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File No. 703124

September 6, 2016

By E-Mail Only to teycc@toronto.ca

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

Attention: Ms. Ellen Devlin, Committee Secretariat

Dear Ms. Devlin:

**Re: 31 Parliament Street – Official Plan Amendment and Zoning
Amendment Application – Preliminary Report
Reference Number: 16 188179 STE 28 OZ
Agenda Item: TE18.44**

We are counsel to 1150782 Ontario Inc., the owner of lands municipally known as 31 Parliament Street, Toronto (the “Lands”) and the applicant in the above matter.

We have reviewed the preliminary staff report of the Director, Community Planning, Toronto and East York District, dated August 17, 2016 (the “Staff Report”). We understand that the Staff Report is to be considered by Toronto and East York Community Council at its meeting on September 7, 2016, and we wish to provide some comments in relation to the Staff Report.

First, we support the recommendation in the Staff Report that a community consultation meeting be scheduled by staff, in consultation with the Ward Councillor. In this regard, we request that the meeting be scheduled as soon as possible and that staff coordinate the scheduling of the meeting with our client’s consulting team to avoid any scheduling conflicts.

Second, we disagree with City Planning staff’s assertion that the application represents “over-development” and that full consideration of the application is “premature until the [City-initiated Distillery District and Triangle Lands] built form study and the resulting Official Plan Amendment 304 (OPA 304) process is complete”. Likewise, we do not accept that a final report and public meeting



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should be delayed as late as the third quarter of 2017, as suggested in the Staff Report. Rather, it is our position that this extended delay is unwarranted given the amount of information that is currently available to assess the applications. As noted in the Staff Report, our client submitted a comprehensive package of plans and reports in support of its applications. Moreover, together with the City's existing Official Plan policies and related guideline documents, a sufficient knowledge and policy base is currently available to assess the applications at the present time. As such, Staff should be directed to continue to process the applications without delay.

Third, the Staff Report notes that the City-initiated Official Plan and Zoning By-law amendments to update setback requirements for tall buildings in the Downtown is currently before Toronto and East York Community Council. In fact, when the staff report for Downtown tall building setbacks initially came before Community Council in June, we made a written submission dated June 13, 2016. In the written submission, we advised of our client's concerns with the proposed amendments and requested that the Lands be exempt from the proposed zoning amendments by virtue of then anticipated development applications being filed in support of a tall building proposal on the Lands. As detailed below, the development applications were filed with the City on July 11, 2016 and, accordingly, we maintain that any subsequent City-initiated amendments should not apply to our client's current applications.

Finally, we note that the Staff Report indicates that a Notice of Incomplete Application was issued on August 9, 2016, which identified a Landscape Plan as being outstanding for a complete application. The Staff Report then indicates that the "outstanding material" was submitted on August 11, 2016 and that a Notification of Complete Application was subsequently issued on August 15, 2016. As a point of clarification, the applications and all supporting materials were filed on July 11, 2016. In response to the Notice of Incomplete Application, our client's planning consultant clarified for City Planning staff by correspondence dated August 11, 2016 that the information being requested by the City had already been provided on the plans that were filed on July 11, 2016. Thus, no additional information or materials were provided to the City following the filing of the applications. Accordingly, we maintain that the applications were complete as of the date that they were filed with the City – i.e., July 11, 2016.

Kindly ensure that we receive notice of any decision(s) made by Toronto and East York Community and/or City Council regarding this item.



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In the meantime, please do not hesitate to contact us if you have any questions regarding this submission.

Yours truly,

DAVIES HOWE PARTNERS LLP

A handwritten signature in black ink, appearing to read "Mark R. Flowers".

Mark R. Flowers
Professional Corporation

copy: Client
Michael Goldberg, Goldberg Group