

June 21, 2017

By E-Mail Only to [teycc@toronto.ca](mailto:teycc@toronto.ca)

Toronto Preservation Board  
2nd floor, West Tower, City Hall  
100 Queen Street West  
Toronto, ON  
M5H 2N2

**Attention: Ms. Lourdes Bettencourt, Board Secretary**

Dear Chair and Members of the Toronto Preservation Board:

**Re: Proposed Designation of the King-Spadina Heritage Conservation District  
and Adoption of the King-Spadina Heritage Conservation District Plan  
301 - 319 King Street ("the Properties")**

We are counsel to 2477879 Ontario Inc. and other companies listed in Appendix 1. Collectively, these companies own the Properties which are located within the proposed King-Spadina Heritage Conservation District (the "HCD"). The Properties have been identified in the proposed HCD Plan (the "HCD Plan") as "contributing properties".

On November 14, 2016 we wrote on behalf of our clients to express our concerns with the draft HCD Plan. A copy of our earlier correspondence is attached for ease of reference.

One of our clients' main concerns, as expressed in our November 14, 2016 letter, was that they had not been appropriately consulted prior to the release of the draft HCD Plan in October of 2016. To our knowledge, the City has not engaged with the public or with individual owners since that time. Our clients continue to be of the view that a properly constituted HCD is one that actively involves property owners.

Our clients and their consultants have had limited opportunity to review the proposed HCD Plan and staff's June 14, 2017 report. However, based on this initial review, several of our clients' concerns that were identified in our earlier correspondence have not been addressed. As a result, our clients object to the designation of the proposed HCD and adoption of the proposed HCD Plan.

Please continue to notify the undersigned of any and all meetings and reports with respect to the HCD Plan.

Sincerely,  
**DAVIES HOWE LLP**



*per* Kimberly L. Beckman

KLB:MK  
encl.:

copy: Deborah Scott, *Scott Shields Architects Inc.*  
Wendy Nott, *Walker, Nott, Dragicevic Associates Limited*  
Marcus Letourneau, *Letourneau Heritage Consulting Inc.*  
Carl Bray, *Letourneau Heritage Consulting Inc.*  
Clients

**Appendix 1: Owners of the King Site**

2477879 Ontario Inc.

1579661 Ontario Inc.

Claireville Holdings Limited

Frances Danyliw



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Lawyers

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Please refer to: **Kim Beckman**  
e-mail: [kimb@davieshowe.com](mailto:kimb@davieshowe.com)  
direct line: 416.263.4512  
File No. 702991

November 14, 2016

**By E-Mail Only to [tansonc@toronto.ca](mailto:tansonc@toronto.ca)**

Tamara Anson-Cartwright  
Heritage Preservation Services, Program Manager  
Toronto City Hall  
100 Queen Street West, 17<sup>th</sup> Floor, East Tower  
Toronto, ON.  
M5H 2N2

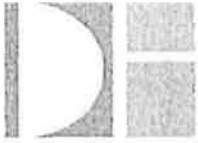
Dear Ms. Anson-Cartwright:

**Re: Comments Regarding the Draft King-Spadina Heritage  
Conservation District Plan (the "Plan")  
301-319 King Street West, Toronto (the "Properties")**

We are counsel to 2477879 Ontario Inc. and others listed in Appendix 1, the owners of the Properties located within the King-Spadina Heritage Conservation District (the "HCD"). The City of Toronto (the "City") has recently released the Plan for public input and comment. The Properties have been identified in the Plan as a "contributing" property in the "King/Spadina to John" character sub-area.

Our clients and their consultants have had limited opportunity to review the draft Plan and provide comments on it in its current form. A properly constituted HCD is one that actively involves property owners and thus far, our clients have not been appropriately consulted. Based upon our clients' initial review of the Plan, we wish to provide the following comments with respect to the Plan's contents:

- The Plan unduly restricts the development potential of many properties within the HCD, including our clients', as a result of the proposed changes to the current by-law and policy requirements;
- The Plan does not acknowledge the significant changes that have occurred in the King-Spadina Area, allowing it to become the vibrant commercial hub that it is today. Rather, the Plan appears to isolate the preservation to a specific historical period and ignores ongoing development, which is contrary to the historical evolution of the HCD;



Davies  
Howe  
Partners  
LLP

- The objectives of Plan appear to not only strengthen the current status of properties within the HCD, but also direct property owners to “enhance” contributing properties, which is contradictory and unduly restrictive on future development;
- The criteria used to classify properties as either “contributing” or “non-contributing” is overly vague and requires specificity. In particular, our clients’ property at 305 King Street West has been identified as a “contributing” property but it is currently a vacant lot. The reasons for this classification are unclear;
- The Plan does not demonstrate its ability to strengthen business areas, leverage economic development, have regard for provincial policy and conform to the City’s Official Plan; and
- It is inappropriate to finalize the Plan while the King-Spadina Secondary Plan and TOcore initiatives are ongoing and incomplete.

For the reasons noted above, we object to the adoption of the Plan in its current form.

Please notify the undersigned of any and all meetings, including open house, public, Council and committee meetings, reports and background reports with respect to the Plan.

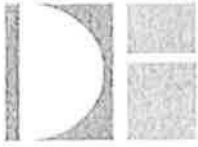
Sincerely,

**DAVIES HOWE PARTNERS LLP**

Kimberly L. Beckman

KLB:mk

copy: Edward Birnbaum, *City of Toronto*  
Uli Watkiss, Clerk, *City of Toronto*  
Joe Cressy, Councillor for Ward 20, *City of Toronto*  
John Tory, Mayor, *City of Toronto*  
Deborah Scott, *Scott Shields Architects Inc.*



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