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Our File No.: 151994

City Council  
12<sup>th</sup> Floor, West Tower, City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

**Attention: Marilyn Toft, Secretariat**

Dear Sirs/Mesdames:

**Re: King-Spadina Secondary Plan  
485-489 Wellington Street West**

We are solicitors for Lifetime Wellington Street West Inc. in respect of the properties known municipally in the City of Toronto as 485-489 Wellington Street West (the "**Property**"). We are writing to express our client's concerns with the proposed updated King-Spadina Secondary Plan (the "**Secondary Plan**"), in particular that the Property should be excluded from the policies of the Secondary Plan at this time.

In a decision issued on February 7, 2019, the Tribunal allowed an appeal in respect of the Property, in part, but withheld the final order pending finalization of draft zoning by-law amendments, addressing certain engineering matters, submission of a noise study and execution/registration of a Section 37 agreement. Although progress has been made in respect of these matters, it is unclear how the City intends to apply the Secondary Plan to active planning matters absent clear transition policies as were recently included in the Downtown Plan and the Midtown Plan.

Further, in our view, the Secondary Plan proposes certain policies that are inconsistent with other aspects of the Official Plan framework for this area and do not accurately reflect the existing character of the King-Spadina area. Absent transition, our client is concerned that the imposition of rigid standards could unnecessarily preclude or hinder context sensitive development, even for applications approved by the Tribunal but for which final orders have not yet issued.

As just one example, Policy 6.11 would limit height for properties in the West Precinct designated as *Mixed Use Areas 2* to 50 metres. This proposed policy appears in conflict with the recent approved Downtown Plan, which permits the highest heights and most intense form of development on lands designated as *Mixed Use Areas 1* and *Mixed Use Areas 2* in proximity to existing or planned rapid transit. This is the case with Property and much of the West Precinct.

Further, the existing context includes a number of buildings taller than 55 metres and the rationale for an arbitrary cap of 50 metres is unclear.

This communication should be treated as our client's written representation in accordance with the *Planning Act*. We would also appreciate receiving notice of any decision of City Council in respect of this matter.

Yours truly,

**Goodmans LLP**



David Bronskill  
DJB/

cc: Client

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