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File No. 703124

June 13, 2016

By E-Mail Only to teycc@toronto.ca

City of Toronto
Toronto and East York Community Council
2nd 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 1150782 Ontario Inc., the owner of lands municipally known as 31 Parliament Street, Toronto (the “Lands”).

On March 8, 2016 and June 10, 2016, our client and its representatives met with City staff for pre-application consultation meetings, as our client intends to file applications shortly for a tall building on the Lands, consisting of both residential and non-residential uses.

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.

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 ... acknowledgement of planning applications that have



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been received that are deemed complete as per the *Planning Act ...*". In this instance, it is anticipated that complete applications will have been filed for the Lands prior to the City Council meeting on July 12, 2016. Accordingly, in light of the dates of the pre-application consultation meetings and the anticipated planning applications to be filed with the City, we request that the Lands be exempt from the proposed zoning amendments.

Further, our client has concerns with the substance of the proposed amendments, particularly given that they propose to treat all Downtown sites the same, and fail to account for site-specific circumstances that may justify reduced tower setbacks. In this regard, we note that the Staff Report acknowledges that "exceptions may be provided if the tall building proposal maintains the intent of the OPA. Such exceptions have been recommended for tall building proposals in the past and will continue to do so where it is considered appropriate"; however, this recognition and flexibility has not been carried forward into the draft amendments.

Thus, in the absence of appropriate confirmation that the Lands will be exempt from the proposed amendments, please be advised that 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

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Professional Corporation

copy: Client
Michael Goldberg, Goldberg Group