



September 2, 2016

By E-mail

Toronto and East York Community Council
 City of Toronto
 City Hall
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 file # 15465-7

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 The Daniels Corporation (“**Daniels**”), and are writing further to our June 13, 2016, letter (enclosed) to express Daniels’ continued concern regarding the Toronto and East York Community Council’s consideration of Item TE18.7 scheduled for September 7, 2016.

Item TE18.7 should not be approved.

Daniels 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. These will also have a significant impact on mid-scale buildings as well as development on the Avenues, given the restrictive height threshold for what is considered a “tower”. 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.

Regent Park Revitalization

In addition to its concerns noted above, Daniels also has particular concern respecting the City’s failure to provide an exception for Regent Park. Daniels has partnered with Toronto Community Housing Corporation for the redevelopment of Regent Park – a 69 acre master planned community in downtown Toronto. As comprehensive planning has already occurred in the form of an official plan amendment (Regent Park Secondary Plan), amendments to the Regent Park





Zoning By-law, and approved Urban Design Guidelines, there is no planning basis for these instruments to apply to Regent Park. In this regard, the official plan amendment should not apply to the Regent Park Lands subject to OPA No. 337, being By-law No. 140-2005, and the following zoning by-laws should be included in the list of site-specific exemptions:

- By-law No. 141-2005
- By-law No. 943-2009
- By-law No. 275-2014

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

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Signe Leisk

SL/CG
Encl.



June 13, 2016

By E-mail

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Attention: Mr. Chairman and Members of Committee

Dear Mr. Chairman and Members of Committee:

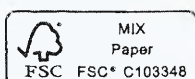
**Re: TOcore: Updating Tall Building Setbacks in the Downtown – City-initiated Official Plan Amendment and Zoning By-law Amendments
Toronto and East York Community Council Agenda Item TE17.14**

We are the solicitors for The Daniels Corporation (“**Daniels**”), and write to express concern about the Toronto and East York Community Council’s consideration of Item TE17.14 scheduled for June 14, 2016.

The consideration of Item TE17.14 on June 14, 2016, by Community Council is premature and the item should be deferred.

Daniels has interest in lands within the area encompassed by the proposed Official Plan Amendment and Zoning By-law Amendments advanced for consideration in Item TE17.14. Daniels 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 current and planned development projects.

In particular, Daniels notes that insufficient public consultation has occurred with respect to the proposed Zoning By-law Amendments, with the proposed language being released for review only days before the item is heard by Community Council.





Such that appropriate review and public consultation can take place, and such that the Official Plan Amendment and Zoning By-law Amendments may be considered together in such consultation, we request the deferral of Item TE17.14.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in black ink, appearing to read "Signe Leisk", is written over a faint, circular watermark or stamp. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Signe Leisk

SL/CG