

**Barristers & Solicitors** 

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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, Scretariat

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

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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 6<sup>th</sup> 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 6<sup>th</sup> floor, along with a 5.5 foot high parapet, to minimize privacy and overlook concerns;
- maintains the minimum 5.3 metre stepback above the heritage building along King Street West while setting in the 5<sup>th</sup> and 6<sup>th</sup> 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 7<sup>th</sup> to 10<sup>th</sup> floors with the setback of the upper portions of the proposed development to the west, steps back the 11<sup>th</sup> floor by approximately 5.7 metres,

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and steps back the mechanical penthouse by an additional 7.76 metres from the top of the 11<sup>th</sup> 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

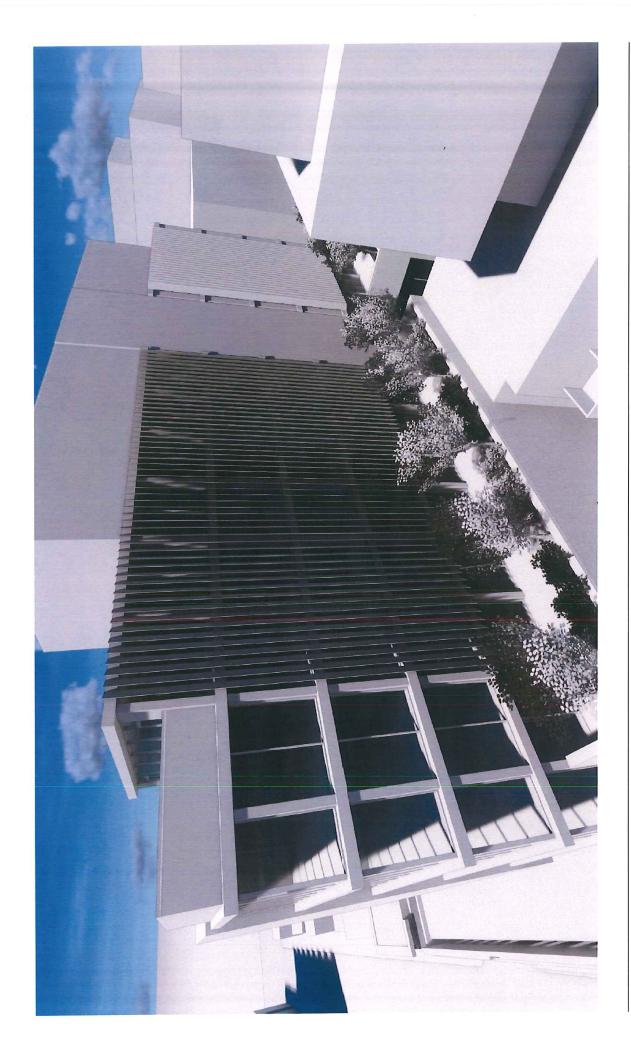
David Bronskill

DJB/ 6909643

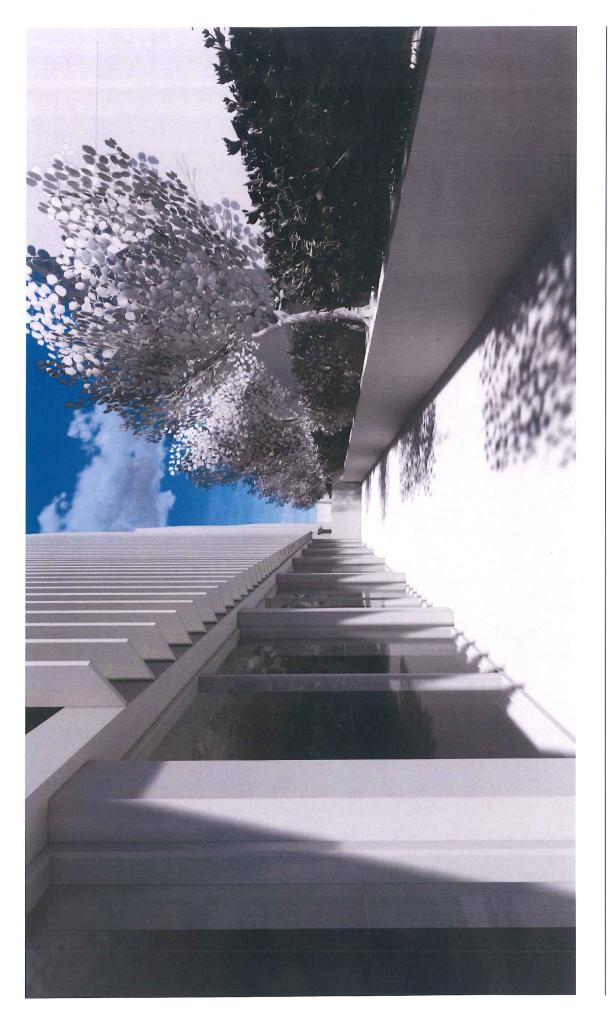


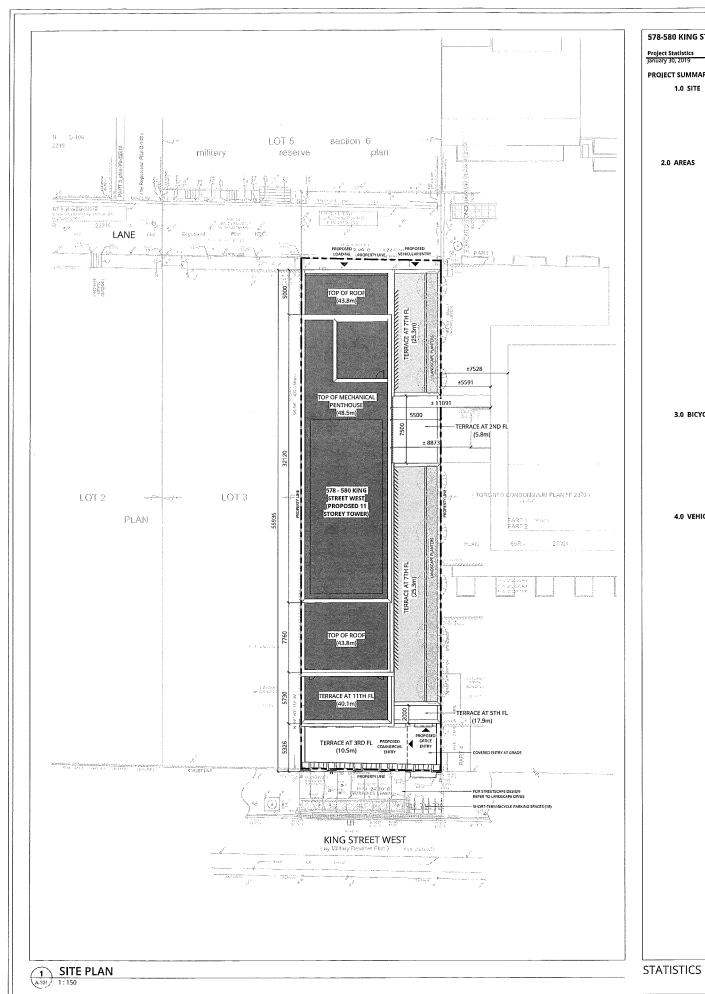












578-580 KING STREET WEST

PROJECT SUMMARY

1.0 SITE

	ft <sup>2</sup>	m <sup>1</sup>	
SITE AREA	9,530	885,4	
TOTAL GROSS FLOOR AREA	65,440 6,079.6		
DENSITY INDEX	6.87		

#### 2.0 AREAS

FLOOR LEVEL TOTAL FLO	TOTAL FLOOR AREA	LEASABLE AREA			NON-LEASABLE AREA				OUTDOOR AREA		GROSS FLOOR AREA			
	101AL FLO	UK AKEA	COMMERCIAL/RETAIL		OFFICE		соммо	N AREA	MECH./SERVICE/OTHER		JOI DOOK AREA			
	ft <sup>z</sup> m <sup>z</sup>		ft²	m²	ft²	m¹	ft <sup>1</sup>	m²	ft²	m²	ft <sup>2</sup>	m²	ft <sup>2</sup>	m²
U/G 2	7,385	686.1			T		I		7,385	686.1	T			
U/G 1	7,385	686.1	950	88.3			620	57,6	5,815	540.2			1,570	145
SUBTOTAL	14,770	1,372.2		88.3	Material Co.	1910/04/1910/2010	620	57,6	13,200	1,226.3		eroetti vatiki	1,570	145.
1	7,005	650.8	3,355	311.7	01	0.0	1,700	157.9	1,950	181.2			5,055	469.
2	8,715	809.6	7,935	737.2	0	0.0	0	0.0	780	72.5	475	44.1	7,935	737.
3	7,880	732.1	1		6,845	635.9	375	34.8	660	61.3	740	68.7	7,220	670.
4	7,880	732.1			6.785	630.3	375	34.8	720	66.9			7,160	665.
5	7,465	693.5			6,370	591.8	375	34.8	720	66.9	360		6,745	626.
6	7,465	693.5			6.370	591.8	375	34.8	720	66.9			6,745	626,
7	5.445	505.9	1		4,350	404.1	375	34.8	720	66,9	2,160	200.7	4,725	439.
8	5,445	505.9			4,350	404.1	375	34,8	720	66.9			4,725	439.
9	5,445	505.9			4,350	404,1	375	34.8	720	66.9			4,725	439.
10	5,445	505.9			4,350	404.1	375	34.8	720	66.9			4,725	439.
11	4.830	448.7	1		3,735	347.0	375	34.8	720	66.9	530	49.2	4,110	381.
MPH	3,475	322.8							3,475	322.8			0	0.
SUBTOTAL	76,495	7.106.6		1.048.9	47.505	4,413,4	5,075	471,5	12,625	1,172.9	4,265	362.8	63,870	5,933.

GROSS FLOOR AREA means the sum of the total area of each floor feerel of a building, above and below the ground, measured from the exterior of the main wall of each floor feerel.
GROSS FLOOR AREA of an one-reliebnish building is reduced by the area in the building used for:
(II) explicing locating on this cycle porfine belowing ground;
(III) explicated locating spaces of the ground feel and required bicycle porfing spaces of an above ground;
(I) stronger constructions, which provides the ground and evolution remains in the beatment;
(I) shower and shonge facilities that are required by this By-low for required bicycle parking spaces;
(I) excelorated perhabuse;
(I) excelorated perhabuse; and

### 3.0 BICYCLE PARKING

	madélokokokoben	REQUIRED RATIO	CALCU	ATION	SUBTOTAL		
USE		REQUIRED RATIO	RATIO	AREA (m²)	SHORT-TERM	LONG-TERM	
OFFICE COMMERCIAL/RETAIL	SHORT-TERM	3 + (0.2 SPACES / 100 m²)	3+02/100 x	4.413.4	13		
	LONG-TERM	0.2 SPACES / 100m <sup>2</sup>	0.2 / 100 x	4,413.4	12	1 ,	
	SHORT-TERM LONG-TERM	3 + (0.3 SPACES / 100 m²) 0.2 SPACES / 100m²	3+0.3/100 x 0.2/100 x	1,137.1	7	3	

### 4.0 VEHICLE PARKING

		REQUIRED RATIO		LATION	SUBTOTAL		
USE		LYOIN DIAME	RATIO	AREA (m²)	OFFICE	COMM,/RETAIL	
OFFICE MI	INIMUM	0.35 SPACES / 100 m²	0.35 / 100 x	4,413.4	16		
OMMERCIAL/RETAIL MI	INIMUM	1.0 SPACES / 100 m²	1.0 / 100 x	1,137.1		12	



TORONTO, ONTARIO

7	ISSUED FOR REVIEW	2019-01-30
6	ISSUED FOR ZBA	2018-08-29
5	ISSUED FOR COORDINATION	2018-08-10
4	ISSUED FOR COORDINATION	2018-07-30
3	ISSUED FOR COORDINATION	2018-06-29
2	ISSUED FOR MEETING	2017-09-25
1	ISSUED FOR REVIEW	2017-07-11
NO.	REVISION / ISSUED FOR	DATE

SITE PLAN & STATISTICS

578 - 580 KING ST. W.



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