



December 1, 2015

Via E-mail and Courier

Our File No.: 151681

Mayor and Members of Toronto City Council
c/o City Clerk's Office
Toronto City Hall
2nd Floor West, 100 Queen Street East
Toronto, Ontario
M5H 2N2

Attention: Marilyn Toft, Manager

Dear Sirs/Mesdames:

Re: TE12.11 - Designation of the St. Lawrence Neighbourhood Heritage Conservation District under Part V of the Ontario Heritage Act

We are solicitors for First Gulf King Street Inc. ("**First Gulf**"), one of the owners of the property known municipally as 333 King Street East ("**333 King**"). On behalf of our client, we are writing to express concern with the proposed St. Lawrence Heritage Conservation District Plan (the "**HCD Plan**").

Background

333 King was formerly the site of the Toronto Sun offices and printing presses. The property was acquired by First Gulf in 2009, along with the (then) largely vacant property now known municipally as 351 King Street East ("**351 King**") which is located immediately adjacent to 333 King. 333 King and 351 King together occupy almost the entirety of the block bounded by King Street East on the north, Berkeley Street on the east, Front Street East on the south and Princess Street on the west.

Soon after acquiring the properties, First Gulf embarked on an ambitious refurbishment of the existing building on 333 King, transforming it into a modern office, institutional and retail hub that is an asset to the King Parliament area. Blank facades on the ground floor were converted to

retail and service uses, and a three-storey expansion was constructed above the building in order to house Coca-Cola's Canadian head office.

In June 2013, City Council passed By-law No. 818-2013 (the "**By-law**") which establishes a comprehensive land use plan for both 333 King and 351 King. The By-law permits a 17-storey office building on 351 King, and a related First Gulf company is currently constructing The Globe and Mail Centre on that property to serve as the new home of the newspaper as well as Loyalty One and Yellow Pages. The By-law also permits the future development of a 12-storey tower at the southwest corner of Princess and Front.

The revitalization and expansion of the uses on 333 King, along with the current office building development at 351 King, collectively represent precisely the type of mixed-use development, coupled with ground floor animation uses, that the City of Toronto has been actively encouraging in this part of the city.

Heritage Conservation District Plan

On behalf of First Gulf, we and other consultants have reviewed the proposed HCD Plan, which identifies 333 King as a non-contributing property.

While our client is generally supportive of efforts to strengthen the character and vitality of the overall St. Lawrence neighbourhood, we are writing to express concern with the lack of clarity in the HCD Plan. In many instances, it is difficult to discern the impact the HCD Plan could have on the ongoing revitalization and redevelopment of 333 King. While the By-law establishes a framework of "as-of-right" permissions on 333 King, the wording of the HCD Plan is sufficiently vague that we are concerned that the plan could make the full build-out of 333 King more difficult, or even render impossible any refinements to the By-law permissions which may be desirable in the future. Our client's concerns include, but are not limited to, the following issues:

1. The objectives of the HCD Plan, as set out in Section 2.2, are overly broad, and it is unclear to what degree the standards set out in the objectives are prescriptive, and how the objectives would direct the implementation of the policies and guidelines in the plan.

Objectives 2 and 5 are of particular concern, as they collectively appear to require the maintenance and reinforcement of a "historic height" of one to four storeys within the District, while contrasting the scale and densities of the District with those of Yonge Street and the Financial District. These objectives would appear to preclude development that has already occurred, and is occurring, on 333 King and 351 King, and it is unclear to what extent the objectives would complicate, or even preclude, future development and/or revitalization on 333 King.

2. Policies 6.3 and 6.4 require that additions, alterations, and infill/new development on a non-contributing property must be physically and visually compatible with the Character Sub-Area and must not negatively impact the cultural heritage values and attributes of the District. It is unclear whether compliance with the other policies in Section 6 would satisfy policies 6.3 and 6.4, or whether policies 6.3 and 6.4 could be used to require strict compliance with the broad objectives set out in Section 2.2.

We have reviewed the submissions made by other landowners in respect of the HCD Plan at the recent public meeting before Toronto and East York Community Council, and our client also shares many of those same concerns. We note that Community Council directed staff to meet with affected concerned property owners.


General consultations with individual landowners respecting the HCD Plan occurred before the release of the draft plan. First Gulf did meet with the City's consultants, but no substantive details of the proposed plan were shared with our client. We request that City Council's consideration of the HCD Plan be deferred to allow for a more meaningful round of consultations with affected landowners, now that the actual draft of the proposed HCD Plan is available for review and discussion.

By way of this letter, we also hereby request notice of any decisions made by City Council.

Please do not hesitate to contact us if you require additional information.

Yours truly,

Goodmans LLP



Michael Stewart

MGS/

cc: First Gulf King Street Inc.