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TE28.2.17

December 12, 2013

File No.: 530474-3

DELIVERED BY EMAIL (clerk@toronto.ca)

Mayor and Members of City Council
City of Toronto
c/o City Clerk's Office
12th Floor, West Tower, City Hall
100 Queen Street West
Toronto ON M5H 2N2

Attention: Ms. Marilyn Toft, Manager

Dear Mayor and Members of Council:

RE: Item No. TE28.2
- Request for Direction
- Nos. 266-270 King Street West and Nos. 274-322 King Street West
- Zoning Amendment Application
- Additional Information

Further to my presentation to Toronto and East York Community Council, I want to provide some additional information which I think will be of assistance to City Council.

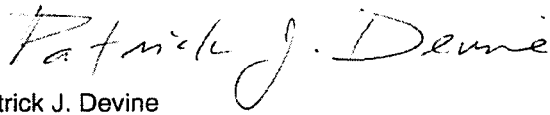
As I noted at TEYCC, the Planning Staff Report dated November 8, 2013 contains a detailed analysis of various densities for approved developments in the area of the subject property. From my experience, this is somewhat unusual in that the Official Plan itself and most City Planning staff documents refer to the approved Official Plan as a "built-form" plan rather than a "numbers" plan; indeed all density numbers were removed from previous Official Plans when the City's comprehensive Official Plan was adopted in 2002 and approved in 2006.

Nonetheless, if one wants to focus on "numbers", it is important to put these numbers in perspective. In particular, on Page 24 of the Report with respect to the "East Parcel" of the subject property (that is, Nos. 266-270 King Street West), in the chart the FSI (floor space index) for this parcel is shown as being 41.7 times. However, as I noted at TEYCC, if a Heritage Easement Agreement is imposed on the adjacent Royal Alexandra Theatre lands (which our client is prepared to do as part of the current approval process), then the buildable density on that property is effectively frozen at the currently constructed level. Using standard land use planning practice, if one then calculates the density across the entire parcel, the density figure is in fact 19.65 times FSI. That number clearly fits within the range of densities that is set out on Page 24. Moreover, if one recalculates the density for all both the east and west parcels together, then the density is reduced to 23.18 FSI which, similarly, is within the range of other projects approved, under construction or constructed in this area.

In order to demonstrate this, enclosed please find a chart entitled "Density Calculation Including the Royal Alexandra Theatre Lands". Accordingly, I would ask that City Council take into consideration this information when it considers the matter at its City Council meeting commencing on Monday, December 16, 2013.

Yours very truly,

Dentons Canada LLP



Patrick J. Devine

PJD/mp
Enclosure

cc: Councillor Adam Vaughan
cc: Ed Mirvish Enterprises Ltd.
cc: Projectcore Inc.

DENSITY CALCULATION INCLUDING THE ROYAL ALEXANDRA THEATRE LANDS

	West Parcel	East Parcel	Royal Alexandra Theatre Lands	East Parcel + Royal Alexandra Theatre Lands	Total Overall Site (West Parcel + East Parcel + Royal Alexandra Theatre Lands)
Site Area	6,532 sq.m.	1,344 sq.m.	1,721 sq.m.	3,065 sq.m.	9,597 sq.m.
Gross Floor Area ("GFA")	162,280 sq.m. (proposed)	55,980 sq.m. (proposed)	4,250 sq.m. (existing)	60,230 sq.m.	222,510 sq.m.
Floor Space Index ("f.s.i.")	24.84 f.s.i.	41.65 f.s.1.	n/a	19.65 f.s.i.	23.18 f.s.i.