

September 5, 2017

Our File No.: 000031

Via E-mail: teycc@toronto.ca

Toronto and East York Community Council
West Tower, City Hall, 2nd Floor
100 Queen Street West
Toronto, ON M5H 2N2

Dear Sirs/Mesdames:

Re: Item TE26.14 – Designation of the King-Spadina Heritage Conservation District under Part V of the Ontario Heritage Act (Ward 20)

We are solicitors for a number of landowners within the King-Spadina Heritage Conservation District (the “HCD”) area, including those listed in the attached Schedule “A”. On behalf of each of those clients, we are writing to provide concerns in respect of the proposed King-Spadina HCD Plan, which was released on June 15, 2017 (the “HCD Plan”).

First, our clients do not believe there has been meaningful communication or consultation with landowners who will be directly impacted by the HCD Plan in advance of it being brought forward. In particular, the justification for inclusion of certain buildings as “contributing” remains unclear, as does the application of the HCD Plan to proposed buildings adjacent to the HCD or to allegedly contributing properties.

Second, the HCD Plan does not appropriately address the area’s designation as a *Regeneration Area* in the City’s Official Plan. Although there is now a reference to this designation in the Statement of Cultural Heritage, there are still inconsistencies in how this important designation is then referenced in the balance of the HCD Plan.

Third, as noted above, the HCD Plan lists a number of properties as being allegedly “contributing” but there is little to no reason provided for such status. It is also unclear whether each allegedly contributing building was individually examined to determine if it supported the HCD’s cultural heritage values.

Fourth, we believe that the HCD Plan is overly restrictive and would prevent appropriate change within the district including through a diversity of built form. While the intent of the HCD Plan suggests a broad and more general approach, the HCD Plan contains overly restrictive policies and guidelines.

Fifth, there is no clear approach to transition, especially for active *Planning Act* applications. At a minimum, there needs to be clarity that existing *Planning Act* applications are not subject to the HCD Plan. Such transition would be consistent with long-standing case law regarding the application only of policies in-force at the time of an application. Please note that appropriate transition could address the concerns of many of our clients and avoid unnecessary appeals.

Please also accept this letter as our client's request for notice of any decision regarding this matter.

Yours truly,

Goodmans LLP

A handwritten signature in black ink, appearing to read 'D. Bronskill', written over the printed name below.

David Bronskill

SCHEDULE "A"

CCB Bathurst Street Limited Partnership (149-157 Bathurst Street)

City Front Developments Inc. (400 Front Street West)

Lifetime Wellington Street West Inc. (485-489 Wellington Street West)

MOD Developments Downtown Properties Inc. (505 Richmond Street West)

Tricon Capital Group Inc. (57 Spadina)

400 King Street West Inc. (400-420 King Street West)

543 Richmond Street West Holdings Inc. (543-553 Richmond Street West)