



January 25, 2017

By E-mail

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Toronto Preservation Board  
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Attention: Lourdes Bettencourt

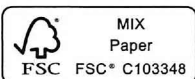
Dear Toronto Preservation Board Members:

**Re: Toronto Preservation Board meeting: Thursday, January 26, 2017  
Item PB20.10: Intention to Designate under Part IV, Section 29 of the  
*Ontario Heritage Act*  
698 Spadina Avenue, Toronto**

We are the solicitors for The Governing Council of the University of Toronto (the "**University**"), the applicant for a student residence development, which includes 698 Spadina Avenue, Toronto (the "**Subject Lands**"). We have reviewed the materials being considered by the Board at its January 26, 2017 meeting with respect to the Subject Lands and on behalf of the University, we object to the proposed designation of the Subject Lands under the *Ontario Heritage Act* and request that consideration of this item be deferred pending comprehensive review of our client's development application.

The University has a long standing tradition of successful heritage preservation. It is the proud steward of one of the most extensive collections of heritage properties with over 80 listed and designated buildings on the St. George campus alone. The University has supported heritage designation where appropriate, and recently submitted an official plan amendment for a new Secondary Plan based upon a core foundation of heritage preservation. However, the University is concerned that heritage designations be applied appropriately, after thorough consideration of all relevant information.

As part of its application to redevelop the Subject Lands submitted July 20, 2016 (16 194679 STE 20 OZ) and deemed complete on December 20, 2016, the University submitted a heritage impact statement prepared by ERA Architects. ERA prepared a subsequent report in response to staff comments on the development application, which will be filed with the City shortly. A copy is attached hereto (the "**ERA Report**"). After thorough evaluation, the ERA Report found that the Subject Lands did not have sufficient design, associative or contextual value to be commensurate with Part IV designation under the *Ontario Heritage Act*. As a result, we believe the Toronto Preservation Board is being asked to accommodate an accelerated – and in our view, hasty – recommendation to designate the Subject Lands in order to prevent the advancement of the application for redevelopment of the Subject Lands. For this reason, the University's position is that Item PB20.10 is premature.



Beyond an issue of prematurity, as the Subject Lands do not exhibit sufficient cultural heritage characteristics, designation of the Subject Lands under the *Ontario Heritage Act* is inappropriate. This has been demonstrated through the ERA Report, and as set out further below.

The City Statement of Significance (the “**City Report**”) supporting the recommendation in Item PB20.10 fails to provide sufficient justification or rationale for its conclusions, relies upon limited information including personal blogs rather than a considered analysis of the building or its context, and fails to fully consider the current state of the building and surrounding lands. In particular,

- That window openings on the second storey of the south facade identified as a heritage attribute are not original;
- That the building is in a poor state of repair and the exterior walls have been painted and later patched to repair damage, obscuring much of the original brickwork while portions of the parapet on the south elevation are missing;
- That the design of the building is commonplace in neighbourhoods of a similar vintage;
- That the building is bordered by multi-storey residential properties built in the 1970s as part of an era of modest mid-rise and high-rise development on Spadina, and as such it is no longer contextually relevant; and
- That as a result of the building's context, it contributes little to the character of its surroundings.

The University would be pleased to work together with staff to identify appropriate heritage attributes of the structure at the Subject Lands, if any, through the review of the development application, but in the interim asks that the Toronto Preservation Board defer the recommendations in Item PB20.10 on the basis that the City Report relies upon incomplete and incorrect facts in making its recommendation.

Please provide the undersigned with notice of any further consideration or decision respecting this matter.

Yours truly,

Cassels Brock & Blackwell LLP



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