

October 4, 2016

Our File No.: 150071

TE18.7.182

**DELIVERED BY E-MAIL AND COURIER**

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

**Attn: Marilyn Toft, Manager, Council and By-laws**

**Re: TEYCC Agenda Item 18.7 – TO Core: Updating Tall Building Setbacks in the Downtown, City-Initiated Request to Amend the Official Plan and Zoning By-Laws 438-86 and 569-2013  
The Bank of Nova Scotia: 19 Bloor Street West**

We are the solicitors for The Bank of Nova Scotia, the owner of the property known municipally as 19 Bloor Street West located at the southeast corner of Bloor Street West and Balmuto Street in the City of Toronto (the "Property"). The Property is within the area to which the "TO Core: Updating Tall Building Setbacks in the Downtown" City initiated amendments to the Official Plan and Zoning By-laws 438-86 and 569-2013 (together, the "Proposed Amendments"), if enacted, would apply. We are writing to express our client's concerns with the Proposed Amendments.

Building strong, healthy communities in downtown Toronto requires a flexible approach that recognizes the unique characteristics of each site. Our client believes that the Proposed Amendments would introduce unnecessary rigidity into downtown Toronto's planning framework.

Specifically, the Proposed Amendments, that are general and not tailored to the Property or the Bloor Yorkville area would, if enacted, impose tower setback requirements that conflict with the existing area specific guidelines unnecessarily limiting the development potential of the Property with no regard for the unique characteristics of the Property or the area context.

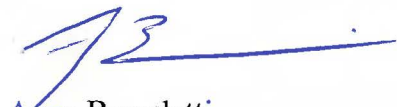
Under the City of Toronto Official Plan, the Property is subject to Site and Area Specific Policy No. 211, which provides that the Bloor-Yorkville/North Midtown Urban Design Guidelines should be used to review development applications in the area. These Guidelines provide that at the Yonge/Bloor height peak (which includes the Property), a minimum tower separation distance of 15 metres must be achieved.

The built form in the immediate vicinity of the Property has been built in conformity with this guideline direction, including most notably the existing tall towers at 13 and 35 Balmuto Street, where the tower setbacks and separation distances are less than those that would be required by the Proposed Amendments. Applying the requirements set forth in the Proposed Amendments in this existing context, given the in-force policy direction and the resultant existing built form, is inappropriate and would unnecessarily restrict the potential built form on the Property.

In order to maintain necessary flexibility, and to take into account the unique features of each property and the surrounding area context, any tall building setback and separation distance standards should remain as guidelines contained within either the City's Tall Buildings Design Guidelines or within area specific design guidelines such as the Bloor-Yorkville/North Midtown Urban Design Guidelines. These flexible guidelines remain the best and most appropriate way to ensure that planning for tall buildings appropriately accounts for site-specific considerations and nuances. Accordingly, on behalf of our client, we hereby object to the Proposed Amendments and request that Council not approve them in their current form.

Yours very truly,

**GOODMANS LLP**



Anne Benedetti  
AB/

cc: David Roberts, The Bank of Nova Scotia  
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