

June 29, 2018

Chair Kristyn Wong-Tam and Members of the Toronto and East York Community Council
Toronto and East York Community Council
City Hall, 2nd Floor
100 Queen Street West
Toronto, ON M5H 2N2

Ellen Devlin, Secretariat
City Hall, 2nd Floor
100 Queen Street West
Toronto, ON M5H 2N2

**Re: Toronto East York Community Council Meeting – Item TE34.32
540-544 King Street West and 1-9 Morrison Street
Zoning Amendment Application
Request for Interim Direction Report
Frala Dick Holdings Incorporated (“Developer”)**

The Toronto District School Board (“TDSB”) has reviewed the development application noted above, has provided comments and concerns and has discussed those concerns with the Developer, City staff and community. Further to TDSB comments submitted to City Planning to date, meetings were held with the Developer, City Planning and TDSB on June 8, 2018 and an on-site meeting at the TDSB school (Alpha Alternative School and Oasis Alternative School located at 20 Brant St) directly adjacent to the development site was held on June 15, 2018 with students, parent council, the residents association, TDSB Planning, City Planning and the Developer. The TDSB has had an opportunity to review the development application in detail and are advising that we do not support the development application in its current form.

TDSB staff have also reviewed the Interim Direction report prepared by City Planning for the July 4th, 2018 Toronto and East York Community Council (TEYCC). The TDSB is supportive and in agreement with the City’s staff report as dated June 18, 2018.

The TDSB provided comments to the City as dated May 16, 2018 regarding land use planning matters to be addressed due to the adjacency of the proposed development to the Alpha Alternative Junior Public School and Oasis Alternative Secondary School located at 20 Brant Street. Since that time, the TDSB, Applicants and City Planning staff had an opportunity to meet to discuss TDSB concerns.

The current application proposes a mixed use building of 12 storeys with the bottom 2 storeys occupying retail/commercial uses, offices uses on floors 3 to 7 and 77 residential units on the upper floors. The proposed height for the current application is 51.85 metres (also including the mechanical penthouse).

We note that the current application is not consistent with permissions granted through the 2009 OMB Decision (PL081578) for the same property. The conditions of the OMB Decision limited the height of the (then) proposed development to 2 conjoined towers of a maximum height of 8 and 9 storeys with the northern tower, closest to the school, having a maximum height of 36.8 metres to the roof of the mechanical penthouse. The current application extends the height of the proposed building by 15.05 metres beyond what was approved by the OMB in 2009. It was further a condition of the Board Decision that uses of the property be limited to non-residential uses only.

The TDSB has concerns with the height and massing of the current application and the resultant impact on the adjacent school located at 20 Brant Street. In particular, the TDSB has concerns with shadow impacts on the school and associated school yard in addition to a lack of built form transition/stepbacks to mitigate impacts on the adjacent school site. The development as proposed, does not conform to Sections 9.1.2, 9.17, 9.19, 9.22, 9.23, 9.24.1 and 9.28 of the newly adopted TOCore Secondary Plan in regards to access to sunlight, minimizing net-new shadows on school yards, and built form transition policies taking into account existing neighbourhood character.

The subject site of this application is located within a Mixed Use 2 Area as delineated on Map 41-3-B of the TOCore Secondary Plan. The TDSB has also has concerns that the current application does not conform to policies 6.22, 6.25 and 6.26 of the TOCore Secondary Plan which require development to address specific site characteristics respecting the context of the existing neighbourhood built form within the Mixed Use 2 Area.

Further the application does not conform to the policies of the King-Spadina Secondary Plan, in particular policies 3.6 (d) and (e) which require that:

“In order to ensure the maintenance and enhancement of public spaces that are attractive, pleasant, comfortable and inviting:

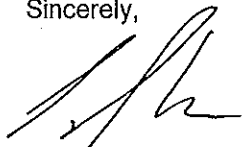
- (d) new buildings for any use will be sited and massed to provide adequate light, view and privacy for neighbouring properties;
- (e) new buildings will achieve a compatible relationship with their built form context through consideration of such matters as, building height, massing, scale, setbacks, stepbacks, roof line and profile and architectural character and expression;”

TDSB has prepared this letter to provide detailed comments regarding the development application as of the date of this letter. Through discussions with City Planning, TDSB staff understand that amendments to the current application will be required in order to achieve conformity with Provincial policy documents as well as the City Official Plan and various Secondary Plans thereto. We would like to clarify that the TDSB comments included in this letter pertain to the details and metrics of the application as of the date of this letter only. We reserve the right to amend these comments pending modification of the current application.

We respectfully request that the City circulate the TDSB on any future amendment to the current application, public notices, appeals and other matters with respect to this application and requests to be included on the Interested Parties List.

Thank you for your consideration of this matter.

Sincerely,



Steve Shaw
Executive Officer, Facility Services, Planning and Sustainability

c: Joe Cressy, City Councillor
Lynda H Macdonald, Acting, Director, Community Planning
Joanna Kimont, Planner
Ausma Malik, Trustee, Ward 10
Frala Dick Holdings Incorporated