

# Cassels

January 7, 2020

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Toronto and East York Community Council  
City of Toronto  
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Attention: Ellen Devlin, Secretariat Contact

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file #20030-19

Dear Members of Council:

**Re: TE12.4 King-Spadina Secondary Plan Update – Final Report  
Letter of Objection**

We are the lawyers for Aptco Capital Corporation, the owners of 50 John Street, which is developed with a 20 storey mixed use residential building with retail on the ground floor (the "Subject Property"). Our client is contemplating additional development at the subject property which includes the retention of the existing units and retail space, and the addition of a slender point tower. Our client has been monitoring the King-Spadina Secondary Plan update and, while supportive of the recognition for increased heights and density generally, has concerns with a number of the proposed policies which seek to limit development, contrary to the Provincial Policy Statement, Place to Grow, and Downtown Plan, all of which support significant height and density on the Subject Property.

In particular, our client has the following, among other, concerns:

- Section 3.1.2 inappropriately requires a minimum of 25 per cent of total gross floor area be provided as non-residential use. While our client intends to maintain its existing retail uses, its existing building is largely residential. Requiring an increase in non-residential uses within the building as part of a redevelopment would unnecessarily restrict development and negatively impact existing residential uses.
- Section 6.6, height transition zones, fails to provide flexibility to recognize that greater heights may be appropriate depending upon the site context, particularly on lands adjacent to the Financial District, as further noted below.
- The Subject Property is identified as Height Transition Zone B, within the East Precinct. It is also designated as Mixed Use Area 1, an area where the greatest heights exist and are anticipated pursuant to the Downtown Plan. Sections 6.8 and 6.9 fail to recognize that greater heights may be appropriate on lands that directly abut the Financial District, such as the Subject Property.

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Please provide the undersigned with written notice of any decision with respect to this matter.

Yours truly,

Cassels Brock & Blackwell LLP

Signe Leisk  
SL/nv

A handwritten signature in black ink, appearing to be 'SL', written over the printed name 'Signe Leisk'.