

January 13, 2011

Toronto and East York Community Council
100 Queen St W
Toronto M5H 2N2

Dear Chair and Members,

Re: 621 King St W – Ontario Municipal Board Hearing

On October 6th, 2010, the Toronto East York Committee of Adjustment refused nine (9) variances required to permit a mixed-use development on a vacant site at 621 King Street West. The variances related to height, angular plane, parking, building setbacks from lot lines and residential amenity space. City Planning staff submitted a report to the Committee recommending the refusal of the requested variances. The application proposes two towers of 12 and 11 storeys respectively to be built on the King Street West and Stewart Street frontages of the property. The proposal consists of 314 units with 296 underground parking spaces, permission for which was sought by way of minor variances and site plan approval.

The applicant has appealed the refusal of the Committee of Adjustment to approve the variances to the Ontario Municipal Board (OMB). The applicant has consolidated this appeal with an appeal of its Site Plan Control application in this matter due to the City's failure to make a decision within the time allotted by the *Planning Act*.

The proposal represents an over-development of the property that is not consistent with the planning policy framework. The intent of the Official Plan, and in particular, the King-Spadina Secondary Plan, would not be maintained by the proposal, which is too dense and makes no provision for the heritage character of the area. The proposed height exceeds the Zoning By-law permissions by approximately 20 metres, or 6 storeys and would represent a negative precedent for the area. The proposal is not minor and does not meet the four tests used to assess Committee of Adjustment applications.

The Chief Planner has authorized the City Solicitor and City Planning to attend at the OMB in opposition to the Site Plan appeal.



The purpose of this Motion is to seek Council's direction for the City Solicitor, together with City Planning and other appropriate staff, to oppose the appeal of the variances at the OMB. A three day hearing has been set for February 2, 2011.

In the event that this proposal is approved in some form by the OMB, Planning Staff, in consultation with the Ward Councillor, should request that services, facilities, community benefits, or other matters pursuant to Section 45(9) of the *Planning Act* be secured.

RECOMMENDATIONS:

It is recommended that:

- 1) City Council direct the City Solicitor and the appropriate staff to appear at the Ontario Municipal Board to support the Toronto and East York Committee of Adjustment's refusal of the application for variances for 621 King Street West. A three day hearing will commence on February 2, 2011.
- 2) City Council authorize the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, to secure services, facilities, community benefits, or other matters pursuant to Section 45(9) of the *Planning Act*, as may be required by the Chief Planner, should the proposal be approved in some form by the Ontario Municipal Board.
- 3) City Council authorize the City Solicitor and other City staff to take any necessary steps to implement the foregoing.

Thank you for your consideration.

Sincerely,

Adam Vaughan
City Councillor
Ward 20, Trinity-Spadina

