



Reply to the Attention of: Mary Flynn-Guglietti  
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Our File No.: 264054  
Date: January 7, 2020

**DELIVERED BY EMAIL TO TEYCC@TORONTO.CA**

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

**Attention: Ms. Ellen Devlin**

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

**Re: Item No. TE12.4  
King-Spadina Secondary Plan Update – Final Report  
Comments on behalf of Claireville**

We are the solicitors retained on behalf of 2477879 Ontario Inc., 1579661 Ontario Inc., Claireville Holdings Limited and Frances Danyliw (together referred to as "**our client**" or "**Claireville**"), owners of the lands municipally known as 301 – 319 King Street West (the "**Site**") and located within the King-Spadina Secondary Plan area. We have had an opportunity to review the *King-Spadina Secondary Plan Update* ("**KS Secondary Plan**"), dated December 12, 2019 together with the Final Report and recommendations (the "**Staff Report**") specifically as it impacts our client's Site and its current existing rezoning application. We respectfully request the TEYCC to exclude our client's Site from the policies contained in the KS Secondary Plan.

In April of 2013 Claireville applied to the City of Toronto for a Zoning By-law Amendment (Application Number 13 144733 STE 20 OZ). The purpose of the application was to redevelop the Site for a mixed use development proposal. Our client and its consulting team have spent many years working with City staff including Planning and Heritage Preservation Services. The most recent version of the redevelopment proposal incorporates many of the comments received by City staff over the years that will result in a proposal that meets many of the City's current Official Plan policies. As the filing of the rezoning application predates the proposed KS Secondary Plan by approximately seven (7) years we respectfully submit that the policies of the proposed KS Secondary Plan should not be imposed on this application.

The current amended rezoning application before the City consists of a single 50-storey tower inclusive of a 3-storey podium (mainly comprised of retained heritage buildings). The proposed development contains commercial retail (restaurant) space on the first storey and commercial (office) space on the second and third storeys, with residential uses above. In total 403 residential units are proposed.

The Site is located in the East Precinct on Map 16-1 of the Secondary Plan Area and Precincts Maps. It is designated 'Mixed Use Areas 1' on Map 6-2 of the Land Use Map and is located in the 'Height Transition Zone B' on Map 16-4.

Our client is concerned regarding the interpretation sections 1.4 and 1.5 wherein it states that the adoption of a Public Realm Strategy and Urban Design Guidelines will apply. However, as noted in the final staff report, neither of these documents are available for review and are not anticipated to be brought forward in Q2 of 2020. We therefore believe it is premature to approve the KS Secondary Plan until such time as said documents are available for review and comment.

In addition to our prematurity concerns, we are also concerned regarding a number of the policies as being overly prescriptive and lacking flexibility such as policy 3.1.2 dealing with the replacement of existing non-residential gross floor area. We also believe that policies 6.3, 6.4, 6.5 and 6.6 are also overly prescriptive and lack the necessary flexibility to recognize unique circumstances related to specific sites.

For the reasons as listed above we request the TEYCC to recommend, based on the unique configuration of the Site and the importance of the uses to be introduced on the Site, that a site specific policy within the KS Secondary Plan be adopted for the lands municipally known as 301 to 319 King Street West.

We thank you for your consideration and should you have any questions please do not hesitate to call me.

Yours truly,



Mary Flynn-Guglietti\*

\*A Professional Corporation

Encl.

Cc: Andrew Danyliw, Claireville Holdings Limited  
Deborah Scott, Scott Shields Architects  
Wendy Nott & Tyler Peck, WND Planning & Associates