

January 20, 2020

**By E-Mail Only to *clerk@toronto.ca***

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

**Attention: Ulli S. Watkiss**

Dear Madame Clerk:

**Re: TE12.4 – King-Spadina Secondary Plan Update – Final Report**

We are counsel to Doubledown Holdings Inc. and Uxland Development (West) Inc. (collectively the “Owners”), the owners of lands municipally known as 482-488 Wellington St. West and 504 Wellington St. West (respectively “488 Wellington” and “504 Wellington” and together, the “Sites”). This letter is sent to advise you of the Owners’ concern and issues with the proposed amendments to the King-Spadina Secondary Plan.

488 Wellington, together with the neighbouring property known municipally as 470-474 Wellington Street West (the “Hullmark Property”), are the subject of site-specific development applications involving the redevelopment of those lands. As the City is aware, the applications are now being addressed together as a single development proposal for a new office building (the “Development”).

Our client has reviewed the proposed amendments to the King-Spadina Secondary Plan (the “Plan Update”) and retains issues related to the characterization of certain aspects of the King-Spadina Precinct – particularly as related to the area identified as “Wellington Place”. It is our client’s position that various policies within the Plan Update inappropriately reimagine the existing character of this position of the precinct. Furthermore, several of these policies impose inflexible requirements that prevent development that remains sensitive to the existing, planned and approved context of the area. These policies seem to ignore the large-scale development now under construction on the south side of Wellington St. West known as “The Well”.

In particular, Doubledown Holdings Inc. takes issues with the maximum height prescribed by Policy 6.11. That limitation, set at 50 metres for the West Precinct, fails to acknowledge the proximity of existing and planned rapid transit. It also fails to

acknowledge the established King Street Transit Corridor which possesses many of the characteristics of higher-order light rail transit. Furthermore, this policy would preclude proposed buildings that fit well within their context despite such proposals being consistent with other buildings in the area that are taller than 55 metres.

Furthermore, the inclusion of Policy 7.8.3 require slavish adherence to a 10 metre stepback above the streetwall on Wellington St. West. This requirement is unnecessarily prescriptive – particularly for a policy document – where the existing scale and pattern of buildings along Wellington Street West is not consistent and varies in height and scale along both sides of the street from Spadina Avenue to Portland Street. It also ignores the possibility of multitude of other methods to respect the streets eclectic character.

As a result of these, and other, issues with the Plan Update, we respectfully request that the Plan Update be returned to staff with a direction to undertake further consultation with stakeholders.

With respect to 488 Wellington, as the City is aware, our client's development proposal for that site received an approval in principal from the Local Planning Appeal earlier this year. That approval was based on a settlement achieved after significant and productive negotiations with both the City and the local ratepayers association. Our client is now in the process of satisfying the one remaining condition for the LPAT to issue its order. However, from its review of the Plan Update, there appears to be no language that recognizes the application of *new* policies to existing approvals, in principal or otherwise, as related to site plan applications. We respectfully suggest that those approvals and, particularly, recognition of the efforts *already* made by all parties to resolve applications, should be included within the Plan Update.

Finally, please ensure we are provided with notice of all meetings, reports, decisions and other related matters connected to the update to the King-Spadina Secondary Plan.

Yours truly,  
**DAVIES HOWE LLP**



Aaron I. Platt

AIP:AIP

copy: Mark Noskiewicz & Max Laskin, *Goodmans LLP*  
Client