

September 6, 2016

VIA EMAIL

Toronto and East York Community Council  
City Clerk's Office  
Toronto City Hall  
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100 Queen Street West  
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Attention: Ellen Devlin, Committee Administrator

Dear Community Council Members:

**Re: Item TE18.7-Toronto and East York Community Council Meeting: September 7, 2016**  
**TOcore: Updating Tall Building Setbacks in the Downtown - City-Initiated Official Plan**  
**Amendment and Zoning By-law Amendments**

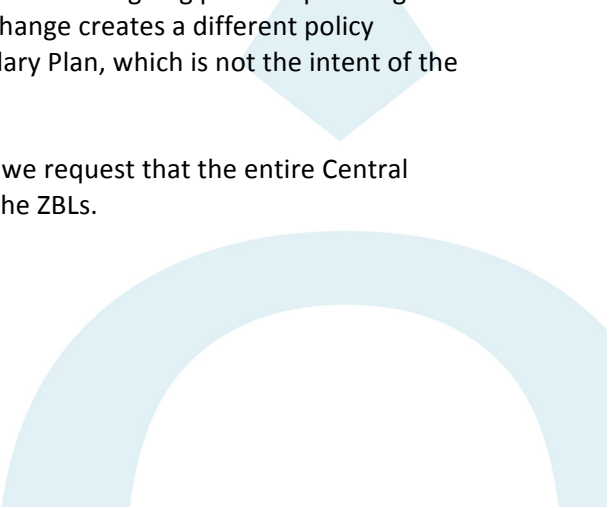
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On behalf of 1337194 Ontario Inc. and 2034055 Ontario Ltd., the owners of 309 Cherry Street, City of Toronto, we are writing with respect to the proposed changes to the City of Toronto Official Plan, former City of Toronto By-law 438-86 and City of Toronto By-law 569-2013 regarding policies and regulations for “tall buildings” in the Downtown.

1337194 Ontario Inc. and 2034055 Ontario Ltd. made a rezoning application in 2012 and have since appealed to the Ontario Municipal Board. In addition, we have ongoing appeals to the Central Waterfront Secondary Plan and have been working with staff to resolve our concerns with the draft Villiers Island Precinct Plan.

Further to our June 14, 2016 letter regarding OPA 352 and the ZBAs available at that time, we continue to have issue with the proposed amendments as included in the August 31, 2016 Staff Report. The most significant, amongst others, is the exemption of certain waterfront areas and not others. Specifically, OPA 352 contains transition provisions, which provide that ‘any Area Specific Official Plan Amendment within the Central Waterfront Secondary Plan shall prevail over this Site and Area Specific Policy.’ There are lands within the Central Waterfront Secondary Plan area, including the 309 Cherry Street site, which are not yet subject to an Area Specific Official Plan Amendment and the subject of an ongoing precinct planning process and in some cases a rezoning application. This proposed change creates a different policy framework for just certain areas of the Central Waterfront Secondary Plan, which is not the intent of the Secondary Plan itself.

We believe that this is an oversight in the review by City Staff and we request that the entire Central Waterfront be made exempt prior to finalization of OPA 352 and the ZBLs.





Our consultant team has not had the opportunity to review the specifics of the proposed amendment at this time; however, we look forward to working with City Staff once we have done so.

Yours very truly,  
**2034055 Ontario Ltd.**

A handwritten signature in black ink, appearing to read "Elsa Fancello".

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Elsa Fancello, MES, MCIP, RPP  
Development Manager, Castlepoint Numa

CC: Councillor Fletcher, City of Toronto;  
Chris Williams, Aird & Berlis LLP;  
Alfredo Romano, Castlepoint Numa

