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June 2, 2022

Mayor and Members of Council
City of Toronto
100 Queen Street West
Toronto ON M5H 2N2

Attention: Daniel Elmadany

Dear Sirs / Mesdames:

Re: Settlement Offer
Notice of Appeal, s. 34(19) of the Planning Act – Ryerson University
City-Initiated “Priority Retail Streets” Zoning By-law Amendments – By-law Nos.
1681-2019 and 1682-2019

We are the solicitors for Ryerson University, which has recently been renamed as Toronto Metropolitan University (the “**University**”). The University’s campus, further described herein, includes lands located within the area subject to Council’s decision to enact By-law Nos. 1681-2019 and 1682-2019, amending former City of Toronto Zoning By-law No. 438-86, as amended and Comprehensive Zoning By-law No. 569-2013 to provide for regulations to identified “Priority Retail Streets” (collectively the “**Proposed Zoning Amendments**”).

We are pleased to submit this offer to settle the University’s appeals of the Proposed Zoning Amendments, the conditions of which are set out below (the “**Settlement Offer**”).

The University’s Lands within the Downtown

The University’s campus, comprising lands owned and leased by the University, consists of approximately 28 acres of lands centrally located within the core of the Downtown area. The main portion of the campus is generally defined by the area bounded by Gerrard Street (north), Yonge Street (west), Jarvis Street (east) and Dundas Street East (south) and also includes lands along Bay Street and farther west, as far north as College Street and south to Shuter and Albert Streets (collectively the “**University Lands**”). Portions of the University Lands front along a number of priority retail streets subject to the Proposed Zoning Amendments, including Yonge Street, Church Street, Bay Street and Dundas Street.

Collectively, the University Lands support diverse functions that include academic and research facilities, student residences, space for performing, broadcasting and visual arts.

Background

In December 2019, on behalf of the University, we appealed City Council's decision to approve the Proposed Zoning Amendments pursuant to s.34(19) of the *Planning Act*. The grounds for appeal were set out in the letter filed on December 24, 2019, together with concerns described in the letter filed on November 26, 2019 with the City, prior to Council's adoption of the Proposed Zoning Amendments. In the University's view, the Proposed Zoning Amendments do not appropriately accommodate the specific programmatic requirements of the University's various functions and will impact its ability to fulfill its educational mandate.

Settlement Offer

On behalf of the University, we hereby offer to settle the University's appeals in their entirety, such that the University will not object to the Proposed Zoning Amendments conditional upon City Council support to jointly seek approval from the Ontario Land Tribunal (the "**Tribunal**") of revisions to the Proposed Zoning Amendments as follows:

1. The removal of that portion of Church Street between Gerrard Street East and Dundas Street East which abuts lands designated in the Official Plan as *Institutional Areas*, as well as the lands designated *Mixed Use Areas*, which comprise a portion of the lands municipally known as 270 to 288 Church Street and recently redeveloped with the Daphne Cockwell Health Sciences Complex, (collectively the "**Church Street Portion**"), from the Proposed Zoning Amendments, such that the Church Street Portion abutting the lands owned by the University as shown on the attached map, is no longer identified as a priority retail street. The addresses of the lands to be removed include: 270 - 340 Church Street; 245 – 345 Church Street; 31 – 43 Gerrard Street East; 63 Gould Street; 40 – 80 Gould Street; and 150 Mutual Street.
2. The City Solicitor shall request authority of City Council to support any necessary changes to the Proposed Zoning Amendments to implement this proposed settlement at the Tribunal hearing of the appeals.

The remainder of the University's appeal for the balance of the its properties, as previously scoped on a site specific basis before the Tribunal, will be withdrawn for the lands municipally known as: 136 – 144 Dundas Street East; and 160-166 Dundas Street East and 202 Jarvis Street. We note the redevelopment of the lands at 160-166 Dundas Street East and 202 Jarvis Street is subject to site specific By-law 897-2021 which provides for an explicit exemption from the Proposed Zoning Amendments.

Rationale

In our view the removal of the Church Street Portion from the Proposed Zoning Amendments is appropriate given the following:

- The Church Street Portion includes a number of listed and designated heritage properties, including Kerr Hall, the Monetary Times Building (341 Church Street), Oakham House (322 Church Street) and The Normal School building (340 Church Street);
- A number of more recently constructed Ryerson buildings are located along the Church Street Portion, including the Daphne Cockwell Health Sciences Complex and the

George Vari Engineering and Computing Centre building, which are unlikely to be redeveloped in the near future;

- The University's use of the lands within the Church Street Portion will continue to be primarily for institutional purposes, consistent with the *Institutional Areas* designation; and
- The Priority Retail Streets designation in the Downtown Plan will continue to apply to any future redevelopment of lands within the Church Street Portion.

We are submitting this Settlement Offer for City Council's consideration and acceptance at its meeting commencing on June 15, 2022.

Yours truly,



Cynthia A. MacDougall
Partner

CAM
Attachment

Attachment: Lands to be removed from the Priority Retail Streets By-laws

