

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, Ontario
M5H 2N2

Attention: Marilyn Toft at clerk@toronto.ca

Dear Mayor and Members of Council:

**Re: City Council Agenda Item TE26.14
Objection to Designation of the King-Spadina Heritage Conservation
District under Part V of the Ontario Heritage Act**

Please be advised that Aird & Berlis LLP represents Concord Adex Developments Corp., the prospective owner of 40 Widmer Street in the City of Toronto, which is located within the boundary of the proposed King-Spadina Heritage Conservation District ("HCD").

On behalf of our client, we are writing to object to the proposed designation of the HCD. Our client objects to the proposed HCD on a number of grounds, including but not limited to the mandatory nature of the Plan's policies and the incompatibility of the Plan's objectives with the existing and planned context of this area as a mixed use area for growth, as demonstrated by the area's *Regeneration Area* designation in the City's Official Plan.

Furthermore, in our submission, the HCD Plan, as drafted, exceeds the jurisdiction afforded pursuant to Part V of the *Ontario Heritage Act* by going beyond identifying and conserving the cultural heritage of the area and proposing to limit the degree, nature and form of development including on non-contributing properties.

Accordingly, we request that Council refuse the staff recommendation to adopt the draft HCD Plan in its current form. We also ask that the undersigned be provided with notice any further meetings of Council, Community Council or any Community Consultation meetings where reports related to the King-Spadina HCD are to be considered, and notice of the passing of any by-law related to same.

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Yours truly,

AIRD & BERLIS LLP

for: [Signature] Balett
Kim M. Kovar

KMK/MTB

c. Client