

February 13, 2019

Our File No.: 180720

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

Attention: Ellen Devlin, Secretariat

Dear Sirs/Mesdames:

**Re: Item TE3.4 – Zoning By-law Amendment Application – Final Report
578-580 King Street West**

We are solicitors for the owner of the properties known municipally as 578-580 King Street West (the “**Property**”). We are writing to request that Toronto and East York Community Council (“**TEYCC**”) defer this matter to enable further discussions to continue without the matter being appealed to the Local Planning Appeal Tribunal (“**LPAT**”). Our client is prepared to provide an undertaking to the City that it will not file an appeal to LPAT during this deferral period for the failure of the City to make a decision within the statutory time limit.

Background

Our client engaged with City staff in pre-application meetings on March 9, 2017 and September 26, 2017, to discuss the proposed redevelopment of the Property. Our client filed the rezoning application for the Property on September 14, 2018, which application was deemed complete on October 16, 2018.

The rezoning application proposes to redevelop the Property for non-residential uses, including approximately 8,469 square metres of office and commercial space. In our view, the planning and urban design framework supports intensification of the Property, especially for non-residential uses. The Planning and Urban Design Rationale submitted in support of the rezoning application outlines the policy basis to support such intensification and the desirable nature of non-residential development to support a mix of uses within the identified West Precinct of the King-Spadina Secondary Plan.

In recommending refusal of the rezoning application in the report dated January 29, 2019, City staff identified concerns regarding height, built form and massing, heritage impact and conservation strategy, sun/shadow and light/view/privacy. Our client has reviewed these concerns with its consultant team and has already proposed a number of revisions, which are

outlined below, in an effort to address these concerns. We understand that these revisions may not fully satisfy City staff, but our client would welcome the opportunity for further discussions with to explore options for further revisions to the development proposal.

In our view, this opportunity for further dialogue would be more productive without an appeal to LPAT from a City Council decision refusing the rezoning application. As a result of recent *Planning Act* amendments, such an appeal triggers mandatory procedural requirements that are not conducive to constructive discussions towards resolution. Further, the new appeal system also has more limited opportunities for mediation. Overall, in our view, a deferral would allow a more meaningful opportunity to explore development options for the Property with all stakeholders. As noted above, our client is prepared to undertake that it will not file an appeal to LPAT during this deferral period.

Revisions

In response to the comments in the staff report, our client has directed revisions to the plans filed in support of the rezoning application. Revised plans are attached. In particular, the revised plans have:

- reduces the height of the building to 11 storeys (43.8 metres to the roof and 48.5 metres to the top of the MPH);
- implements a 5.5 metre setback from the property line above the 6th floor, while maintaining a light well to match the light well of the Fashion House building;
- achieves a minimum of separation distance of 11 metres between the main walls of the proposed building and the Fashion House building, consistent with the performance standards for mid-rise buildings;
- introduces vertical angled “louvers” along the majority of the east façade to restrict views into and out of the proposed office building, while still allowing sunlight into the proposed building;
- introduces a landscape buffer (with trees and shrubbery) along the terrace atop the 6th floor, along with a 5.5 foot high parapet, to minimize privacy and overlook concerns;
- maintains the minimum 5.3 metre setback above the heritage building along King Street West while setting in the 5th and 6th floors by approximately 2.0 metres to provide a break in the massing, consistent with the approach taken for the Fashion House building and proposed by the development to the west;
- matches the setbacks for the 7th to 10th floors with the setback of the upper portions of the proposed development to the west; steps back the 11th floor by approximately 5.7 metres,

and steps back the mechanical penthouse by an additional 7.76 metres from the top of the 11th floor.

Our client hopes that these revisions are seen as a positive response to the City staff report and an effort to continue the dialogue without the need for an appeal to LPAT. As such, our client respectfully requests that this matter be deferred to enable such discussions to continue.

Please also accept this letter as a request to be added to the notice list regarding this matter.

Yours truly,

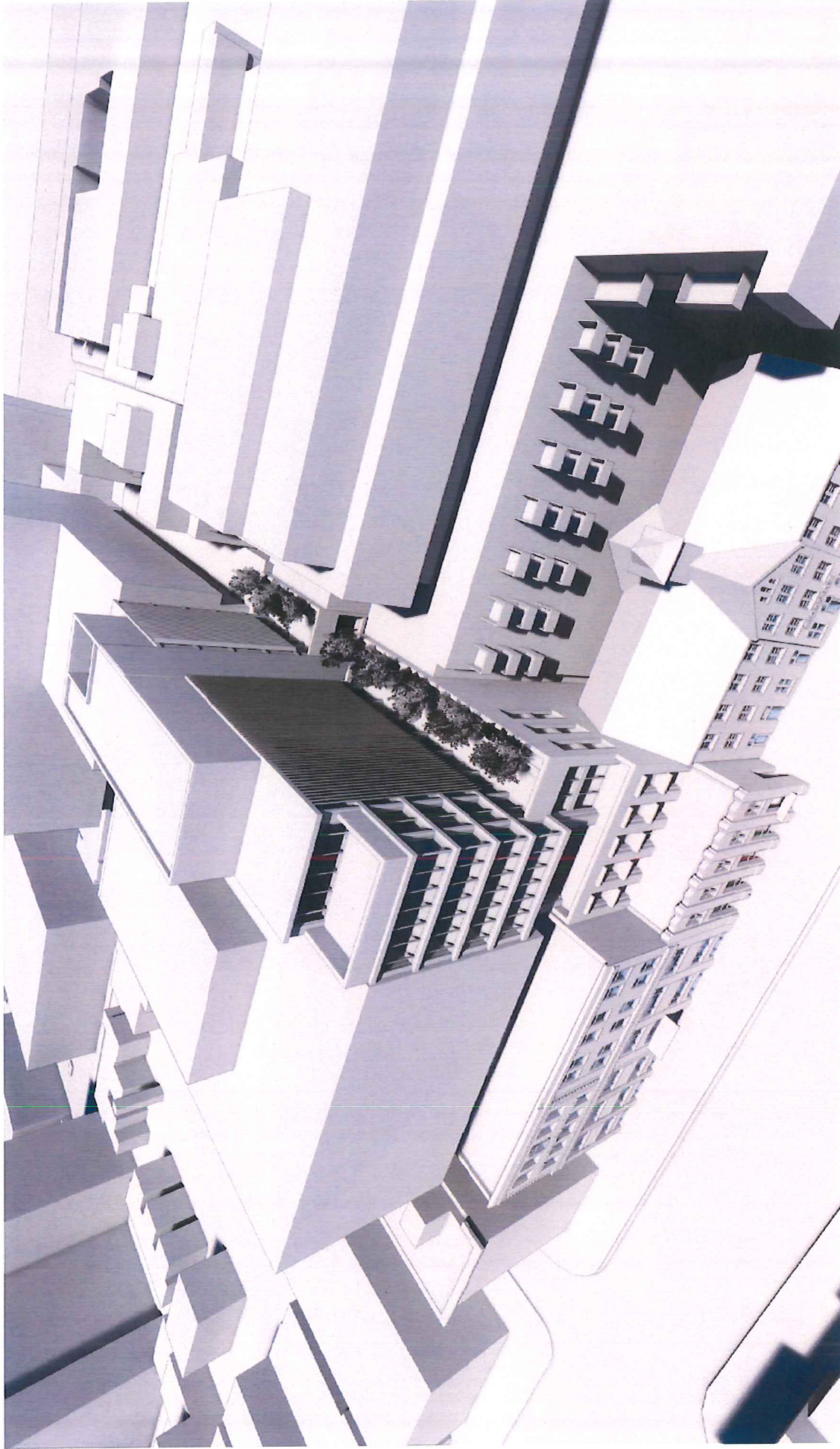
Goodmans LLP

A handwritten signature in black ink, appearing to read 'D. Bronskill', written over the printed name.

David Bronskill

DJB/

6909643



578-580 KING STREET WEST / PERSPECTIVES

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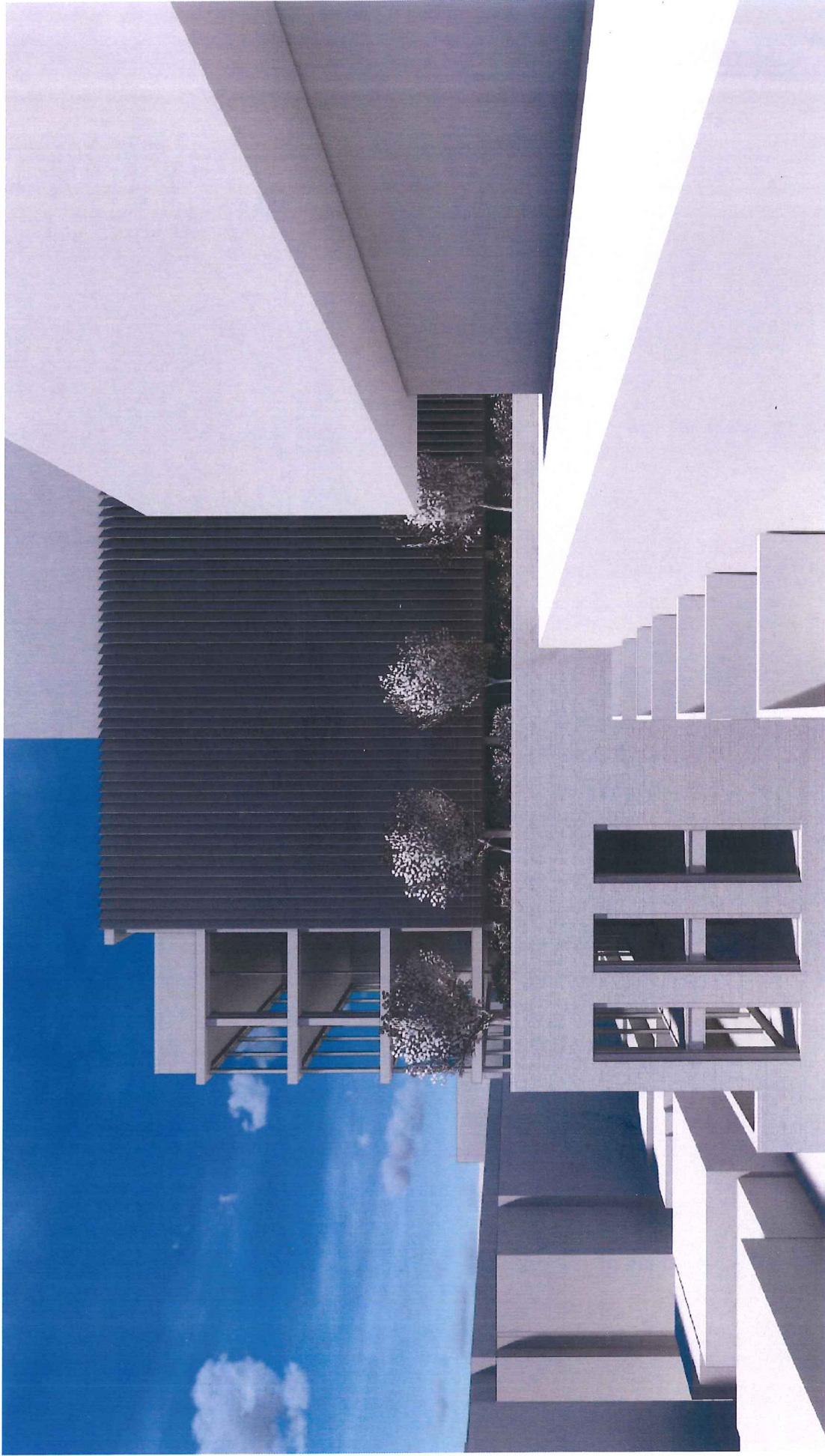
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