

April 30, 2018

VIA EMAIL

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

Attention: Planning and Growth Management Committee

Your Worship and Members of Council:

**RE: TOcore Downtown Official Plan Amendment
Item PG29.4**

We are the lawyers for Pier 27 Toronto Inc, Pier 27 Toronto (West) Inc., and Pier 27 Toronto (North) Inc. (collectively, "**Pier 27**").

Pier 27 has been developing the property at the foot of Yonge Street variously known as 25 & 25R Queens Quay East, 29 Queens Quay East, 39 Queens Quay East, and Part of 7 and 15 Queens Quay East over the last decade (the "**Pier 27 Site**"). Currently, the third phase of development is under construction at 15 Queens Quay East.

In addition to numerous site-specific applications (including minor variances, consents, a rezoning, and an official plan amendment), Pier 27 has also been involved with numerous appeals of the City's 2006 Official Plan and the Central Waterfront Secondary Plan. These appeals are active and ongoing.

On behalf of our client, therefore, we are concerned with the TOcore Downtown Official Plan Amendment (the "**Downtown OPA**") that is now being placed before the Planning and Growth Management Committee and City Council for adoption, and, as far as we understand, ultimately to the Minister of Municipal Affairs and Housing for approval.

On its face, the Downtown OPA purports to apply to properties that are already subject to existing Secondary Plans. It is not clear from the document or the accompanying staff report how any discrepancies between the existing Secondary Plans and the proposed Downtown OPA are intended to be resolved.

In particular, the Central Waterfront Secondary Plan is subject to numerous ongoing appeals in front of the Local Planning Appeal Tribunal ("**LPAT**"). Pier 27 is not only involved in these appeals (including its own appeal of the Central Waterfront Secondary Plan), but is pursuing development of the Pier 27 Site pursuant to its own development applications and site-specific

appeals, including appeals that have already been resolved through intricate settlements with the City and other parties by the LPAT (formerly OMB) and which are to be incorporated into the Central Waterfront Secondary Plan.

The Downtown OPA should not operate to frustrate or further complicate these ongoing development processes, nor should it layer on new requirements on a general basis without regard for the specifics of the ongoing appeals of the Central Waterfront Secondary Plan and developments within that precinct.

We therefore request that the Downtown OPA be revised to clarify how it is intended to operate vis-à-vis existing Secondary Plans, in particular the Central Waterfront Secondary Plan, and we request revisions to ensure that Pier 27's ongoing development interests with respect to the Pier 27 Site are not prejudiced in the adoption and approval of the Downtown OPA.

In the alternative, we request that this item be deferred so that the Downtown OPA can be refined to address the concerns noted above.

Please provide us with notice of the Planning and Growth Management Committee's decision in this matter, as well as the decision of City Council, and please provide use with notice of any other public meetings or community meetings or other consideration of this matter.

Yours truly,
Overland LLP



Per: Christopher J. Tanzola
Partner
c. P. Stellato