

September 13, 2019

Our File No.: 192391

**Via Email**

Toronto and East York Community Council  
2<sup>nd</sup> Floor, West Tower, City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

**Attention: Ellen Devlin, Secretariat**

Dear Sirs/Mesdames:

**Re: Item TE8.11 – Zoning Amendment Application – Final Report, Commerce Court 3 Tower Development (the “Revised Proposal”), 56 Yonge Street, 21 Melinda Street, 18 to 30 Wellington Street West, 187 to 199 Bay Street and 25 King Street West (the “Subject Property”)**

We are solicitors for 1225209 Ontario Limited, owners of the Brookfield Place office complex located immediately to the south of the Revised Proposal and Subject Property. Brookfield Place, which comprises approximately 2.1 hectares (5.2 acres) of the block bounded by Yonge Street to the east, Front Street West to the south, Bay Street to the west and Wellington Street West to the north, includes the Bay Wellington Tower and the TD Canada Trust Tower.

The Revised Proposal represents a significant new office development within the Downtown Financial District, and as a result, it is critical that this intensification of use be subject to a comprehensive review that includes the broader context of the Downtown Financial District, to ensure that it adheres to good planning principles, does not adversely impact existing buildings, and ultimately contributes towards increasing the overall competitive position of the Financial District as a place to live and work. While our client is very supportive of new office development in the Downtown Financial District, it is also mindful of the potential impacts on existing office space and the quality of life of the people that work and live in that area.

Our client has now had the opportunity to review the Revised Proposal for the Subject Property, and the staff report dated August 28, 2019 (the “**Staff Report**”). In reviewing the written submissions of other adjacent landowners, our client agrees that proceeding to approve the Revised Proposal represents a lost opportunity to consider intensification of these important blocks on a comprehensive basis. By proceeding with a proposal that considers only the Subject Property, the result is a proposed new tower located immediately to the north of and in close proximity to the Bay Wellington Tower to the south, raising concerns about inadequate tower separation and pedestrian and vehicular traffic conflicts.

A comprehensive review will provide opportunity for these planning and urban design matters to be successfully addressed, and in a timely fashion in consultation with surrounding stakeholders.

**Inadequate Tower Separation:** Based on a preliminary review, it would appear that most major office towers in the Downtown Financial District provide a minimum 25.0 metre tower separation both within the blocks in which they are located, as well as across municipal roads, consistent with the City's Tall Building Design Guidelines. A comprehensive approach and review would ensure that this significant new office tower could be designed and located to achieve such a separation from the Bay Wellington Tower to the south. This would allow for the City's stated planning principles for tall buildings to be achieved as well as result in substantial benefit to current and future occupants of both office buildings.

**Pedestrian and Vehicular Traffic Conflicts:** A comprehensive review could also address issues related to pedestrian and vehicular traffic created by the Revised Proposal.

The proposed new tower's structural core and retail concourse layout would appear to negatively impact pedestrian flow along the PATH – especially with the significant increase in pedestrian volumes resulting from the new tower. A comprehensive review would ensure that modifications are made to improve the flow of pedestrian north-south traffic to Brookfield Place and Union Station.

The proposed reduction of the number of vehicular lanes along Wellington Street West will result in an inconsistent road width and increase the potential for traffic pinch points, impacting access and egress to both Commerce Court and Brookfield Place, as well as traffic patterns within the Financial District. A comprehensive review would ensure that modifications are made to improve the flow of vehicular and pedestrian traffic.

These are all important planning and urban design issues that should be resolved prior to any final decision on the rezoning of the Subject Property, and our client is thus requesting that this matter be deferred to allow for further discussions between the applicant, adjacent landowners and City staff.

Although Brookfield Place is located immediately to the south of the Subject Property and directly impacted by the proposed development, our client representatives did not receive notice of this matter when it was first considered by Toronto and East York Community at its meeting on June 25, 2019. We would appreciate receiving any notice of decisions made in respect of this matter.

Yours truly,

**Goodmans LLP**



for David Bronskill  
DJB/  
cc: Client

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