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Via Email

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

Dear Sirs/Mesdames:

**Re: Proposed City-Initiated Official Plan Amendment and Zoning By-law Amendments
Toronto and East York Community Council Item TE18.7**

We are the solicitors acting on behalf of RFT Holdings Corp. (the "Company"), the registered owner of the properties municipally known as 718 Yonge Street, 10 St. Mary Street and 79, 81 and 85 St Nicholas Street and have an interest in the properties municipally known as 712 and 714 Yonge Street in the City of Toronto (collectively the "Properties"). The Properties are located within the area subject to the City-initiated Official Plan and Zoning By-law amendments, which, if approved, would introduce unduly restrictive setback requirements on tall building development sites in the *Downtown and Central Waterfront*, in association with the on-going TOcore study (the "Amendments").

The Company is concerned that the proposed Amendments will impose inappropriate restrictions on the development of the Properties and on the development of lands generally within the boundaries of the proposed Amendments. In our view, the proposed Amendments, if approved in their current form, would inappropriately impact future opportunities for intensification of the Properties and other underutilized sites within the *Downtown and Central Waterfront*.

More specifically, the Company is concerned, among other things, that the proposed Amendments do not provide for sufficient flexibility to adequately respond to various site-specific considerations, which vary greatly across the *Downtown and Central Waterfront*. In our view, determining appropriate building setbacks for a given location is not amenable to a one-size-fits-all approach and requires consideration to be given to the context of each site, including the Properties.

For example, the proposed Amendments would require a 12.5 metre setback from the private lane at the side and/or rear of the Properties notwithstanding that the lane could not reasonably or practically be expected to accommodate a tall building in the future. Moreover, it is noted that the existing eight-storey heritage building at 10 St. Mary Street would be considered a tall building under the proposed Amendments (as it is greater than 24 metres height) and would not

conform with the proposed setback requirements, which in our view are unduly restrictive and not appropriate for the Properties.

In addition, the transition clause in the proposed Amendments fails to account for development applications that are still in the "pipeline".

In light of the foregoing, we would respectfully request that the Properties be exempted from the proposed Amendments.

We would be pleased to discuss these and other concerns of the Owner with respect to the Amendments with City Staff. Please provide us with notice of Council's decision in this matter or of any future consideration by Council, Community Council, or any Committee.

Yours truly,



Cynthia A. MacDougall

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