



McCarthy Tétrault LLP  
PO Box 48, Suite 5300  
Toronto-Dominion Bank Tower  
Toronto ON M5K 1E6  
Canada  
Tel: 416-362-1812  
Fax: 416-868-0673

**Cynthia A. MacDougall**  
Partner  
Direct Line: (416) 601-7634  
Direct Fax: (416) 868-0673  
Email: cmacdoug@mccarthy.ca

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Via Email - [clerk@toronto.ca](mailto:clerk@toronto.ca)

TE18.7.188

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

**c/o Marilyn Toft,**  
**Council Secretariat**  
City Clerk's Department  
City of Toronto  
Toronto City Hall, 2<sup>nd</sup> Floor  
100 Queen Street West  
Toronto, Ontario M4H 2N2

**Re: Proposed City-Initiated TOcore Official Plan Amendment and Zoning By-law  
Amendments (the "Proposed Amendments")  
City Council Item TE18.7 for October 5 & 6, 2016**

We are the solicitors for Plazacorp (the "Company") with respect to the property municipally known as 400 King Street West (the "Property"). The Property is located within the area subject to the City-initiated proposed Official Plan and Zoning By-law amendments with respect to tower distance separation within the Downtown in association with the on-going TOcore study (the "Amendments").

The Company has an interest in the Property and is concerned that the Amendments will impose inappropriate restrictions on the development of the Property.

Situated at the west end of the Entertainment District, the Property is a relatively large, rectangular-shaped site located at the northeast corner of King Street West and Charlotte Street. The 388 King Street West property forms the eastern boundary to the Property. This latter property (along with the 82 Peter Street property) has been rezoned to permit a tiered, 33-storey office building. The surrounding neighbourhood also includes a number of relatively new residential high-rise developments. Immediately to the north of the Property is 32-storey King-Charlotte condominium development at 11 Charlotte Street. To the West across Charlotte Street are two multi-storey, predominantly residential towers - the 36-storey Charlie condominium development at 430 King Street West, the 16-storey Glas Condominiums at 25 Oxley Street and the 13-storey Charlotte Lofts at 36 Charlotte Street. Across King Street West on the south side is 34-storey M5V predominantly residential tower.

The Property is located within the East Precinct of the King-Spadina area that was the subject of a City-initiated study on built form. The study recommendations include a "First Tier" as-of-right height limit and a "Second Tier" tall building height limit; the latter conditional on the achievement of a number of criteria, including context and built form. The staff recommendations of this study have not yet been endorsed by Council. The Property has been identified as a site to have a "Second Tier" tall building height limit of 90 metres. While the Property is of sufficient size to accommodate a tower, the Company has concerns with a requirement to provide a minimum 25.0-metre setback between the surrounding existing and/or approved, but-as-yet-unbuilt, towers.

The Company is concerned, amongst other things that the Amendments do not provide for sufficient flexibility to adequately respond to various site-specific considerations, which vary greatly across the *Downtown and Central Waterfront* within the study area. 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 Property.

We are of the opinion that it is the Property itself that should be exempted from the Amendments. We specifically request that the Property be exempted from the Amendments.

We would be pleased to discuss these and other concerns of the Company regarding the proposed 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

CAM/kem

c. Ms. Robyn Rabinowitz, Plazacorp Investments Limited  
Ms. Julianna Boldt, Plazacorp Investments Limited