

Reply Attention of Mary Flynn-Guglietti
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Our File No. 235818
Date November 14, 2016

DELIVERED BY E-MAIL TEYCC@TORONTO.CA

City of Toronto
Toronto and East York Community Council
100 Queen Street West
2nd Floor
Toronto ON M5H 2N2

Attention: **Ms. Rosalind Dyers**
 Committee Administrator

Dear Ms. Dyers:

Re: Item No. TE20.7 (Scheduled for 10:00 am, November 15, 2016)
Final Report – 440, 444, 450 and 462 Front Street; 425, 439 441 and
443 Wellington Street West;
6 – 18 Spadina Avenue and 1 and 19 Draper Street – Zoning
Amendment

We write this letter on behalf of our clients, Meldor Holdings Limited and Kinglip Holdings Inc. (“**Kinglip**”), the owners of the lands municipally known as 401 Wellington Street West and 24-30 Spadina Avenue (the “**Property**”). Our clients’ Property is located at the southwest corner of Spadina Avenue and Wellington Street West, immediately abutting the above noted development lands on two sides. The proposed development consists of seven mixed-use buildings and associated underground parking. The development is referred to as “The Well”.

The tallest of The Well buildings, a 36 storey office tower, is proposed to be located at the north-west corner of Spadina Avenue and Front Street West. The building would include a three-storey retail base (due to large ceiling heights it presents as 5 storeys) and would be immediately adjacent to Kinglip’s listed heritage building at the south-west corner of Wellington Street West and Spadina Avenue (401 Wellington Street West). Our clients’ building is known as the Gale building and was listed by Council on the Inventory of Heritage Properties on June 16, 2005. Our clients have spent a great deal of time, energy and finances to restore the Gale building to its former glory and wishes to ensure that The Well development does not overwhelm this heritage building.

Upon initial review of the proposed development plans our clients were very concerned regarding the interface between The Well’s 36 storey office tower and the historic Gale building. Through the planning department, our client and its consultants, being David Butler of The Butler Group Consultants Inc., Rick Merrill of the Planning Partnership and Christopher Borgal, a heritage Architect from Goldsmith Borgal & Company, have had the

opportunity to meet with representatives of The Well. We can confirm that through this dialogue changes have been made that will help reduce the impact of this large 36 storey office building in relation to the Gale building. However, one important item has not yet been resolved to our clients' satisfaction and that concerns the transition and interface of the Spadina Frontage of the proposed office tower.

While the proposed building height has been reduced along the Spadina Frontage adjacent to our client's heritage building, in the opinion of our consultants, this building interface does not provide an adequate transition from a planning, urban design and heritage perspective. In fact the Final Staff Report prepared in support of the Official Plan Amendment No. 317 ("OP 317"), being the Official Plan Amendment to permit this develop that was passed by Council on July 9, 2015, confirmed that the office tower would include a three-storey retail base immediately abutting the listed heritage building. As a result of higher floor heights the building presents as a 5 storey base. It is our understanding that the Spadina frontage elevation at the time of the processing of OP 317 reflected a building height proportionate to the Gale building height, which is no longer the case.

In addition OP 317 contains specific policies as implemented by Site and Area Specific Policy No, 495 to address the interface and transition issues related to the Gale building. For example under the heading "*Vision and Major Objectives*" the last paragraph states:

"b) Lands identified on Schedule C shall be developed based on the following principles: The buildings on this large site transition from the office tower at the corner of Front Street West and Spadina Avenue down to the mid-rise scale buildings to the north and west of the site. An important objective of this transition is to recognize the heritage context of the site. This context includes: the house form buildings on Draper Street to the west which are designated as a Heritage Conservation District under the *Ontario Heritage Act* and are designated as "Neighbourhoods; the listed heritage building (Gale Building) at 49 Spadina Avenue and 401 Wellington Street West." (*emphasis added*)

Futhermore, under the heading Urban Design Guidelines Policy m)(ii) it states that "Buildings and the public realm will be designed so as to minimize impacts on adjacent heritage buildings, particularly the Draper Street Heritage Conservation District and the listed heritage building (Gale Building) at 49 Spadina Avenue and 401 Wellington Street West".

We therefore respectfully submit that OP 317 specifically addressed the need to recognize the special heritage character of the Gale Building and the need for the implementing zoning by-law to provide for proper scale, compatibility and transition. It is important to note that our clients did not appeal OP 317 as it was apparent that both the proposal at that time was a proportionate 3 storeys adjacent to the Gale Building and the policy language in OP 317 protected the Gale Building. In the opinion of our planning consultant, urban design architect and heritage architect, the current proposal does not provide for a proper transition to the Gale Building. In order to provide assistance and guidance regarding what our consultants believe to

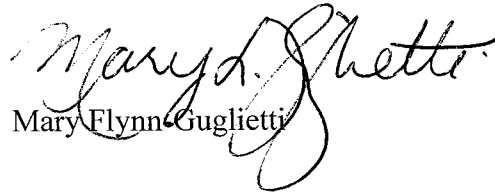


be a proper transition we are attaching a drawing prepared by Rick Merrill of the Planning Partnership illustrating the modifications required to ensure an appropriate setback and transition as envisioned in OP 317.

Further we believe that the modifications as attached would be consistent with Section 3.1.5 of the City of Toronto Official Plan which is rather extensive in detailing the requirements imposed on structures placed adjacent to heritage properties. Accordingly, we are therefore requesting the TEYCC to request the applicant to modify its plans as per the Merrill exhibit attached to this letter prior to approving the zoning by-law and to request the City solicitor to make the necessary modifications and amendments to the zoning by-law to secure the appropriate set back.

We trust that the TEYCC will take the necessary steps to ensure that the policies contained in the City of Toronto Official Plan and in OP 317 will be adhered to in connection with the approvals for The Well proposal.

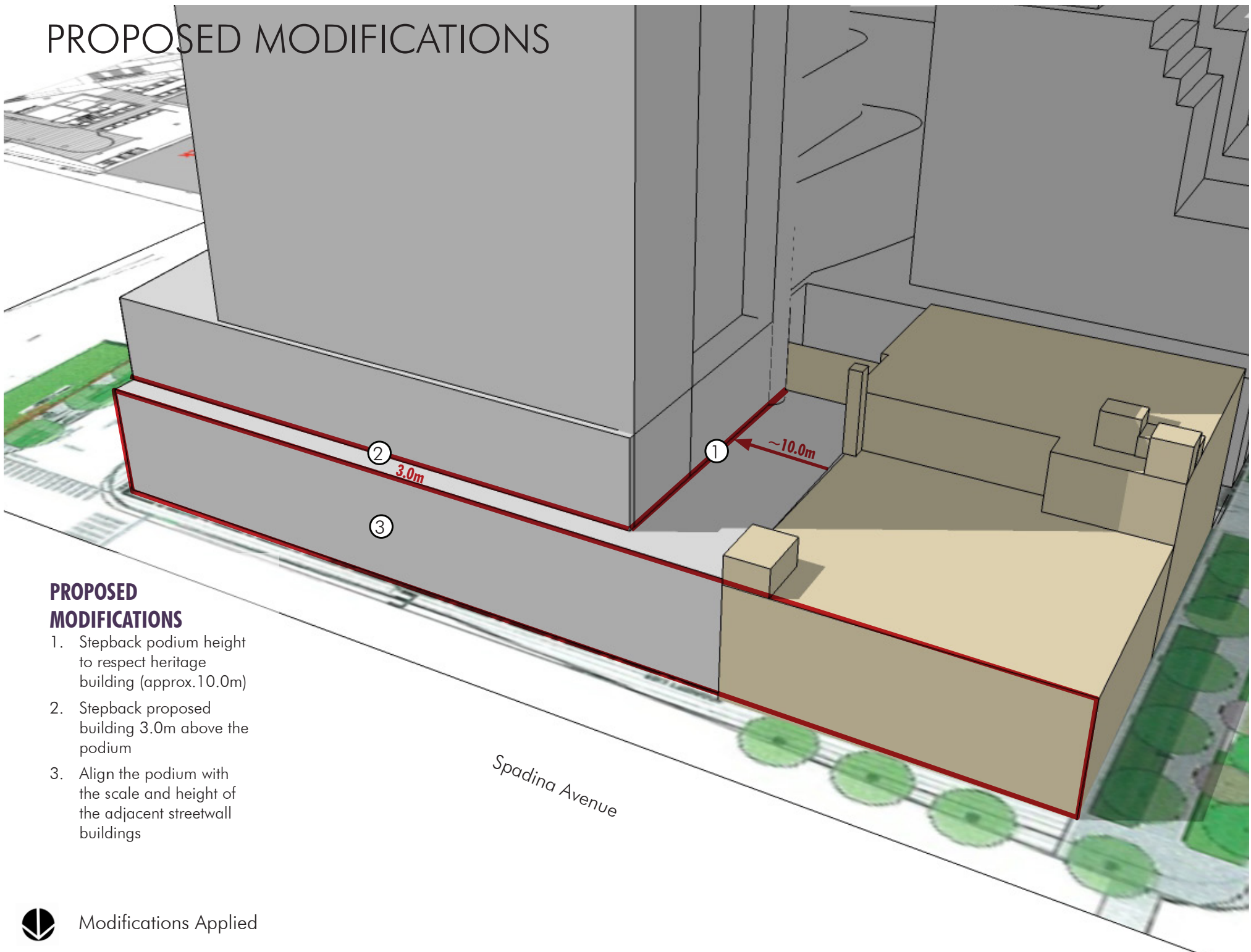
Yours truly,



Mary Flynn Guglietti

Cc: Lipson & Doran, Doran Group
David Butler, The Butler Group Consultants Inc.
Christopher Borgal, Goldsmith Borgal & Company Ltd. Architects
Rick Merrill, The Planning Partnership
Dan Nicholson, City of Toronto Planning Department
Hugh Clark, Allied Properties REIT

PROPOSED MODIFICATIONS



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1. Stepback podium height to respect heritage building (approx. 10.0m)
2. Stepback proposed building 3.0m above the podium
3. Align the podium with the scale and height of the adjacent streetwall buildings



Modifications Applied