



May 23, 2017

Our File No.: 171502

Via E-mail: clerk@toronto.ca

Toronto City Council
12th Floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Marilyn Toft, Manager

Dear Sirs/Mesdames:

Re: Item TE24.3 – College Street Study

We are solicitors for 431 College Street (SD) GP Inc. Our client owns the property known municipally as 431 College Street, and also has an interest in the properties known municipally as 419, 421, 423 and 429 College Street.

Accordingly, we are writing on behalf of our client, as well as 1175874 Ontario Ltd., Beatrix Inc. and 2305648 Ontario Inc., the owners of 419, 421 and 423 College Street, respectively (collectively, the “Owners”), to express concern with the College Street Study and the accompanying draft Official Plan Amendment No. 379 (the “Draft OPA”) and College Street Urban Design Guidelines (the “Urban Design Guidelines”). The properties comprising 419-431 College Street (the “Subject Properties”) account for most of the block on the south side of College Street between Bathurst Street and Lippincott Street.

As an overall comment, the built form controls contemplated in the Draft OPA and Urban Design Guidelines are too rigid and restrictive for this prominent corner and street frontage. College Street and Bathurst Street are both Major Streets with existing TTC streetcar service which are identified on Map 5 of the Official Plan as Transit Priority Segments. Accordingly, the intersection of College and Bathurst is an appropriate location for additional intensification.

In April 2015, City Council received the College Street Avenues Urban Design Study report prepared by Brook McIlroy Inc., dated October 2004 (the “Avenues Study”), and directed that it be used as background information and reference for implementation initiatives in the study area. The Avenues Study identified the Subject Properties as an appropriate intensification location with recommended building heights of 9-15 storeys or 32-53 metres and a variety of potential

setback requirements. More recently, buildings of 13 and 15 storeys have been supported and/or approved on the south side of College Street between Bathurst Street and Spadina Avenue in less prominent mid-block locations. As such, the Owners believe that the Subject Properties can comfortably accommodate a 15-storey building, consistent with the Avenues Study recommendations.

Nevertheless, the Draft OPA and Urban Design Guidelines propose to limit building heights within Character Area B (which includes the Subject Properties) to 30 metres, which is less than the minimum height recommended for the Subject Properties within the Avenues Study, on the basis that the new buildings should be “in proportion with the College Street right-of-way”. No analysis is provided to justify the suggestion that a building taller than the 30 metres would somehow be out of proportion with the right-of-way.

Moreover, the setback and angular plane requirements proposed to be applied to the Subject Properties in the Draft OPA and Urban Design Guidelines are too onerous and restrictive, and will have the effect of inhibiting good urban design. Imposing mandatory stepback requirements from each property line will essentially mandate a “wedding cake” built form on the Subject Properties, rather than affording the flexibility to achieve the important transition and compatibility objectives through creative architectural design and expression.

Given the minimum boulevard width of 4.8 metres proposed for the Subject Properties in the Draft OPA and Urban Design Guidelines, and the direction to plant new street trees within this boulevard, we question the rationale for the proposed amendment to Map 7B of the Official Plan to introduce a new view from the southeast corner of the sidewalk at College Street and Bathurst Street to the Toronto Fire Hall 315 Clock Tower. It would seem that the introduction of a series of new boulevard trees within Character Area B would result in several new visual obstructions which would significantly frustrate the purpose of the proposed view corridor. In any event, it is an onerous and unnecessary requirement for development applicants to produce a Heritage Impact Assessment to assess the potential impact on this identified view, since it would be physically impossible for new development within the Subject Properties to affect the view of the 315 Clock Tower (which is located at the south edge of the College Street right-of-way) from the public realm at the southeast corner of College Street and Bathurst Street.

The Owners are also concerned that the parkland implementation policies in the Draft OPA are too prescriptive, as there may be situations where it is technically “feasible” to provide an on-site parkland dedication but where it would be more appropriate to provide cash-in-lieu. Also, it may not constitute good planning to provide privately owned, publicly-accessible spaces within every proposed development.

Finally, the Owners are troubled by the requirement in the Draft OPA for all new buildings to provide a minimum of 10% of all residential units as 3-bedroom units, especially since the provincial government has not yet released the details of how its inclusionary zoning legislation is to be implemented.

Thank you for considering our comments and please accept this letter as the Owners' formal request for notice of any decision regarding the Draft OPA.

Yours truly,

Goodmans LLP

A handwritten signature in blue ink, appearing to read 'Ian Andres', with a long, sweeping flourish extending to the right.

Ian Andres
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cc: Client

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