



Overland LLP  
Daniel B. Artenosi  
Tel: (416) 730-0320  
Email: dartenosi@overlandllp.ca

**PB24.1.7**

June 22, 2017

**VIA E-MAIL**

Mayor John Tory and Members of Council  
Toronto City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

**Attention: Lourdes Bettencourt**  
**Secretariat, Toronto Preservation Board**  
-and-  
**Marilyn Toft**  
**Secretariat, City Council**

Your Worship and Members of Council:

**RE: Item PB24.1**  
**Proposed City-Spadina Heritage Conservation District**  
**520 Richmond Limited Partnership**

We are the solicitors for 520 Richmond Limited Partnership. Our client owns directly or through related entities the properties municipally known as 520 Richmond Street West and 530 Richmond Street West (the "**Properties**"), which are generally located at the northwest corner of Richmond Street West and Augusta Avenue. We are writing to provide our preliminary concerns with the proposed King-Spadina Heritage Conservation District and the draft Heritage Conservation District Plan (the "**Draft HCD Plan**") released on June 15, 2017.

520 Richmond Street West is currently occupied by a one-storey commercial building containing a construction supply warehouse store, and 530 Richmond Street West is occupied by a two-and-a-half storey townhouse building. The properties are separated by a north-south public laneway.

By way of background, our client is proposing to redevelop 520 Richmond Street West with a 15-storey mixed use building. An application for a zoning by-law amendment was submitted in 2012, and the application has since been the subject of an iterative review with City Planning Staff with revisions being made to the original proposal to respond to comments from Staff as well as the emerging context in the surrounding area.

At the outset, we note that we had previously provided comments to Heritage Preservation Services in November 2016 in respect of the proposed King-Spadina Heritage Conservation District and the Draft HCD Plan that was released in October 2016. At that time, the City had provided a three week window to review and provide comments. In our correspondence, we had requested notice of any future public consultation, meetings, information releases, decisions and all matters related to the Draft HCD Plan.

The current (June 2017) revised Draft HCD Plan was only released on June 15, 2017, being one week prior to its consideration by the Toronto Preservation Board. We submit that this is insufficient time to provide a thorough review and consideration of the Draft HCD Plan. Despite our previous request, our client was not provided with notice of the release of the revised Draft HCD Plan, nor that this matter would be considered at the June 22, 2017 meeting of Toronto Preservation Board. These issues raise serious concerns of natural justice, particularly given the proposed revision to the District Boundary to now include the Properties. We submit that this matter should be reconsidered at a future date after members of the public have been provided with a sufficient opportunity to review and provide comments on the proposed District Boundary and the Draft HCD Plan.

As referred to above, and based on our very preliminary review, the current iteration of the proposed District Boundary has been expanded to include properties fronting on the north side of Richmond Street West between Spadina Avenue and Bathurst Street. While the Staff Report dated June 14, 2017 notes that the proposed District Boundary has been expanded and states that this modification was evaluated using the criteria provided in the Ontario Heritage Trust's toolkit regarding the delineation of HCD boundaries, we submit that a substantive justification for the expanded boundary has not been provided. Our client objects to the proposed District Boundary. Should the City proceed to designate lands within the area generally known as "King-Spadina," the boundary should be revised to exclude properties fronting on the north side of Richmond Street West between Spadina Avenue and Bathurst Street.

530 Richmond Street West is identified in the Draft HCD Plan as a Contributing Property, and 520 Richmond Street is identified as a Non-Contributing Property. The Properties are situated within the proposed St. Andrew's Character Sub-Area. At this preliminary juncture, we note that Section 7 of the Draft HCD Plan sets out policies and guidelines for non-contributing properties. The policies themselves are described as "required components of the designating by-law and are not discretionary, unless otherwise indicated." The proposed policies deal with matters that will impact, amongst others, built-form of new development on non-contributing properties. As a general proposition, mandatory policies without the benefit of a contextual analysis on a site specific basis are inappropriate, and may impact the opportunity to provide an appropriate architectural response at 520 Richmond Street West.

We hereby request notice of City Council's deliberations and decisions in this matter and of any resulting heritage conservation district and district plan that may be adopted, as well as notice of any deliberations and decisions in this matter by any other committee of Council, including the Toronto Preservation Board.

Yours truly,  
**Overland LLP**



Per: Daniel B. Artenosi  
Partner  
c. Robert Cooper, 520 Richmond Street Limited Partnership