



Project No. 15212

September 7, 2016

City of Toronto
Toronto and East York Community Council
c/o Ellen Devlin
2nd Floor, West Tower, City Hall
100 Queen Street West
Toronto, Ontario M5H 2N2

Dear Councillor Layton and Community Council Members:

***Re: Item TE18.7 - - TOcore: Updating Tall Building Setbacks in the Downtown
Comments on Behalf of Graywood PA GP Inc., re: 350-354 Adelaide
Street West and 102-118 Peter Street***

We are planning consultants to Graywood PA GP Inc., with respect to the above-noted matter. On their behalf, we filed an application to amend the Zoning By-law with respect to the property at 350-354 Adelaide Street West and 102-118 Peter Street (the "subject site") on June 30, 2016, which was deemed complete as of August 9, 2016 (File No. 16 183537 STE 20 OZ).

On June 13, 2016, Overland LLP filed a letter with Community Council on behalf of our client raising concerns with respect to the above-noted matter regarding the process employed by City staff and setting out preliminary concerns with respect to the Proposed Official Plan Amendment and the Proposed Zoning By-law Amendments (the "proposed amendments"). The purpose of this letter is to elaborate on those concerns based on our review of staff's Supplementary Report dated August 31, 2016.

Existing and Planned Context

We continue to be concerned that the proposed amendments represent a "one size fits all" approach to tower setbacks and tower separation that fails to take into account the specific circumstances that apply to individual properties and area contexts. In this regard, we note that the Built Form policies in Section 3.1.2 of the Official Plan are premised on the principle that tall buildings should be designed to fit harmoniously with their existing and planned context.

In the case of the King-Spadina West Precinct, there has been a long-standing planning and urban design approach to the interpretation of the Tall Building Design Guidelines which recognizes the specific built form and lot fabric context of the area and, accordingly, provides for flexibility in numerical setback and separation distance

standards as well as the use of a block planning approach. Those principles helped to inform the application that was filed for the subject site.

While we appreciate that staff has revised the wording of the draft Official Plan Amendment in an attempt to provide clarification that a zoning by-law amendment may be considered to permit reduced setback distances if the intent of the policies have been met, it is our opinion that that the clarification be made more explicit than the wording that is proposed.

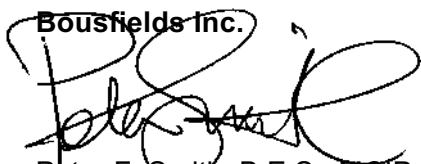
Transition

The supplementary staff report indicates that, for applications that have been submitted and are currently under review (such as the application for the subject site), the proposed amendments will apply. In our opinion, this approach is contrary to the long-standing principle that applications are entitled to be evaluated within the policy and regulatory framework that is in place at the time that they are filed. As a matter of basic procedural fairness, it is inappropriate to change the “rules of the game” part-way through the review process.

As such, and for the additional reasons raised above and in the Overland LLP letter of June 13, 2016, we respectfully request that the subject site be exempted from the proposed amendments.

Thank-you for your consideration of these comments. If you require any additional information, please do not hesitate to contact me or Tyler Grinyer of our office.

Yours very truly,

Bousfields Inc.


Peter F. Smith, B.E.S., MCIP, RPP

cc: *Gabe DiMartino, Graywood PA GP Inc.*
Chris Tanzola/Daniel Artenosi, Overland LLP