

October 4, 2016

Our File No.: 132176

**DELIVERED BY EMAIL AND COURIER**

**TE18.7.195**

Mayor and Members of Council  
c/o City Clerk's Office  
Toronto City Hall  
Second Floor, 100 Queen Street West  
Toronto, Ontario  
M5H 2N2

**Attention: Marilyn Toft, Manager**

Dear Sirs/Mesdames:

**Re: TE18.7 - TOcore: Updating Tall Building Setbacks in the Downtown - City-Initiated Official Plan Amendment and Zoning By-law Amendments**

We are solicitors for First Gulf Ontario Street Corporation (“**First Gulf**”), the owner of the lands known municipally as 25 Ontario Street (“**25 Ontario**”). On behalf of our client, we are writing to express concern with the proposed City-initiated Official Plan and zoning by-law amendments to establish standard tall building setbacks in the downtown (the “**Proposed Amendments**”).

**Background**

The site at 25 Ontario is the subject of a lengthy and comprehensive planning process which has been ongoing since 2011. First Gulf proposes a 22-storey office building comprising approximately 41,500 square metres of non-residential gross floor area on the 25 Ontario site (Application No. 11 327900 STE 28 OZ). The heritage facades of the existing office building on the lands would be conserved and incorporated into the base building of the new development.

In December 2011, the previous owner of 25 Ontario submitted a rezoning application and an application to alter the heritage building under the *Ontario Heritage Act* to permit the development of 22-storey residential condominium building (the “**Torli Proposal**”). City planning staff recommended approval of a zoning by-law amendment to permit the Torli Proposal and City heritage staff recommended approval of the proposed alterations to the heritage building, subject to a number of standard conditions. Toronto East York Community Council endorsed both the planning and heritage recommendations in January 2013. City

Council approved the alterations to the heritage building, subject to a number of conditions, but deferred consideration of the staff recommendations to approve the rezoning application so as to allow the owner to address noise and air emission issues respecting compatibility of the residential tower with the neighbouring SAS office building at 280 King Street East.

First Gulf acquired the 25 Ontario site in November 2013. Its initial plan was to modify the Torli Proposal so a revised rezoning application was submitted in July 2014 for a 27-storey rental residential tower containing 324 dwelling units and ground-floor commercial uses. City staff prepared a supplemental report in August 2014 advising Community Council of the resubmission and the revised proposal was presented to the Design Review Panel in December 2014. The rezoning process for this rental residential proposal has not yet been completed because First Gulf decided instead to pursue approval for the current 22-storey office project.

The office proposal for 25 Ontario was refined through a series of discussions and design charrettes with City staff prior to First Gulf's resubmission of its zoning application in August 2016. First Gulf's office proposal represents a unique opportunity to strengthen the emerging office node in the part of the King Parliament district with a development which is compatible with other uses on the block and creates no undue impacts on surrounding properties, but which also provides the floorplates required for a modern, top-tier office building.

### **TOcore: Updating Tall Building Setbacks in the Downtown**

The August 31, 2016 supplementary report from the Director, Community Planning, Toronto and East York District, notes on page 5 that the Proposed Amendments will be applied to development applications which have been submitted and are currently under review. For development applications which do not meet the performance standards in the proposed zoning by-law amendment but meet the intent of the proposed Official Plan amendment, the supplementary report states that relief "may be warranted".

As noted above, 25 Ontario is already the subject of an ongoing comprehensive planning review. As part of this process, City staff have for some time been considering in detail the appropriate built form of a tower on the 25 Ontario site, including how any such tower appropriately relates to abutting properties and the rest of the block. It would be inappropriate for the tower separation distances set out in the proposed zoning by-law amendment to be applied at this stage to the proposal for 25 Ontario. It would also be inappropriate for the City to apply the proposed Official Plan amendment to an application that was submitted well before the Proposed Amendments were adopted.

On behalf of our client, therefore, we request that 25 Ontario be exempted from the Proposed Amendments.

We would appreciate receiving notice of any decisions respecting this matter.

Yours truly,

**Goodmans LLP**



Michael Stewart  
MGS/

cc: First Gulf Ontario Street Corporation

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