

September 5, 2017

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

Toronto and East York Community Council  
2nd floor, West Tower, City Hall  
100 Queen St. W.  
Toronto, ON  
M5H 2N2

***Attention Ms. Ellen Devlin, Secretariat***

Dear Chair and Members of Community Council:

**Re: Proposed Designation of the King-Spadina Heritage Conservation District  
and Adoption of the King-Spadina Heritage Conservation District Plan  
Toronto and East York Community Council Meeting, September 6, 2017  
Item TE26.14  
127 Portland Street (the "Subject Lands")**

We are counsel to 1758173 Ontario Ltd., the owner of the Subject Lands.

The Subject Lands are located within the boundary of the proposed King-Spadina Heritage Conservation District (the "HCD") and have been identified as a "contributing property" in the proposed King-Spadina Heritage Conservation District Plan (the "Plan").

On June 21, 2017, we wrote on behalf of our clients to express our concern with the Plan. On behalf of our clients, we also requested notice of all meetings and reports with respect to the Plan. A copy of our earlier correspondence is attached for ease of reference.

It has come to our attention that the proposed designation of the King-Spadina HCD and adoption of the Plan will be considered by Community Council at its meeting on September 6, 2017.

Despite our requests, we did not receive notice that this matter was being considered. As such, we request that Community Council defer consideration of this matter in order to circulate proper public notice.

Should Community Council proceed to consider this matter, it's our view that our clients' concerns that were identified in earlier correspondence remain unaddressed. As a

result, our clients continue to object to the designation of the proposed HCD and adoption of the proposed Plan.

As previously requested, please notify the undersigned of any and all meetings and reports with respect to the Plan.

Yours truly,  
**DAVIES HOWE LLP**



John M. Alati

JMA:MK  
encl.:

copy: Chris Borgal, *Goldsmith Borgal & Company Ltd. Architects*  
Peter Swinton, *PMG Planning Consultants*  
Clients

June 21, 2017

**By E-Mail Only to [tansonc@toronto.ca](mailto:tansonc@toronto.ca)**

Tamara Anson-Cartwright  
Heritage Preservation Services, Program Manager  
Toronto City Hall  
100 Queen Street West, 17th Floor, East Tower  
Toronto, ON  
M5H 2N2

Dear Ms. Anson-Cartwright:

**Re: Proposed Designation of the King-Spadina Heritage Conservation District  
and Adoption of the King-Spadina Heritage Conservation District Plan  
127 Portland Street (the "Subject Lands")**

We are counsel to 1758173 Ontario Ltd., the owner of the Subject Lands.

The Subject Lands are located within the boundary of the proposed King-Spadina Heritage Conservation District (the "HCD") and have been identified as a "contributing property" in the proposed King-Spadina Heritage Conservation District Plan (the "Plan").

The designation of the proposed HCD and adoption of the proposed Plan will be considered by the Toronto Preservation Board at its meeting on June 22, 2017.

Our client and its consultants have had limited opportunity to review the proposed Plan and staff's June 14, 2017 report. However, based on an initial review, we wish to provide the following comments on the Plan's contents:

- The Plan unduly restricts the development potential of many properties within the HCD, including our client's, as a result of the proposed changes to the current by-law and policy requirements. Our client's property is uniquely configured and ideally located to make it a candidate site for future additions and modifications. The proposed Plan would frustrate these reasonable opportunities for improvement and modification;
- The objectives of Plan appear to not only strengthen the current status of properties within the HCD, but also direct property owners to "enhance" contributing properties, which is contradictory and unduly restrictive on future development;

- The criteria used to classify properties as either “contributing” or “non-contributing” is overly vague and does not sufficiently account for issues related to structural stability, substantiality, health and safety and accessibility; and
- It is inappropriate to finalize the Plan while the King-Spadina Secondary Plan and TOcore initiatives are ongoing and incomplete.

For the reasons noted above, our client objects to designation of the proposed King-Spadina HCD and the adoption of the proposed Plan in its current form.

Please notify the undersigned of any and all meetings, including open house, public, Council and committee meetings, reports and background reports with respect to the Plan.

Yours truly,  
**DAVIES HOWE LLP**



John M. Alati

JMA:MK  
encl.:

copy: Clients  
Peter Swinton, PMG Planning Consultants  
Chris Borgal, Goldsmith Borgal & Company Ltd. Architects