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June 13, 2016

**By E-Mail Only to [teycc@toronto.ca](mailto:teycc@toronto.ca)**

City of Toronto  
Toronto and East York Community Council  
2<sup>nd</sup> Floor, West Tower, City Hall  
100 Queen Street West  
Toronto, Ontario  
M5H 2N2

**Attention: Ms. Ellen Devlin, Committee Secretariat**

Dear Ms. Devlin:

**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: TE17.14**

We are counsel to 1095909 Ontario Limited (Wynn Group of Companies), the owner of lands municipally known as 484 Spadina Avenue, Toronto (the “Lands”).

On May 27, 2015, the Ontario Municipal Board (the “OMB”) issued a Decision approving, in principle, a zoning by-law amendment for the Lands to permit a tall building consisting of both residential and non-residential uses. The OMB’s final Order was withheld pending the completion of certain matters, which our client is currently pursuing. The OMB Decision followed a settlement hearing on May 8, 2015, which resulted from a settlement of our client’s appeal that was supported by both City staff and City Council and includes tower setbacks that are less than those that are recommended in the City’s Tall Building Guidelines.

We have reviewed the Final Report of the Director, Community Planning, Toronto and East York District dated May 27, 2016, regarding TOcore: Updating Tall Building Setbacks in the Downtown (the “Staff Report”), which we understand will be considered by Toronto and East York Community Council at its meeting on June 14, 2016.



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We note that in the Staff Report there is a section entitled "Transition", which indicates that "transition for projects currently in the development pipeline will be considered based on the planning framework that applied at the time of application and will be looked at on a case-by-case basis. Factors that will be considered may include site specific zoning by-laws which have received approvals; ...".

Notwithstanding the above, the draft zoning by-laws attached to the Staff Report do not indicate that the Lands are exempt from the proposed zoning amendments. In the absence of such confirmation, to be reflected in the documents, our client does not support the approval of the proposed Official Plan Amendment and zoning by-law amendments.

Kindly ensure that we receive notice of any decision(s) made by Toronto and East York Community Council and/or City Council regarding this item.

Yours truly,

**DAVIES HOWE PARTNERS LLP**

Mark R. Flowers  
Professional Corporation

copy: Client