



March 20, 2017

Our File No.: 00-1784

Toronto Preservation Board  
Toronto City Hall  
100 Queen Street West, 2<sup>nd</sup> Floor, West Tower  
Toronto, ON M5H 2N2

**Attention: Lourdes Bettencourt, Committee Secretary**

Re: **REQUEST TO DEFER consideration of the report recommending an amendment of the Designating By-law for 260 KING STREET EAST (Including the entrance addresses at 254, 256 and 266 KING STREET EAST, 427 and 435 ADELAIDE STREET EAST, and 157 PRINCESS STREET) in the City of Toronto**

**Toronto Preservation Board Item No.: PB21.4**

Dear Chair and Members of the Committee:

As you are aware, we are the solicitors for ODC Holdings (V) Limited, the owners of the property municipally known as 254-266 King Street East, 427-435 Adelaide Street East and 157 Princess Street (the "Site") in the City of Toronto. Back in April 2016, well in advance of the formal submission of our client's "complete application", our client began a "pre-application" consultation process with City Staff, which staff included representatives from planning, urban design and heritage services. Our client's original design was reviewed in detail, with City Staff releasing a detailed memorandum which included numerous design goals to be achieved, the details of which caused our client to completely re-think their design and caused them to file a significantly revised proposal.

In fact, as a result of the detailed review provided by City Staff, our client retained a new design team, with the filing of their revised "complete application" back in October of 2016. It has now been just shy of a year since the consultation process commenced, with City Staff, including heritage staff, attending a community consultation meeting where our client's revised application was presented to the local community. Despite our client and their consulting team being known to City Staff, and despite the numerous meetings which have taken place over the past 10 months, not once was one of our consultants nor our client contacted to advise of the intention to "reconsider" the designation of various properties located on our client's Site. Even as late as the recent January 11, 2017 community consultation meeting, where heritage staff made a formal presentation, the intention to seek an amendment to the designation as it affected properties on our client's Site was not even discussed and/or raised.

Our client and its consulting team, from the outset, have demonstrated a willingness to respond to the direction of City Staff, as exhibited by the complete redesign of their original proposal. In addition, we have attached a site plan which would highlight the clear conflict between the goals of city urban design and planning staff and those goals now being put forward by heritage staff as they relate to the intention of maintaining certain buildings “in situ”. We have attached a site plan which highlights three significant conflicts between heritage staff’s suggestion, and the desire of planning and urban design staff to include both a “mid-block” pedestrian and vehicular connection, improved sidewalk widths and landscaping along Adelaide Street as well as the desire to provide an “on-site park”. All of these planning and urban design goals would be in conflict with the proposed designation of the properties municipally known as 266 King Street East, 427 and 435 Adelaide Street East and 157 Princess Street.

We also wish to point out that in addition to having never raised this issue directly with either our client and/or its consultants, neither our client, its consultants, or any of the formal registered owners of the site were provided with formal notice of the upcoming meeting of the Toronto Preservation Board. In fact, it was only by accident that one of the consultants had raised this issue when reviewing the agenda of the upcoming meeting.

In light of the foregoing, we would respectfully request that your Committee consider our request to defer consideration of the within report to allow these matters to be more fully reviewed with our client’s consultants and City Staff. It is clear, in the writer’s respectful submission, that a “pause” for consideration of the potential conflict between the direction provided to our client to date would be warranted in these circumstances.

Should you have any questions or require any additional information, please do not hesitate to contact the writer, or Alana Vandervoort, a lawyer in our office.

Yours very truly,

Adam J. Brown

cc: Councillor Pam McConnell  
Craig Walters, ODC Holdings (V) Limited (Applicant)  
Tom Rees (City Planning)  
Tamara Anson-Cartwright (Toronto Preservation Services)  
Jennifer Keesmaat (Chief Planner)

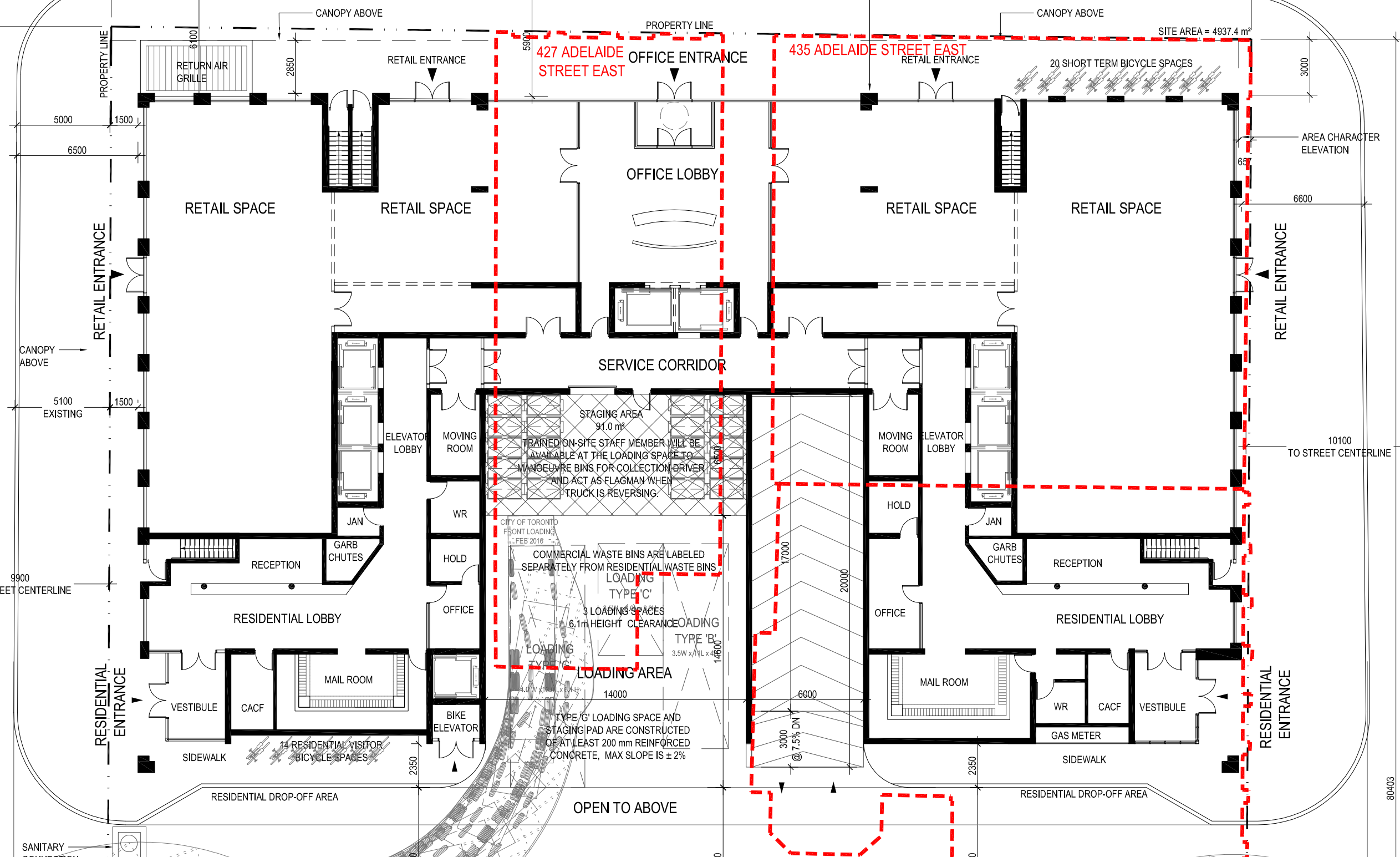
ADELAIDE STREET EAST  
61206

EXISTING BICYCLE LANE

427 ADELAIDE STREET EAST  
OFFICE ENTRANCE

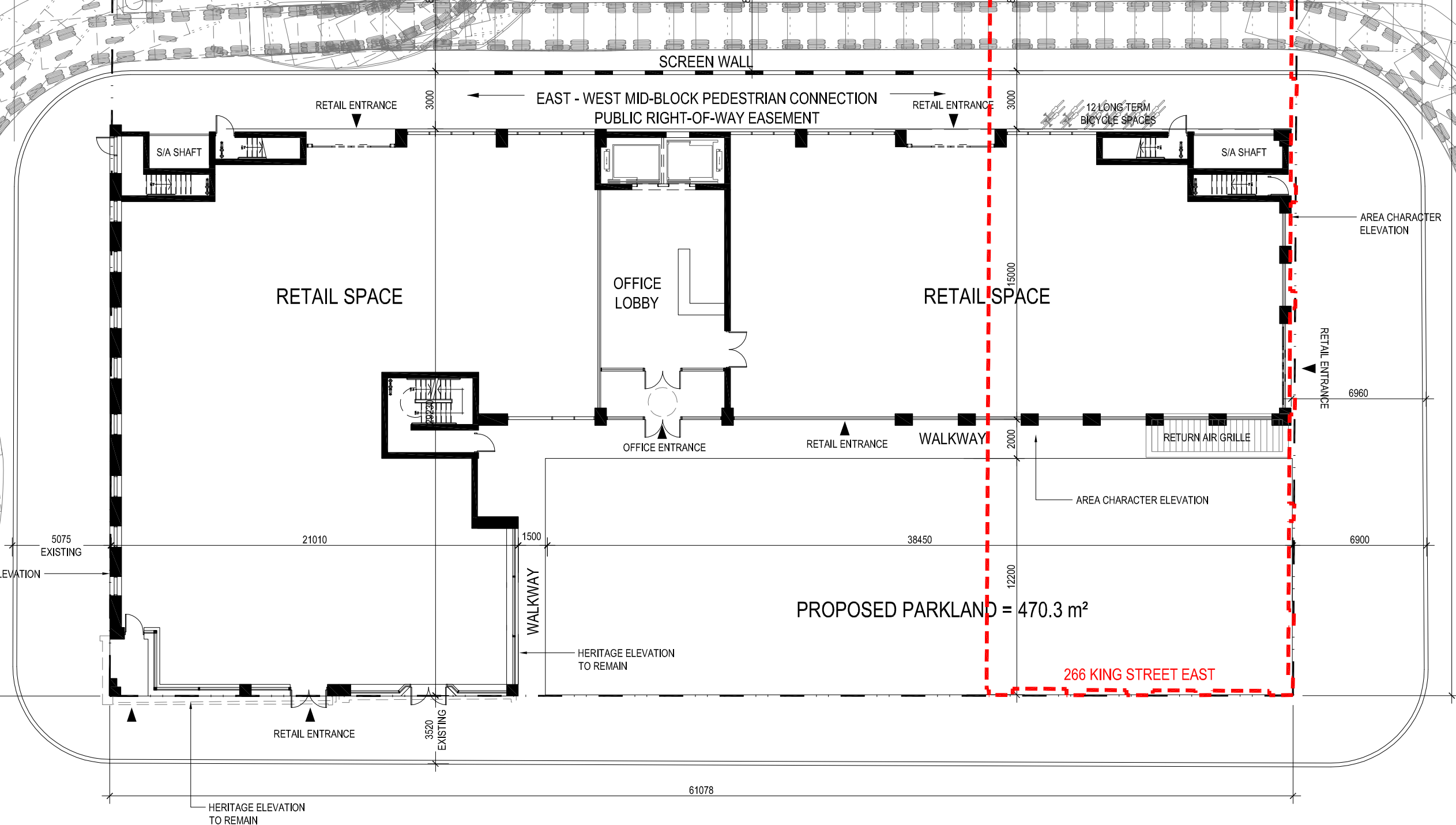
435 ADELAIDE STREET EAST  
RETAIL ENTRANCE

SITE AREA = 4937.4 m<sup>2</sup>



OPEN TO ABOVE

SCREEN WALL  
EAST - WEST MID-BLOCK PEDESTRIAN CONNECTION  
PUBLIC RIGHT-OF-WAY EASEMENT



KING STREET EAST

EXISTING 3 STOREY

EXISTING 6 STOREY