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File No. 702816

October 5, 2016

By E-Mail Only to clerk@toronto.ca

Council for the City of Toronto
City Hall 13th floor, West Tower
100 Queen Street West
Toronto, ON
M5H 2N2

Attention: Ulli S. Watkiss, City Clerk

Dear Members of Council:

Re: TOcore: Updating Tall Building Setbacks in the Downtown – City-initiated Official Plan Amendment and Zoning By-law Amendments – Final Report
City Reference Number: 16-103066 SPS 00 OZ
Agenda Item: TE18.7

We are counsel to Church & Charles Developments Ltd. (“CCD”), the owner of lands municipally known as 68 & 70 Charles Street East, 628, 634, 636 and 638 Church Street (the “Lands”).

We have reviewed the Final Report of the Director, Community Planning, Toronto and East York District dated May 27, 2016, and the supplementary Report dated August 31, 2016 regarding TOcore: Updating Tall Building Setbacks in the Downtown (collectively, the “Staff Report”), together with the related recommendations of Toronto & East York Community Council made at its meeting of September 7, 2016 and do not support the approval of the proposed Official Plan Amendment and Zoning By-law Amendments (the “Proposed Amendments”).

Our client’s Zoning Amendment and Rental Housing Demolition Applications (the “Applications”) were approved in principle by Toronto Council in July, 2016. Before introducing the necessary Bills to Council for enactment, our client must enter into numerous agreements with the City, including a Heritage Easement Agreement and a Section 37 Agreement, pursuant to Section 37 of the *Planning Act* (the “Agreements”). These Agreements are in the process of being finalized



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and we anticipate that Council will have the ability to introduce the necessary Bills for enactment in November, 2016.

We are writing to express our concerns with the substance of the proposed amendments out of an abundance of caution to ensure that if approved, the Proposed Amendments do not provide any additional constraints to our client's Applications or its intended zoning.

Our client is particularly concerned that the proposed amendments continue to incorporate prescriptive and inflexible standards without sufficient justification. For example, the proposed 12.5 metre setback to centre line of street and the proposed 25 metre setback between towers are unnecessary and unjustified in many instances. The proposed one size fits all approach will unduly curtail good planning at a significant number of potential redevelopment sites, particularly where there exists more than one potential tower site on a given block.

For the foregoing reasons, we encourage Council not to adopt the recommendations for the Proposed Amendments and refer the matter back to staff to consider a sufficiently flexible approach to tall building setback policies and regulations.

Yours truly,

DAVIES HOWE PARTNERS LLP

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