

20 March 2015

TE4.8.7

City Clerk
City Clerk's Office, City of Toronto
100 Queen Street West
Toronto, ON M5H 2N2

Dear Madam Clerk

**RE: TEYCC Item 4.8: Downtown East Planning Study and
Proposed Official Plan Amendment No. 82
Oben Flats Sherbourne GP Ltd.
307 Sherbourne Street
South east corner of Sherbourne Street and Gerrard
Street,
Our File 13.608**

We are the planning consultant to Oben Flats Sherbourne GP Ltd. ("Oben Flats"), the owner of the property located at the southeast corner of Sherbourne Street and Gerrard Street in the City of Toronto and we have been involved in developing a development proposal for submission to the City. We had commenced early consultation with city staff and have recently completed a formal preconsultation with staff.

The Oben Flats property is currently designated Mixed Use Areas in the City's Official Plan. The proposed amendment, as recommended by staff identifies the Oben Flats property as a Tall Building site within the Sherbourne Corridor Character Area.

The development proposal contemplated for this property is a multi storey residential building, which has been designed to be consistent in all respects to the proposed planning framework with one exception relating to the placement of balconies within the setback of the upper portion (tower) of the building above the base. Specifically the concern relates to the second part of Section 3.11 of the proposed Development Performance Standards which states:

"The tower frontage of a Tower Base typology building shall step back at least 3 metres from the base building, including balconies."

This policy, we understand was intended to prevent the introduction of continuous balconies located on the tower portion of a tall building effectively creating a massing similar to single wall effect from the base to the top of the building. In our view, this section could be amended to provide some flexibility for future design options that would retain the intent of the policy. As with the policies to encourage the base of the building to be no taller than 80% of the right-of-way, the above referenced portion of Section 3.11 could read:

"The tower frontage of a Tower Base typology building *should* step back at least 3 metres from the base building, excluding balconies provided that these balconies are designed to contribute to the creation of an articulated tower profile and do not result in a continuous wall of balcony faces."

While the amendment has been through a public process, we would hope that this amendment could be considered by Council prior to adoption of the amendment and to avoid issues with other properties affected by this policy could be provided on a site specific basis to the property at 307 Sherbourne Street.

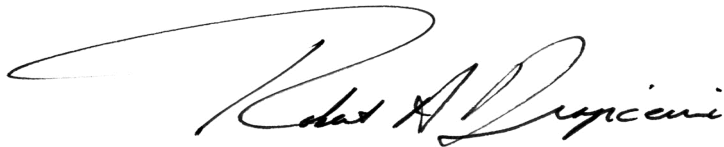
Other than the exception noted, our client is supportive of the proposed amendment and is very much interested in pursuing a development application for the property consistent with the proposed amendment.

Given the timing of this matter being raised, we have copied Mr. Cescato in City Planning in the hope that he may be able to provide some advice to Council on this suggested modification to Amendment No. 82.

Please provide the undersigned with Notice of Adoption of this proposed Official Plan Amendment.

Yours very truly,

WND associates
planning + urban design

A handwritten signature in black ink, reading "Robert A. Dragicevic". The signature is fluid and cursive, with a large, sweeping initial "R" that loops back over the rest of the name.

Robert A. Dragicevic, MCIP, RPP
Senior Principal

Cc Ms. R. Dyers, Committee Administrator , Toronto and East York Community Council
Guilio Cescato, City Planning
Julian Battiston, Oben Flats