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May 4, 2021

Our File No.: 192110

**Via Email (councilmeeting@toronto.ca)**

City Council  
12<sup>th</sup> Floor, West Tower  
City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

**Attention: Marilyn Toft, Secretariat**

Dear Sirs/Mesdames:

**Re: Item 24.11 – King-Parliament Secondary Plan Review – Final Report  
Secondary Plan and Zoning By-law Amendments**

We are solicitors for Queen Ontario GP Inc., who have contracted to acquire the lands known municipally as 245-285 Queen Street East, 348-410 Richmond Street East, 88-116 Ontario Street and 8-12 Brigden Place (the “**Properties**”). On behalf of our clients, we are writing to express our clients’ concerns in respect of the proposed King-Parliament Secondary Plan (the “**Draft Secondary Plan**”) and implementing Zoning By-law Amendment (the “**Draft ZBA**”).

In particular, we are writing to request that the Properties be excluded from the Draft Secondary Plan and the Draft ZBA at this time.

### **Background**

In a decision issued on October 31, 2018, the Local Planning Appeal Tribunal (“**LPAT**”) approved a settlement in respect of the Properties, but withheld its final order pending satisfaction of certain conditions. Our client has been working with the City and the current owner of the Properties to satisfy these conditions and enable issuance of the final order by LPAT. This final order would include an official plan amendment and zoning by-law amendments applicable to the Properties.

The Draft Secondary Plan and the Draft ZBA, however, do not recognize this approval. Further, it is unclear how the City intends to implement this approval in the Draft Secondary Plan and the Draft ZBA.

**Exemption Request**

The failure to exempt the Properties from the Draft Secondary Plan and the Draft ZBA is extremely prejudicial to our client.

- The Draft Secondary Plan would apply a new policy framework to the Properties without recognizing the approval, in principle, of the official plan amendment for the Properties.
- The Draft ZBA would introduce new zoning standards, which could be deemed applicable law, without recognizing the approval, in principle, of the zoning by-law amendments for the Properties.
- The City and other parties reached settlement regarding the development of the Properties. This work, as well as extensive ongoing work to achieve the final LPAT order, should be recognized in the Draft Secondary Plan and the Draft ZBA.
- Our client could be prevented from applying for a variance to the Draft ZBA because of the two-year moratorium for such applications in the *Planning Act*.
- In reviewing the Draft Secondary Plan and the Draft ZBA, it is evident that there are new policies and/or zoning standards that could frustrate the settlement approved at LPAT. Our client should not have to file an appeal and potentially contest the Draft Secondary Plan and the Draft ZBA at a hearing when an appropriate redevelopment of the Properties has already been determined.<sup>1</sup>

For all of these reasons, we would respectfully request that City Council exempt the Properties from the Draft Secondary Plan and the Draft ZBA.

This communication should be treated as our client's written representation in accordance with the *Planning Act*. We would also appreciate receiving notice of any decision of City Council in respect of this matter.

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<sup>1</sup> Please note that if the City does not grant the requested exemption, our client reserves the right to identify all objectionable aspects of the Draft Secondary Plan and Draft ZBA, including the lack of consistency with the Provincial Policy Statement (2020) and lack of conformity with the Growth Plan for the Greater Golden Horseshoe (2019).

Yours truly,

**Goodmans LLP**



David Bronskill  
DJB/rv

cc: Client

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