks in the Downtown**  
**City Initiated Official Plan Amendment and Zoning By-law Amendments**

We are counsel to Morguard Investments Limited ("Morguard") in connection with its property located at 50 Bloor Street West (the "Subject Property"). On 7 September 2016, we made a written submission to the Toronto and East York Community Council on the above-referenced matter. We now make the same submission to City Council for its consideration.

#### **Submissions**

We understand that City Staff are attempting to identify all site-specific zoning by-law amendments that conflict with the proposed new zoning by-law amendments, for which no building permit has been issued, to list them as prevailing by-laws.

On 12 August 2014, the Toronto and East York Community Council ("TEYCC") adopted a Staff recommendation to approve a site-specific zoning by-law amendment to permit a 71 storey mixed-use tall building at the Subject Property (Item No. TE 34.22). At its meeting on 25 August 2014, City Council adopted the TEYCC recommendation to approve the site-specific by-law. The approved site-specific by-law has not been passed, awaiting a final Section 37 Agreement.

Given the approval of the site-specific by-law, it would be appropriate to exempt the site from the provisions of the zoning by-law amendment. It would also be appropriate to exempt the site from any proposed TOcore official plan amendment. Both actions would ensure that the site does not inadvertently become subject to the new provisions prior to the approved site-specific by-law being enacted. If the site is not exempted, our client will have no option than to appeal the enactment of the

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zoning by-law and the adoption of any official plan amendment to preserve its rights under the existing policy and zoning regime.

**Request for Notice**

We reiterate our request to be notified of any meetings of City Council or Community Council where reports related to the TOcore amendments will be considered. We also request to be notified of any decision of City Council respecting those amendments.

Yours very truly,

**Wood Bull LLP**

A handwritten signature in black ink, appearing to be "Dennis H. Wood", is written over a horizontal line.

on behalf of Dennis H. Wood

DHW/rk/dhw

c. Client