

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

June 13, 2016

Toronto and East York Community Council
Toronto City Hall, 2nd Floor
100 Queen Street West
Toronto, Ontario M5H 2N2

Dear Chair and Members of Community Council:

Re: TOcore: Updating Tall Building Setbacks in the Downtown - City-initiated Official Plan Amendment and Zoning By-law Amendment - Final Report Item 17.14

We are the solicitors acting on behalf of Minto Communities Canada Inc. and Minto Properties Inc. (collectively "Minto") as well as Minto's subsidiaries (collectively the "Companies") which have interest in numerous landholdings within the boundaries of the above referenced instruments.

We are writing to express the Companies' concerns with respect to the proposed amendments, in their current form, both as they would apply to its lands and throughout the study area generally. In general terms, the Companies want to ensure that the proposed amendments do not unduly limit its ability to appropriately develop lands over the long-term.

The Companies are concerned, among other things, that the instruments, as currently drafted, would not allow sufficient flexibility to respond to site specific considerations. In our view, the proposed amendments do not adequately allow for consideration of specific design solutions or site-specific factors which may warrant different tower setbacks than those set out in the draft instruments.

Also of concern to the Companies is the absence of an adequate transition mechanism in the draft amendments. While it appears that the draft Zoning By-law Amendments are intended to exclude certain lands with site-specific approvals in place there is no provision made for active development applications that are currently under review by Staff but have yet to receive final approvals.

Finally, we note that a copy of the draft Zoning By-law Amendments were not made available for review by the public until June 10, 2016. Accordingly, we have not had sufficient opportunity to review and analyze the proposed instruments to assess the impact and identify concerns on a site specific basis generally or for the Companies' specific landholdings within the study area.

We would, therefore, respectfully request that Community Council defer consideration of the proposed instruments to provide a meaningful opportunity to review the proposed amendments. We would welcome the opportunity to meet with Planning Staff to further identify the Companies' concerns in greater detail once we have had sufficient opportunity to review and analyze the proposed amendments.

Please feel free to contact the undersigned should you have any questions or require further information.

Yours truly,



Cynthia A. MacDougall