
AIRD & BERLIS LLP

Barristers and Solicitors

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January 13, 2017

Our File No.: 134336

BY EMAIL

Toronto and East York Community Council
City Clerk's Office
Toronto City Hall
2nd Floor, West Tower
100 Queen Street West
Toronto, ON M5H 2N2Attention: Ellen Devlin, Toronto East York Community Council Administration

Dear Ms. Devlin:

**Re: TEYCC Agenda Item TE21.1
Bloor Corridor/Annex Block Planning Study– Final Report and Proposed
OPAs 365 and 368
334 Bloor Street West**

Aird & Berlis LLP represents 334 Bloor West Limited, the owner of the lands municipally known as 334 Bloor Street West (the “**subject site**”), located on the northwest corner of Bloor Street West and Spadina Road.

We are writing with respect to the proposed changes to the City of Toronto Official Plan Site and Area Specific Policy No. 334 (“**OPA 365**”) and the proposed changes to Official Plan Amendment 199 (“**OPA 368**”), as recommended in the Bloor Corridor/Annex Block Planning Study (the “**Study**”).

We understand the City held a stakeholder public meeting on June 23, 2016 of which our client did not receive advance notice, and at which time certain draft material on the Study was presented. On behalf of our client, we wrote to Planning Staff on October 17, 2016 to share our client's concerns with the Study, which continue to apply. A copy of this correspondence is enclosed. Having now had the opportunity to review the final staff report and proposed OPA 365 and OPA 368 we can advise that the concerns expressed in our October 17th letter continue to apply.

Summary of Concerns

As previously stated, our client has several concerns with OPA 365 and OPA 368, including but not limited to the proposed 25 storey height restriction on the subject site, the

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lack of any coherent planning rationale for the Study boundary and the superfluous layer of complexity that the proposed instruments would add to the already complex planning scheme that governs the subject site.

We note that while OPA 365 recognizes that the Bloor Corridor area includes “a key multi-modal transit hub where it is appropriate to accommodate intensification” and the staff report highlights the policies in Section 2.3.1 of the Official Plan which suggests that “more intense development should be directed to areas such as those designated *Mixed Use Areas* and located within the *Downtown*”, the OPA nonetheless imposes an inappropriately restrictive and arbitrary height cap of 25 storeys on the subject site. As noted in our previous correspondence, the subject site is in a prime location for intensification given that it is in the Downtown, fronts a major intersection, and is proximate to a major transit hub.

Finally, with respect to OPA 368, which amends recently approved OPA 199 as it relates to view of Knox College, is inappropriately and unjustifiably restrictive.

In our client’s opinion, the proposed OPAs do not represent good planning. We request that Toronto and East York Community Council refuse the staff recommendation to adopt OPAs 365 and 368 in their current form.

We respectfully request that our client and the undersigned be provided with notice of any further meetings of Council, Community Council or any Community Consultation Meetings where reports related to the Bloor Corridor/Annex Block Planning Study or SASP 334 are to be considered, and notice of adoption of any Official Plan Amendment arising therefrom.

Please contact the undersigned or Meaghan Barrett of our office should you require any further information or have questions arising from this correspondence.

Yours truly,

AIRD & BERLIS LLP



cc: Andrea Skinner
Encls.

AS/MTB

c: Client
Meaghan Barrett, Aird & Berlis LLP

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AIRD & BERLIS LLP

Barristers and Solicitors

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October 17, 2016

Our File No.: 134336

BY EMAIL

Mr. Barry Brooks
Senior Planner, City of Toronto
City Hall, 18th Floor, East Tower
100 Queen Street West
Toronto, Ontario
M5H 2N2

Dear Mr. Brooks:

Re: Bloor Corridor/Annex Block Study

Aird & Berlis LLP represents 334 Bloor West Limited, the owner of the lands municipally known as 334 Bloor Street West.

We understand the City held a stakeholder public meeting on June 23, 2016 which our client did not receive advance notice of, and at which time certain draft material on the Bloor Corridor/Annex Block Study (the "Study") was presented. We understand that the Study and its recommendations will be considered by the Toronto and East York Community Council ("TEYCC") on November 15, 2016. We are writing in advance to share our client's concern with respect to the Bloor Corridor/Annex Block Study. If the timing of TEYCC's consideration of the Study has changed, kindly let us know right away.

Our client has several concerns with the current direction of the Bloor Corridor/Annex Block Study, including but not limited to the proposed 25 storey height restriction, which represents an artificial cap on lands well suited for intensification, and the lack of any coherent planning rationale for the Study boundary.

The Bloor Corridor/Annex Block Study proposes an additional layer of policy on an area of the City with an already complex planning scheme. The area, and our client's site in particular, is currently subject to Site and Area Specific Policy 334 ("SASP 334"), the Bloor Corridor Urban Design Guidelines and the Tall Building Guidelines. It appears that the Study's proposed revisions to the planning instruments will serve to merely duplicate certain existing policies that have already been approved by the City, while also creating new policies that appear to contradict other existing instruments.

For example, our client has seen no justification in the materials provided for the 25 storey cap on building height in this area. The Official Plan, SASP 334, Bloor Corridor Urban Design Guidelines and Tall Building Guidelines suggest that, within this area, density should be concentrated at the four corners of Bloor Street and Spadina Avenue. Not only is our client's site located at an intersection of two major streets, but it is directly next to two subway lines. Accordingly, it is our client's position that the City's proposed imposition

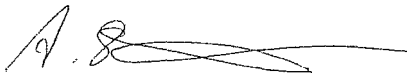
of a 25 storey height restriction on its site is inappropriate and is inconsistent with the City's previously adopted or endorsed policy regime.

We note that the City has provided no justification to account for the boundaries of the Study. It remains unclear why such a short strip of Bloor Street has been included in a "corridor" study. Our client does not understand the City's rationale for the current boundaries of the Study and is accordingly left to believe that the Study was created in direct response to the development proposal at 316 Bloor Street West. If this is the case, it is unfair that our client's property is also subject to a superfluous layer of policy.

At present, we have yet to learn the Study's final recommendations or proposed planning instruments. Given the potential impact any resulting planning instruments may have on our client's site, we request that the City provide for an early circulation of the staff report and instruments before the scheduled TEYCC meeting on November 15, 2016 so that we may properly review the proposed instruments with our client and its consultants.

Yours truly,

AIRD & BERLIS LLP



Andrea Skinner

AS/EPKC/MTB

c: Councillor Cressy
Client

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