

AIRD BERLIS

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October 2, 2017

Our File No. 140468

BY EMAIL

City Council
City of Toronto
12th Floor, West Tower, City Hall
100 Queen Street West
Toronto, ON
M5H 2N2

Attention: Members of Council

Dear Mayor and Members of Council:

**Re: TE26.14 - Designation of the King-Spadina Heritage Conservation District
under Part V of the Ontario Heritage Act
40-58 Widmer Street, City of Toronto**

We are counsel Concord Adex Development Corp., the prospective owners of the above-referenced properties under an agreement of purchase and sale. The properties are located on the west side of Widmer Street between Richmond Street West and Adelaide Street West in the City of Toronto. The properties are all identified as non-contributing properties in the Draft King-Spadina Heritage Conservation District Plan (the "Plan").

The properties are subject to site specific By-law 273-2016 passed by Council on April 1, 2016 to permit a 41 storey building on the site. Our client will be assuming the related site plan application to facilitate the construction of the proposed development on the properties.

In reviewing the policies of the Draft HCD Plan, our client objects to the overly restrictive policies of the Plan, particularly as it applies to development on non-contributing properties. Given the requirement of Section 41.2 of the *Ontario Heritage Act* that any by-law adopted by Council must conform to the objectives of an adopted HCD Plan, our client is concerned that the Draft HCD Plan, if adopted as currently drafted, would prevent and restrict the appropriate redevelopment of the properties as contemplated by By-law 273-2016. Additionally, the Plan as drafted does not provide for any transitioning of by-laws recently approved by the City.

On behalf of our client, we ask that City Council not accept the recommendation to designate the King-Spadina HCD and adopt the Draft HCD Plan until appropriate transition policies are provided in the Plan. Alternatively, should Council adopt the Plan as drafted, please be advised that our client will be required to object to its application to these properties.

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Yours truly,

AIRD & BERLIS LLP

A handwritten signature in blue ink, appearing to read "Eileen P. K. Costello", with a stylized, cursive script.

Eileen P. K. Costello

EPKC/jt

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