



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

October 3, 2016

**TE18.7.194**

**Via Email**

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

Dear Mayor and Members of Council:

**Re: Proposed City-Initiated Official Plan Amendment and Zoning By-law Amendments  
Toronto City Council Item TE18.7 – October 5, 2016**

We represent Timbercreek Asset Management Inc. (the "Owner") in respect of the properties municipally known as 34, 36 and 42 Maitland Street and adjacent properties (the "Properties"). The Properties are located within the area subject to the City-initiated proposed Official Plan and Zoning By-law amendments with respect to tower distance separation with the Downtown in association with the on-going TOcore study (the "Amendments").

We are concerned that the Amendments will impose undue restrictions on the development of the Properties and on the development of lands generally within the boundaries of the proposed Amendments.

We are concerned, amongst other things that the Amendments do not provide for sufficient flexibility to adequately respond to various site-specific considerations. 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. We specifically request that the Properties be exempted from the Amendments.

Please provide us with notice of Council's decision in this matter or of any future consideration by Council, Community Council, or any Committee.

Sincerely,

Cynthia A. MacDougall