



September 2, 2016

By E-mail

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Toronto and East York Community Council
City of Toronto
City Hall
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Toronto, ON M5H 2N2

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file #20030-13

Attention: Mr. Chairman and Members of Community Council

Dear Mr. Chairman and Members of Community Council:

**Re: TOcore: Updating Tall Building Setbacks in the Downtown - City-initiated Official Plan Amendment and Zoning By-law Amendments
Toronto and East York Community Council Agenda Item TE18.7**

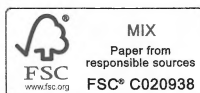
We are the solicitors for BRMS L.P. ("**Barney River**"), and are writing further to our July 11, 2016, letter (enclosed) to express Barney River's continued concern regarding the Toronto and East York Community Council's consideration of Item TE18.7 scheduled for September 7, 2016.

Barney River is the manager and representative owner of several properties across the City of Toronto (the "**City**"), many of which are located within the area encompassed by the proposed Official Plan Amendment and Zoning By-law Amendments.

Item TE18.7 should not be approved.

Barney River has reviewed the proposed Official Plan Amendment and Zoning By-law Amendments and has significant concerns about the potential negative impacts of the proposed planning instruments on its existing and future development applications. In particular, the proposed policies and regulations lack any consideration of context or land use in determining appropriate setbacks, which will unduly constrain development, likely in ways that the City had not intended. It is telling that City staff have acknowledged that two thirds of recent applications do not comply with the proposed standards, most of which were approved by Council or the Ontario Municipal Board as good planning. This is further reflected by the extensive list of site-specific exemptions to the proposed Zoning By-law Amendments. No proper planning basis for altering the current framework has been presented, and more variance and rezoning applications may be required as a result, adding time and complexity to the current planning approval process.

As several concerns remain outstanding and unaddressed, the approval of the proposed policy instruments is inappropriate at this time. It is on this basis that we seek the refusal of Item TE18.7.





applications may be required as a result, adding time and complexity to the current planning approval process.

As several concerns remain outstanding and unaddressed, the approval of the proposed policy instruments is inappropriate at this time. It is on this basis that we seek the refusal of Item TE18.7.

Please provide the undersigned with written notice of any decision respecting this matter.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in black ink, appearing to read "SL", is written over the printed name "Signe Leisk". The signature is fluid and cursive, with a large initial 'S' and a smaller 'L'.

Signe Leisk

SL/CG
Encl.



July 11, 2016

By E-mail: clerk@toronto.ca

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City Planning
City Hall 12th floor, East Tower
100 Queen Street West
Toronto, Ontario M5H 2N2

Attention: Ms. Ulli S. Watkiss, Mr. Andrew Farncombe, and
Ms. Sarah Phipps

Dear Sir and Mesdames:

Re: TOcore: Updating Tall Building Setbacks in the Downtown – City-initiated Official Plan Amendment and Zoning By-law Amendments

We are the solicitors for BRMS L.P. (“**Barney River**”), and write to express concern about draft Official Plan Amendment 352 and related draft Zoning By-law Amendments respecting tall building setbacks in the downtown.

Barney River is the manager and representative owner of several properties across the City of Toronto (the “**City**”), many of which are located within the area encompassed by the proposed Official Plan Amendment and Zoning By-law Amendments. Barney River has reviewed the proposed Official Plan Amendment and Zoning By-law Amendments and is concerned about the potential negative impacts of the proposed planning instruments on its land holdings and future development opportunities.





Barney River will continue to monitor and provide further comment through the consultation process. Please provided the undersigned with written notice of any and all proceedings respecting this matter.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in black ink, appearing to read "Signe Leisk", is written over the printed name of the firm.

Signe Leisk

SL/CG