

McCarthy Tétrault LLP
PO Box 48, Suite 5300
Toronto-Dominion Bank Tower
Toronto ON M5K 1E6
Canada
Tel: 416-362-1812
Fax: 416-868-0673

**mccarthy
tétrault**

Cynthia A. MacDougall
Partner
Direct Line: (416) 601-7634
Direct Fax: (416) 868-0673
Email: cmacdoug@mccarthy.ca

Assistant: Yannakis, Suzanne
Direct Line: (416) 601-8067
Email: syannaki@mccarthy.ca

September 6, 2016

Via Email – teycc@toronto.ca

Mayor and Members of Council
City of Toronto
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

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

Dear Mayor and Members of Council:

**Re: Proposed City-Initiated Official Plan Amendment and Zoning By-law Amendments
Toronto and East York Community Council Item TE18.7 – September 7, 2016**

We are the solicitors for Wellesley Residences Corp. the registered owner (the "Owner") of the properties municipally known as 50 Wellesley Street East and 31-35 Dundonald Street (collectively the "Property"). The Property is located within the area subject to the City-initiated proposed Official Plan and Zoning By-law amendments with respect to tower distance separation with the Downtown in association with the on-going TOcore study (the "Amendments").

The Owner is concerned that the Amendments will impose inappropriate restrictions on the development of the Property and on the development of lands generally within the boundaries of the proposed Amendments.

A combined zoning by-law amendment and site plan approval application was approved by the Board in its decisions dated December 3, 2015 and June 14, 2016. The approved site-specific zoning by-law has yet to be assigned a City by-law number.

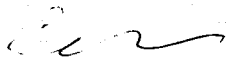
The Owner is concerned, amongst other things that the Amendments do not provide for sufficient flexibility to adequately respond to various site-specific considerations, which vary greatly across the *Downtown and Central Waterfront* within the study area. In our view, determining appropriate building setbacks for a given location is not amenable to a one-size-fits-

all approach and requires consideration to be given to the context of each site, including the Property.

We are of the opinion that it is the properties themselves that should be exempted from the Amendments and not the existing site-specific zoning by-laws, as this is too narrow an approach and does not adequately/appropriately address the matter of minor variances. We specifically request that the Property be exempted from the Amendments.

We would be pleased to discuss these and other concerns of the Owner with respect to the Amendments with City Staff. Please provide us with notice of Council's decision in this matter or of any future consideration by Council, Community Council, or any Committee.

Yours truly,



Cynthia A. MacDougall

CAM/kem

c. Ms. Robyn Rabinowitz, Plazacorp Investments Limited
Ms. Julianna Boldt, Plazacorp Investments Limited