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Reply Attention of Mary Flynn-Guglietti Direct Line 416.865.7256 Our File No. 242169

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DELIVERED BY EMAIL - teycc@toronto.ca

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

Ms. Ellen Devlin, Secretariat Attention:

Dear Chair and Members of the Toronto and East York Community Council:

September 6, 2017 TEYCC Meeting Re: Item No. TE26.14 Designation of the King-Spadina Heritage Conservation District under Part V of the Ontario Heritage Act 462 Wellington Inc. **Our Client:** 462 Wellington Street West, City of Toronto **Property:**

We are the solicitors retained to act on behalf of 462 Wellington Inc. ("462 Wellington"), the owner of lands municipally known as 462 Wellington Street West (the "Property"), which is located in the City's downtown and specifically within the boundary of the proposed King-Spadina Heritage Conservation District ("King Spadina HCD"). On behalf of 462 Wellington I attended at the Toronto Preservation Board ("TPB") meeting held on June 22nd, 2017 and made an oral presentation to the TPB to address our client's concerns. We have now had an opportunity to review the recommendations from the Chief Planner and Executive Director of City Planning recommending adoption of the King Spadina HCD. It is our submission that it is premature for the TEYCC to recommend adoption of the King Spadina HCD until such time that the concerns raised in the numerous written and oral submissions have been appropriately addressed.

While we acknowledge that the goal of preserving the City's history is a laudable goal however, preservation should not ignore the need for appropriate change and growth. The proposed King Spadina HCD isolates the goals and objectives of the plan to a specific historical period (1880 -1940) and ignores the numerous modifications and renovations that have occurred during the evolution of the area. It is overly onerous to expect present landowners to restore properties to previous building iterations. It is also equally unfair and onerous to classify extensively modified and renovated buildings to the category of contributing properties and then require strict adherence to the contribution property policies.

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Many of the policies contained in the King Spadina HCD would appear to make intensification nearly impossible for both contributing and non-contributing properties. A number of the policies are unduly onerous and impose excessive step-back requirements, the introduction of maintaining the three dimensional integrity of contributing buildings and the requirement of non-contributing properties to maintain the scale, height, massing and form of adjacent contributing properties. It is difficult to contemplate how the policies, as currently drafted, would encourage growth and prosperity.

The preservation of a municipality's heritage must be reviewed within the context of important provincial policies as such as the PPS and Growth Plan with respect to intensification of land uses and the promotion of long term economic vitality. In reviewing the Map of contributing properties, almost half of the properties within the 45 hectare area are classified as contributing properties. However, it is important to note that at the time of preparation of the staff report only 65 of the approximately 517 properties are found on the City's Heritage Register, yet 287 properties are classified as contributing properties. Therefore the likelihood of growth and redevelopment within this important area will be seriously challenged. We respectfully submit that to adopt the King Spadina HCD as currently proposed, with its overreaching policies, will create unrealistic standards that will seriously impede growth and reinvestment in this important area of the City.

The King Spadina Heritage HCD will create one of the largest HCD's in the City of Toronto, consisting of 45 hectares of land with a total of approximately 512 properties. We respectfully submit that the TEYCC and the Council of the City of Toronto should not adopt the King Spadina HCD in haste but rather carefully consider the various concerns and serious issues that have been raised by this author and the many property owners in the King Spadina area.

Yours truly,

& retti Mary Flynn-Guglie

CC: 462 Wellington Inc., Domenic Gesualdi 462 Wellington Inc., Joe Gesualdi IBIG Group, Randy Grimes Cap Law, Ernest Cappellacci