

January 19, 2022

John Duncan
Planner, Toronto and East York District
City Planning Division
Toronto City Hall
100 Queen Street West
Toronto, Ontario M5H 2N2

Dear Mr. Duncan,

***RE: Planning and Urban Design Rationale Addendum Letter #2
Rezoning Application Resubmission
145 Wellington Street West (19 210278 STE 10 OZ)***

1.0 INTRODUCTION & BACKGROUND OF APPLICATIONS

As you are aware, we are the planning consultants to 145 Wellington Portfolio Inc. with respect to its property at 145 Wellington Street West (the “subject site”), which is located at the southeast corner of Wellington Street West and Simcoe Street, within the westerly portion of Downtown Toronto’s Financial District, on the border of King-Spadina’s East Precinct.

In July 2019, a Zoning By-law Amendment Application (“the Application”) was submitted to permit the demolition of the existing 13-storey office building and the redevelopment of the subject site with a new mixed-use 65-storey tower containing residential, office and retail uses. A total gross floor area (“GFA”) of 50,565.2 square metres was initially proposed, including a retail/commercial GFA of 160.2 square metres and an office GFA of 14,639.8 square metres, resulting in an overall density of 34.12 FSI. A total of 476 units were proposed, of which almost 60 percent were family-sized two- and three-bedroom units. In support of the Application, Bousfields Inc. prepared a comprehensive Planning & Urban Design Rationale report dated July 2019 (the “2019 Rationale”).

Revised material was resubmitted in August and September 2020, including a Planning Addendum letter dated September 4, 2020 (the “2020 Addendum”), responding to comments from the City, the various commenting agencies and the community. This letter has been prepared as an addendum to the 2019 Rationale and 2020 Addendum to identify how the project team has responded to further comments, while also reviewing the final versions of Official Plan Amendments (“OPA”) 352, 479 and 480, which have been

approved since the last submission. By-laws 1106-2016 and 1107-2016, which implement OPA 352, are also reviewed.

This letter concludes that, with the design revisions summarized below and illustrated in the architectural drawing set prepared by Turner Fleischer & Partisans Group dated January 11, 2022, the proposed development continues to be appropriate from the perspectives of intensification, land use policy, height, massing, density, built form and urban design. Subject to the additional comments set out herein, the findings and analysis set out in the 2019 Rationale and 2020 Addendum continue to be relevant and accurate.

2.0 DESCRIPTION OF REVISED PROPOSAL

A number of changes have been made to the development proposal, which are outlined below. It is our opinion that the revisions will continue to support the development of the subject site with a mixed-use building with retail at grade, full office replacement and new residential above that is contextually appropriate for the site. The key planning and urban design related changes are summarized below:

- reduced the total number of storeys from 65 to 60 and reduced the overall metric height from 235.55 to 213.05 metres, inclusive of the mechanical penthouse and rooftop amenity floors;
- introduced a geothermal exchange system to serve the office component of the building, improving the building's energy efficiency and providing for a more sustainable development, while also allowing for a reduction in the mechanical penthouse height from 8 metres to 5 metres at the north end and 7 metres at the south;
- reduced the podium height from 65.10 metres to 61.4 metres;
- due to the height reductions, significantly reduced net new shadows on David Pecaut Square;
- reduced the GFA from 50,325.5 square metres to 46,894.7 square metres, while still providing an increase in the amount of office GFA (14,397.5 square metres versus the existing 14,118.5 square metres), and ensuring no net loss of overall non-residential GFA (14,542.3 versus the existing 14,540.4 square metres);
- as a result, reduced the density from 33.95 FSI to 31.64 FSI;
- reduced the number of dwelling units from a total of 472 units to 428 units, while still providing a total proportion of large dwelling units that exceeds the 40% required by the Downtown Secondary Plan (46%);
- increased average unit sizes for two and three-bedroom units from 69 and 94 square metres to 72 and 100 square metres, respectively;
- set back the 14th floor an additional approximately 3.5 metres, in order to provide an additional weather-protected outdoor amenity space;

- increased the amount of outdoor amenity space provided from 555.9 square metres to 653.5 square metres, resulting in an increased ratio from 1.18 m²/unit to 1.5 m²/unit;
- continued to exceed the total amenity space requirement (4.3 m²/unit);
- relocated the main office lobby entrance from the Simcoe façade to the corner of Simcoe and Wellington, providing for a prominent entranceway and anchoring the intersection;
- increased the residential lobby area from 132.5 to 205.7 square metres;
- provided additional short-term bicycle parking at grade (35 spaces versus 10); and
- relocated some bicycle parking from P1 to the mezzanine level, accessed conveniently from a bike elevator from Simcoe.

As it relates to land use, the revised proposal is generally consistent with the initial application, providing for a mix of non-residential and residential uses. A detailed comparison of the revised proposal to the original is provided in **Table 1**.

Table 1 – Statistical Comparison

	Original Submission (July 2019)	Resubmission #1 (September 2020)	Resubmission #2 (December 2021)
Site Area	1,482.1 m ²	1,482.1 m ²	1,482.1 m ²
Total Gross Floor Area:	50,565.2 m ²	50,325.5 m ²	46,894.7 m ²
• Residential	35,765.2 m ²	35,662.6 m ²	32,352.4 m ²
• Retail	160.2 m ²	158.8 m ²	144.8 m ²
• Office	14,639.8 m ²	14,504.1 m ²	14,397.5 m ²
Height (incl. MPH)	235.55 metres	235.55 metres	213.05 metres
Density	34.12 FSI	33.95 FSI	31.64 FSI
Total Units	476 units (100%)	472 units (100%)	428 units (100%)
	136 one-bedroom (29%)	132 one-bedroom (28%)	187 one-bedroom (43.7%)
	68 one-bedroom plus den (14%)	68 one-bedroom plus den (14%)	44 one-bedroom plus den (10.3%)
	119 two-bedroom (25%)	119 two-bedroom (25%)	152 two-bedroom (35.5%)
	102 two-bedroom plus den (21%)	102 two-bedroom plus den (22%)	
	51 three-bedroom (11%)	51 three-bedroom (11%)	45 three-bedroom (10.5%)
Indoor Amenity Space	1,460.9 m ² (3.07 m ² /unit)	1,524.5 m ² (3.23 m ² /unit)	1,191.9 m ² (2.8 m ² /unit)

Outdoor Amenity Space	583.6 m ² (1.23 m ² /unit)	555.9 m ² (1.18 m ² /unit)	653.5 m ² (1.5 m ² /unit)
Vehicular Parking Spaces	66 spaces	47 spaces	39 spaces
• Residential	66 spaces	47 spaces	34 spaces
• Commercial/Visitor	0 spaces	0 spaces	5 spaces
Bicycle Parking Spaces	546 spaces	541 spaces	499 spaces
• Res. Long-Term	430 spaces	425 spaces	386 spaces
• Res. Short-Term	48 spaces	48 spaces	47 spaces
• Office Long-Term	30 spaces	30 spaces	29 spaces
• Office Short -Term	33 spaces	33 spaces	32 spaces
• Retail Long-Term	1 space	1 space	1 space
• Retail Short-Term	4 spaces	4 spaces	4 spaces
Loading Spaces	1 Type 'B' 1 Type 'G' 2 Type 'C'	1 Type 'B' 1 Type 'G' 2 Type 'C'	1 Type 'B' 1 Type 'G' 2 Type 'C'

3.0 EVOLVING POLICY FRAMEWORK

The August 2020 Addendum concluded that the proposed redevelopment of the subject site was consistent with the Provincial Policy Statement (2020) and conformed with the Growth Plan for the Greater Golden Horseshoe (2019).

OPA 479 and OPA 480

Official Plan Amendment (OPA) 479, amending Section 3.1.1 (Public Realm) of the City of Toronto Official Plan, and OPA 480, amending Sections 3.1.2 (Built Form) and 3.1.3 (Built Form – Tall Buildings, which is to be retitled Built Form – Building Types), were adopted by City Council on January 29, 2020, and were considered in the 2020 Addendum. Both OPAs were approved by the Minister of Municipal Affairs and Housing (MMAH) on September 11, 2020, following the first resubmission. As such, we have reviewed both below. In our opinion, the proposal continues to conform with the Official Plan, as modified.

Section 3.1.1, as amended, sets out policies applying to the public realm, including streets, parks, open spaces and public buildings. Policy 3.1.1(1) states that the public realm is comprised of all public and private spaces to which the public has access. Policy 3.1.1(2) outlines that the public realm will, among other things, provide the organizing framework and setting for development; foster complete, well-connected walkable communities and employment areas that meet the daily needs of people and support a mix of activities; provide a comfortable, attractive and vibrant, safe and accessible setting for civic life and daily social interaction; provide opportunities for passive and active recreation; and be

functional and fit within a larger network. Policy 3.1.1(3) further outlines that the City will seek opportunities to expand and enhance the public realm to support the needs of existing and future populations.

Policy 3.1.1(6) recognizes that City streets are significant public open spaces which connect people and places and support the development of sustainable, economically vibrant and complete communities.

Policy 3.1.1(13) provides that sidewalks and boulevards will be designed to provide safe, attractive, interesting and comfortable spaces for users of all ages and abilities by providing well designed and co-ordinated streetscape improvements, locating and designing utilities in a manner that will minimize negative impacts on the natural, pedestrian and visual environment and providing unobstructed, direct and continuous paths of travel in all seasons with an appropriate width to serve existing and anticipated pedestrian volumes.

Policy 3.1.1(14) calls for design measures which promote pedestrian safety and security to be applied to streetscapes, lanes, parks, other public and private open spaces, and all new and renovated buildings. Policy 3.1.1(15) provides that new and existing city blocks and development lots within them will be designed to, among other things, expand and enhance the public realm network; have an appropriate size and configuration for the proposed land use, scale of development and intended form of buildings and open space; enhance the walking and cycling networks by minimizing block lengths where appropriate; promote street-oriented development with buildings fronting onto and having access and address from street and park edges; provide adequate room within the development lot or block for parking and servicing needs; and identify opportunities and provide for the integration of green infrastructure.

Section 3.1.2, as amended, provides principles that speak to the relationship between the location and organization of development, its massing and the interface between the building and the public realm. Policy 3.1.2(1) provides that development will be located and organized to fit with its existing and planned context and to frame and support adjacent streets, lanes, parks and open spaces. Relevant criteria include:

- generally locating buildings parallel to the street with consistent front yard setbacks;
- locating main building entrances on the prominent building facades so that they front onto a public street, park or open space, and are visible and directly accessible from a public street;
- providing ground floor uses, clear windows and entrances that allow views from, and where possible, access to, adjacent streets, parks and open spaces; and

- providing comfortable wind conditions and air circulation at the street and adjacent open space to preserve the utility and intended use of the public realm, including sitting and standing.

Policy 3.1.2(3) directs that development will protect privacy within adjacent buildings by providing setbacks and separation distances from neighbouring properties and adjacent building walls containing windows.

Policy 3.1.2(4) requires development to locate and organize vehicle parking, vehicular access and ramps, loading, servicing, storage areas and utilities to minimize their impact and improve the safety and attractiveness of the public realm, the site and surrounding properties.

Section 3.1.2 also includes additional language with respect to street proportion. The sidebar notes that street proportion will be determined by considering the existing conditions and determining the appropriate setbacks, scale and massing of buildings to provide a street proportion that will provide good sunlight and daylight conditions and will be implemented through a number of measures including setbacks, building heights, pedestrian perception zones, streetwall heights, base building heights and stepbacks.

Policy 3.1.2(5) directs that development will be located and massed to fit within the existing and planned context, define and frame the edge of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm by: providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context; and stepping back building mass and reducing building footprints above the streetwall height.

In addition, refinements have been made to both the sidebar text and Policy 3.1.2(6) to clarify that development must provide good transition in scale in consideration of both the existing and planned contexts of neighbouring properties and the public realm. In particular, Policy 3.1.2(6) requires development to provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm. In this regard, Policy 3.1.2(7) states that transition in scale will be provided within the development site and measured from shared and adjacent property lines.

Policy 3.1.2(9) directs that the design of new building facades visible from the public realm will consider the scale, proportion, materiality and rhythm of the façade.

Policy 3.1.2(10) requires that development will promote civic life and provide amenity for pedestrians in the public realm to make areas adjacent to streets, parks and open spaces

attractive, interesting, comfortable and functional by providing:

- improvements to adjacent boulevards and sidewalks including sustainable design elements, which may include landscaping, permeable paving materials and street furniture;
- co-ordinated landscape improvements in setbacks to enhance local character, fit with public streetscapes, and provide attractive, safe transitions between the private and public realms;
- weather protection such as canopies and awnings; and
- landscaped open space within the development site.

With respect to amenity spaces, Policy 3.1.2(11) encourages new indoor and outdoor shared amenity spaces provided as part of multi-unit residential developments to be high quality, well designed, and consider the needs of residents of all ages and abilities over time and throughout the year. Similarly, Policy 3.1.2(12) encourages non-residential development to provide high-quality and well-designed indoor and outdoor amenity space. Policy 3.1.2(13) provides that outdoor amenity spaces should be located at or above grade, have access to daylight, and direct sunlight, where possible, provide comfortable wind, shadow and noise conditions, be located away from and physically separated from loading and servicing areas, have generous and well-designed landscaped areas to offer privacy and an attractive interface with the public realm, and promote use in all seasons.

Section 3.1.3 of the Official Plan, as amended, sets out policies for specific built form typologies. With respect to tall buildings, Policies 3.1.3(9) to (12) provide that:

- the base portion of a tall building should respect and reinforce good street proportion and pedestrian scale; and be lined with active, grade-related uses;
- the tower portion of a tall building should be designed to:
 - reduce the physical and visual impacts of the tower onto the public realm;
 - limit shadow impacts on the public realm and surrounding properties;
 - maximize access to sunlight and open views of the sky from the public realm;
 - limit and mitigate pedestrian level wind impacts; and
 - provide access to daylight and protect privacy in interior spaces within the tower;
- this should be achieved by:
 - stepping back the tower from the base building;
 - generally aligning the tower with, and parallel to, the street;
 - limiting and shaping the size of tower floorplates above base buildings;

- providing appropriate separation distances from side and rear lot lines as well as other towers; and
- locating and shaping balconies to limit shadow impacts; and
- the top portion of a tall building should be designed to integrate roof top mechanical systems into the building design, contribute to the surrounding skyline identify and character, and avoid up-lighting and excessive lighting.

OPA 352 and By-laws 1106-2016 and 1107-2016

As noted in our 2019 Rationale, on November 9, 2016, as part of the TOcore study which ultimately led to the Downtown Plan, City Council adopted Official Plan Amendment No. 352 (OPA 352), which proposed new tall building separation policies in the *Downtown* through Site and Area Specific Policy 517 (SASP 517).

Concurrently, City Council enacted By-laws 1106-2016 and 1107-2016 to amend By-laws 438-86 and 569-2013, respectively, in order to implement OPA 352. As discussed, in the 2020 Rationale, OPA 352, as well as By-laws 1106-2016 and 1107-2016, were appealed to the Ontario Land Tribunal (the “OLT”, then the Ontario Municipal Board) by numerous parties.

On November 25, 2020 and February 2, 2021, City Council supported modifications to OPA 352 and the Zoning By-laws in order to resolve the appeals. On March 15, 2021, the OLT held a Settlement Hearing to consider the modified instruments, and a Decision was issued on May 28, 2021 approving modified versions of OPA 352 (which introduces SASP 517), By-law 1106-2016 and 1107-2016.

The approved SASP 517 included the following changes:

- a greater focus on tower separation and placement (as opposed to the base portion);
- acknowledgement that shadows will occur but will be appropriately limited;
- permission for alternatives where a proposal does not meet the numerical standards provided in the associated by-laws, provided the policy objectives of OPA 352 are met;
- introduction of opportunities for a comprehensive block plan to determine potential tall building locations where multiple small sites are located within a block;
- removal of the requirement for greater setbacks as building heights increase;
- introduction of interpretation policies with respect to potential conflicts with the University of Toronto Secondary Plan; and,
- provision of flexible language for institutional uses.

As approved, the purpose of SASP 517 is to provide direction for *Downtown* tall building development with respect to setbacks from the building face of the tower to adjacent lot lines and an adequate separation distance between towers. These directions are intended to ensure that individual tall buildings on a site and the cumulative effect of multiple tall buildings within a block contribute to building strong healthy communities by fitting in with the existing and/or planned context.

SASP 517 provides that the Zoning By-law will contain minimum numerical standards with respect to tall building setbacks from property lines and separation distances between towers on the same site. Relief from these standards may be permitted through rezoning or minor variance, provided that appropriate space between towers will:

- provide a high-quality, comfortable public realm;
- consider development potential, where appropriate, of other sites within the block;
- appropriately limit shadow impacts on the public realm and surrounding properties;
- provide appropriate access to natural light and protect privacy for occupants of tall buildings;
- provide appropriate pedestrian-level views of the sky between towers as experienced from adjacent streets, parks and open spaces; and
- appropriately limit and mitigate the impacts of uncomfortable wind conditions on streets, parks, open spaces and surrounding properties.

In the review of minor variance or rezoning applications, the existing and planned context of a site will be considered, including but not limited to the following considerations:

- the use of the proposed tall building and adjacent properties;
- the physical relationship between tall buildings, including the extent to which the buildings can be located, oriented and designed to mitigate impacts; and/or
- development potential, where appropriate, of other sites within the block, including agreements, such as limiting distance agreements, heritage easement agreements, or air rights agreements, between landowners and the City.

In addition, SASP 517 sets out the following directions:

- not every site can accommodate a tall building;
- where a block is comprised of multiple small sites, a comprehensive block planning process may be used to locate and design tall buildings to meet the intent of the SASP; and

- the policies in the SASP are not intended to apply to mid-rise buildings and may be applied to other tall building typologies that differ from the tower-base form, where appropriate.

Downtown Tall Building Setback By-laws

The Downtown Tall Building Setback By-laws (By-laws 1106-2016 and 1107-2016) were addressed in the 2019 Rationale included in the original submission. The amended By-laws included the following key changes:

- clarification that tall buildings are those buildings taller than 36 metres;
- exemptions for tall buildings in an Institutional Zone or Q district (Institutional Zone in 438-86); and,
- additional area-specific and site-specific exemptions.

By-law 1106-2016 added an exception to Section 12(2) of By-law 438-86 while By-law 1107-2016 added Section 600.10 to By-law 569-2013. The amended sections now require that every building with a height greater than 36.0 metres is to provide building setbacks, above a height of 24.0 metres of:

- 3.0 metres from a lot line abutting a street and 12.5 metres from the centre line of that abutting street;
- 12.5 metres from the centre line of an abutting lane; and
- 12.5 metres from a lot line not abutting a street or lane.

In addition, they require that a 25.0 metre separation be provided between buildings or portions of buildings 36.0 metres in height, for the portions of those buildings above 24.0 metres in height, on the same lot.

In our opinion, the proposed development conforms with SASP 517 as detailed below in Section 4.0 of this addendum letter, but requires relief from the implementing by-laws with respect to the podium and to the required tower setbacks. In our opinion, such relief is appropriate given that the proposal conforms with SASP 517, by providing for appropriate setbacks given the building's context, providing for a high-quality, comfortable public realm, and appropriately limiting shadow, wind and view impacts.

4.0 ANALYSIS

Land Use and Intensification

As set out in Sections 5.1 and 5.2 of the 2019 Rationale and in the 2020 Addendum, mixed-use intensification on the subject site is consistent with the policy directions articulated in the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the City of Toronto Official Plan, all of which promote intensification on sites well served by municipal infrastructure, particularly higher-order public transit. The revised proposal, even with a reduced height (65 to 60 storeys) and density (33.95 to 31.64 FSI), will result in the redevelopment of the subject site with an appropriately scaled transit-supportive mixed-use development.

With respect to office replacement, the proposal continues to provide an office GFA and a total non-residential GFA that exceed the existing amounts, despite a slight reduction from the last submission. The current proposal will still result in an increase in the total amount of non-residential GFA over what currently exists on the subject site. A total of 14,542.3 square metres of non-residential GFA is proposed, which continues to exceed the existing total non-residential GFA of 14,540.4 square metres. In terms of office space, a total of 14,118.5 square metres of office GFA exists on the subject site, and the proposed office GFA will increase that amount by 279 square metres, for a total of 14,397.5 square metres.

As such, the proposal would conform with proposed Policy 3.5.1(9) in OPA 231 and enforce Policies 6.2.1 and 6.2.2 of the Downtown Secondary Plan with respect to the replacement of office and non-residential uses.

With respect to the unit mix, while some of the proposed two-bedroom units and three-bedroom units are smaller than the recommended unit sizes in the Growing Up Guidelines, the average unit size of the two and three-bedrooms units has increased over the previous submission from approximately 69 square metres to 72 square metres for the two-bedroom units, and from 94 square metres to 100 square metres for the three-bedroom units.

Further, we note that the proposed development continues to provide a significantly greater percentage of family-sized units than recommended by the Growing Up Guidelines and required by the Downtown Secondary Plan. The Guidelines recommend a minimum of 15 percent of the units as two-bedroom units, as does the Downtown Secondary Plan, whereas 35.5 percent of the units will be two-bedroom and two-bedroom plus den units; similarly, while 10 percent of the units are recommended to be three-bedroom units in both the Guidelines and the Downtown Secondary Plan, 10.5 percent of the units will be three-bedroom units. An additional 15 percent of the units are required by the Downtown Secondary Plan to be provided as a combination of two- and three-bedroom units (or units that can be converted into such), which is also being met given the additional two-bedroom units being provided.

While the individual unit sizes of some of the units will be smaller than the sizes recommended by the Guidelines, the proposal will provide a much greater number of larger units than recommended by the Guidelines.

Height, Massing and Density

As set out in Section 5.3 of our 2019 Rationale and in the 2020 Addendum, the subject site is an appropriate location for a tall building for its existing and planned context, given its location in the *Downtown* and the Financial District, its *Mixed Use Areas 1* designation in the Downtown Secondary Plan, its frontage on two streets including a Minor Arterial street (Wellington Street West), its proximity to three subway stations including Union Station, Toronto's multimodal hub, its proximity to frequent streetcar service, and its relationship to other existing and approved tall buildings in both the Financial District and King-Spadina area.

Although it continues to be our opinion that a 65-storey building is contextually appropriate, since the last submission, the height of the building has been reduced by five storeys and over 22 metres.

With a revised overall height of 213.05 metres and a sculpted mechanical penthouse, the proposed tower continues to be contextually appropriate for the surrounding area, while significantly reducing the built form impacts on shadow sensitive areas, in particular David Pecaut Square. The proposed tower would continue to fit harmoniously both within a broad urban structure context and with existing and approved building heights in the vicinity.

With respect to massing, the design of the proposal continues to be in keeping with the built form context in the surrounding area, including both the base element that will define the Simcoe and Wellington street edges at an appropriate scale, and the tower that is appropriately sized and oriented on the site. The revised proposal generally maintains the original massing, with two notable revisions. First, as noted above, the mechanical penthouse has been sculpted, with a reduced height of 5 metres at the north end and 7 metres at the south end, in order to minimize shadowing on David Pecaut Square. Second, Floor 14 has been stepped back approximately 3.5 metres from the east, providing for a further differentiation between the tower and podium while also providing for additional outdoor amenity space in response to comments from Community Planning staff.

As per the previous submission, a semi-porous wind mitigation structure is proposed along the west façade (Simcoe Street frontage). The structure will mitigate wind impacts, while functioning as an architectural feature that will enhance the design of the building's

podium. The wind mitigation will be located above the pedestrian zone, freeing up space at grade for walking and cycling.

Further, although the proposal does not adhere to all of the performance standards in By-laws 1106-2016 and 1107-2016, it is our opinion that the proposal conforms with SASP 517. In this regard, SASP 517 provides that relief from these standards may be permitted through rezoning provided that appropriate space between towers is provided. With respect to the proposed podium, although taller than anticipated by the implementing by-laws, it is non-residential in use and will not result in any unacceptable privacy impacts. With respect to the tower, the proposal:

- provides a high-quality, comfortable public realm, ensuring that impacts on the useability of David Pecaut Square and other public spaces are adequately mitigated, while also providing for direct public realm improvements along Wellington Street West, including the widening of the sidewalk within the right-of-way;
- considers the development potential of other sites within the block, as set out in the 2019 Rationale;
- considers and ensures appropriate access to natural light and protects privacy for occupants of other surrounding tall buildings;
- provides for appropriate pedestrian-level views of the sky, having regard for the dense urban context of the Financial District and King-Spadina East Precinct; and
- appropriately limits and mitigates the impacts of uncomfortable wind conditions on streets, parks, open spaces and surrounding properties.

In our opinion, the proposal conforms with SASP 517, contributing to building strong healthy communities by fitting in with the existing and/or planned context.

From a density perspective, it is our opinion that the revised density of 31.64 FSI is appropriate and desirable. From a planning policy perspective, it is important to optimize the use of land and infrastructure on the site given its location within the Downtown Toronto “urban growth centre” and its proximity to streetcar routes and three subway stations, including Union Station.

Built Form

It continues to be our opinion that the proposed development will have no unacceptable built form impacts on surrounding streets, open spaces or properties and, in particular, on lands designated *Neighbourhoods*.

As discussed in Section 5.4 of our 2019 Rationale and in the 2020 Addendum, the subject site is well separated from the closest *Neighbourhoods* designations north of Queen Street and west of Bathurst Street; accordingly, there would be no built form impacts on designated *Neighbourhoods*. Due to the reduction in height, considerable separation distance and intervening existing and approved tall buildings, an appropriate transition will be provided between the proposed building and the closest *Neighbourhoods* designation.

Light, View and Privacy

With respect to light, view and privacy, it continues to be our opinion that the location and configuration of the proposed tower on the subject site would not have an unacceptable impact on the light, view and privacy of adjacent existing, planned and potential towers, particularly given the 22.5 metre height reduction and the fact that the proposed tower generally meets the recommended setbacks, as outlined in the 2019 Rationale. The setbacks remain the same as the previous submission.

The tower floor plate, which ranged from 748.9 to 750.3 square metres (gross construction area) in the previous submission, is now at 750 square metres, which meets the 750 square metre floor plate size recommended by the Tall Building Design Guidelines and the general policy direction in the Downtown Secondary Plan.

Shadow Impacts

A revised shadow study has been prepared by Turner Fleischer Architects, assessing the shadow impacts at the spring/fall equinoxes (March/September 21st) and the summer/winter solstices (June/December 21st).

As set out in the 2019 Rationale and 2020 Addendum, David Pecaut Square is identified as a Sun Protected Park and Open Space in the Downtown Secondary Plan, but it is not identified as a Signature Park or Open Space in the Downtown Tall Building Guidelines. For all other parks within the Downtown Guidelines boundaries, Supplementary Design Guideline 2(b) recommends that tall buildings be located and designed to not cast net new shadows between 12:00 noon and 2:00 p.m. on September 21st. Nevertheless, revisions have been made to the building height and mechanical penthouse height and massing in order to respond to staff comments regarding shadow impacts on David Pecaut Square.

In this regard, the shadow study demonstrates that there will be some incremental shadow impact on David Pecaut Square during the spring and fall equinoxes at 9:18 a.m., with only a small area at the north edge of the park impacted at 10:18 a.m. on March 21st and an even smaller sliver at 10:18 a.m. on September 21st. On both days, the proposed building's shadow will be completely off the square well before 11:18 a.m.

At the summer solstice, the revised proposal will have a sliver of incremental shadow on the landscaped open space in the centre of the square at 9:18 a.m. and would shadow approximately half of the landscaped open space at 10:18 a.m. Given the reduction in height, the shadow does not stretch as far west, reducing the amount of shadowing as compared to the previous submission on the north end of the landscaped open space and on the paved portion of the park that is typically used by a farmer's market in the summer months. At 11:18 a.m., whereas previously there was a thin sliver of shadow on the east side of the square, the revised proposal has no impact on the park at all at 11:18 a.m. on June 21st.

Based on the foregoing analysis, it is our opinion that net new shadow on David Pecaut Square is "adequately limited" in accordance with Downtown Secondary Plan Policy 9.18, both in terms of its extent relative to the size of the square and its duration, and would not adversely affect the utility of the square. With respect to the guidance provided by the Downtown Tall Building Guidelines, there would be no shadow impact on David Pecaut Square between 12:00 noon and 2:00 p.m. on September 21st.

With respect to other portions of the public realm, the shadow study demonstrates that the revised proposal results in reduced shadows given the height reduction and sculpting of the mechanical penthouse.

Specifically, the shadow study demonstrates that, on March 21st, there would be minor incremental shadow impact on the north and south sides of King Street West at 10:18 a.m. and 11:18 a.m., and on slivers of the north sidewalk of King at 12:18 p.m., 1:18 p.m. and 2:18 p.m. Given the slender floor plate of the tower, the shadow moves quickly along the sidewalk, with no section of sidewalk incrementally shadowed for more than an hour. Similarly, at the fall equinox, there would be minor incremental shadow impact on King Street between 9:18 a.m. and 12:18 p.m. (previously the sidewalk was also shadowed at 1:18 and 2:18 p.m.), but never for more than an hour at any specific location. At the fall equinox, minor impacts would also occur on the Simcoe Street sidewalks at 12:18 p.m.

During the summer solstice, there would be minor shadow impacts on the north sidewalk of Wellington Street West between 9:18 a.m. and 3:18 p.m., with some impact on the Simcoe Street sidewalks at 11:18 a.m. and 12:18 p.m. and on the University Avenue sidewalks at 2:18 p.m. and 3:18 p.m. All of these conditions are generally consistent with the existing conditions in the surrounding area.

Based on the foregoing analysis, it is our opinion that the incremental shadow impact on neighbouring streets and sidewalks would be "adequately limited" in accordance with the

applicable Official Plan and Downtown Secondary Plan policies, having regard for the site's location within an urban context in the Downtown.

Sky View

With respect to sky view, it continues to be our opinion that due to the slender tower floor plate, which is in line with the recommended 750 square metre size, and the inset balconies, as well as the 3 metre tower setback to the north, the proposed tower will have minimal impacts on sky view when viewed from the east or west along Wellington Street West. From Simcoe Street, given the 61.8 metre tower separation between the proposed tower and the 160 Front tower, sky view impacts would continue to be minimal.

Wind Impacts

Finally, with respect to wind impacts, SLR Consulting Limited ("SLR"), formerly SLRNovus, prepared a letter evaluating the design changes and how they may alter the wind impacts at areas of interest, which include those areas which pedestrians are expected to use on a frequent basis, including sidewalks, building entrances and outdoor amenity spaces. Their analysis considered the design changes, including the reduction of height from 65 storeys to 60 storeys and the modified location of some of the at-grade doors.

The letter concludes that the decrease in tower height will have minimal impact on the overall wind conditions at grade and on the outdoor amenity space at Floor 14. Therefore, the wind conditions are expected to remain similar to those presented in the report dated September 2020. However, SLR notes that the addition of the large wrap-around canopy along the east and south sides of the tower above the outdoor amenity space on Floor 14 is expected to result in calmer wind conditions than presented in the previous report. As a result, the wind conditions on the outdoor amenity terrace are expected to be suitable for standing in the summer along the east side of the tower beneath the canopy.

It should be noted that a proposed wind mitigating device continues to be located along the second floor of the building along the Simcoe Street frontage to reduce impacts on the public realm.

The study provides that, as the design continues to evolve through the Site Plan Approval review process, SLR will work with the design team to refine wind mitigation measures.

Urban Design

The revised proposal continues to meet the applicable built form and urban design policies of the Official Plan, and in particular conforms with the new applicable policies which were

introduced through OPA 479 and OPA 480, including to Policies 3.1.1(3), 3.1.1(6), 3.1.1(13), 3.1.1(14), 3.1.2(1), 3.1.2(3), 3.1.2(4), 3.1.2(5), 3.1.2(6), 3.1.2(7), 3.1.2(9), 3.1.2(10), 3.1.2(11), 3.1.2(12) and 3.1.2(13). In particular, the revised proposal will:

- be located parallel to Wellington Street West and Simcoe Street;
- provide additional setbacks at the intersection of Wellington Street West and Simcoe Street to give prominence to the intersection and accommodate the high pedestrian volumes;
- expand and enhance the public realm by extending the sidewalk into the unused lane along Wellington Street West;
- recognize that City streets are significant public open spaces and provide for seating opportunities along Wellington Street West;
- design utilities and landscaping elements in a co-ordinated manner so as to avoid conflicts and protect the long-term viability of mature trees;
- locate the main building entrances on Wellington Street West, Simcoe Street and at the corner so that they are clearly visible and directly accessible from the public streets;
- incorporate retail space on the ground floor along Wellington Street West and a 2-storey office lobby along Simcoe Street, which will animate the public realm and create a strong street presence with direct access from the public sidewalks, and include significant glazing on both street-facing facades to allow views from and access to adjacent streets;
- provide appropriate setbacks and separation distance from neighbouring properties and adjacent building walls containing windows;
- locate vehicular parking and ramps, and loading, servicing, storage areas and utilities within the building, either at grade or underground, to minimize the impact on the public realm;
- provide access from the adjacent public lane;
- locate and mass the building to fit within the existing and planned context and define the two street edges, resulting in a streetwall condition that will fit harmoniously with the existing and planned character of Wellington Street West and Simcoe Street;
- contribute to the pedestrian scale by providing a high-quality design adjacent to the public realm, providing breaks along the façade to reinforce the character along Wellington Street West and Simcoe Street, and providing ample glazing to provide views into and from the public realm;
- improve and revitalize the public realm by adding new street trees, street furniture, co-ordinated landscaping and weather protection; and
- provide for high-quality outdoor amenity space above grade (on the 14th floor) for both the non-residential and residential uses that is meant to accommodate users

of all ages and abilities, including an outdoor pool, a variety of outdoor seating areas and a dog run.

With respect to the policies set out in Section 3.1.3, as amended, the revised proposal continues to accommodate a tall building on the site. With respect to guidance for tall buildings, set out in Policies 3.1.3(9), 3.1.3(10), 3.1.3(11) and 3.1.3(12), the revised proposal will:

- consist of three distinct parts: a base, a tower, and a top;
- have a base portion that respects and reinforces the surrounding base building character including that of RBC Dexia and 160 Front, framing the street with good proportion and pedestrian scale elements as well as active, grade-related uses;
- have a tower portion that has been designed to reduce the physical and visual impacts of the tower on the public realm with appropriate setbacks and stepbacks;
- limit shadow impacts on the public realm and surrounding properties, including on David Pecaut Square;
- maximize access to sunlight and open views through the reduction in tower height from 65 to 60 storeys and sculpting of the mechanical penthouse;
- continue to limit the size of the tower floor plate to 750.0 square metres on all tower floors;
- provide creative wind mitigation measures in the form of semi-porous wind screens and a sculptural feature along Simcoe Street to limit and mitigate pedestrian level wind impacts along the west façade; and
- include a building top that has been designed to integrate the mechanical penthouse elements into as small a form as possible, while still contributing architecturally to the surrounding skyline identity and character, and avoiding up-lighting and excess lighting.

The proposed building will continue to have regard for the applicable urban design guideline documents, as set out in Section 5.5 of our 2019 Rationale.

Conclusion

Subject to the additional analysis and opinion provided above, the findings set out in our 2019 Rationale and 2020 Addendum are still relevant and applicable to the revised proposal and, as a result, it is our opinion that the proposed development, as revised, continues to be appropriate and desirable in land use planning and urban design terms and should be approved.

If you have any questions and/or comments regarding this addendum letter, please do not hesitate to contact us.

Yours very truly,

Bousfields Inc.



Peter F. Smith, B.E.S., MCIP, RPP



Mike Dror, MPL, MCIP, RPP