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Via Email (gglc@toronto.ca)

Chair Paul Ainslie and Members
General Government and Licensing Committee
City of Toronto
Toronto City Hall
100 Queen Street West
Toronto ON M5H 2N2

Attention: Matthew Green, Secretariat

Dear Chair and Members:

Re: Proposed Long-Term Nominal License at 208 R Bloor Street West

We are counsel to 208 Bloor Street Limited (the "Company"), the owner of the property at 208 Bloor Street West in Toronto ("208 Bloor"). We write with reference to agenda item GL31.15, a proposed Long-Term Nominal License between the City and Toronto Condominium Nos. 2254 and 2598 for use of 208 R Bloor Street West (the "Proposal"). We have reviewed the Staff Report from the Executive Director, Corporate Real Estate Management, dated May 24, 2022 (the "Report") and write to express our concern with the Proposal. We respectfully request that the matter be deferred as discussed further below.

The Company has an easement in the nature of a right of way over a portion of the lands that are proposed to be licensed to a third party to permit the installation and maintenance of landscaping to support public recreational use of the licensed area. A sketch attached to the Report reflects the license is intended to be granted over the entirety of 208 R Bloor Street ("208 R") which includes Parts 2 and 3 on Plan 66R-5868. The Company's right of way for vehicular use is over Parts 2 and 3.

The Company intends to redevelop 208 Bloor, and submitted a development approval application on March 5, 2021. We note that, despite the Company's easement rights with respect to 208 R Bloor and proposed development, no notice was ever given to the Company in respect of the Proposal. The Company became aware of these matters through a neighbour. The Report reflects that there is an existing twelve-month license over 208 R Bloor of which the Company also received no notice.

We understand that there have been some preliminary discussions with the Councillor to address our client's concerns and the deferral will allow for a resolution of matters, and

appropriate consideration for the impending redevelopment of 208 Bloor. In our view, on its face it appears that the proposed license terms attached to the Report, if granted without amendment, may interfere with 208 Bloor's easement rights.

Given the intended redevelopment of 208 Bloor and the approved redevelopment of 210 Bloor, we ask that wording be included in the license that would permit the City to terminate the license should these lands be needed to facilitate the redevelopment of 208 Bloor. The license could be reinstated once construction is complete at the City's discretion.

We ask that the General Government and Licensing Committee defer this matter to permit staff to prepare the appropriate amendments to license to staff's satisfaction, and permit further consideration of the Company's existing easement rights, and that the matter be brought back to the General Government and Licensing Committee for consideration.

Yours truly,



Cynthia A. MacDougall

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