

August 16, 2022

Our File No.: 182148

**Via Email: hertpb@toronto.ca**

City Clerk's Office  
Toronto City Hall  
2<sup>nd</sup> Floor, West Tower  
100 Queen Street West  
Toronto, ON M5H 2N2

**Attention: Administrator, Secretariat (City Clerk's Office)**

Dear Sirs/Mesdames:

**Re: 79 and 81 Granby Street  
Intention to Designate under Part IV, Section 29 of the *Ontario Heritage Act*, R.S.O  
1990, c. O.18, as amended (the "OHA")  
Notice of Objection**

We are solicitors for Fitzrovia Real Estate Inc., who are acting as agent for AIMCo Realty Advisors LP in respect of the properties known municipally in the City of Toronto as 412-418 Church Street and 79-81 Granby Street (the "**Site**"). We are writing on behalf of our client to object to the Notice of Intention to Designate the properties known municipally in the City of Toronto as 79 and 81 Granby Street (the "**Granby Properties**") pursuant to subsection 29(5) of the *Ontario Heritage Act* (the "**OHA**").

**Basis for Objection**

As background, on March 11, 2021, after pre-consultation with City staff, our client filed official plan amendment and zoning by-law amendment applications to permit the redevelopment of the Site for a 39-storey mixed use building (the "**Applications**"). The Granby Properties are proposed to accommodate a portion of the entrance driveway and underground parking garage serving the overall redevelopment of the Site, as well as a 3-storey building intended as community space. Our client is engaged in ongoing discussions with City staff regarding the Applications.

We would urge Toronto City Council to withdraw the Notices pursuant to subsection 29(7) of the *OHA* for the following reasons:

1. The materials submitted in support of the Applications included a Heritage Impact Assessment prepared by GBCA Architects and dated February 10, 2021 (the "**HIA**"). As

noted in the HIA, City staff initially evaluated the Granby Properties in June 2019 and concluded that the Granby Properties did not merit inclusion on the City of Toronto's Heritage Register. The HIA also concluded that the Applications appropriately conserve any existing heritage attributes on the Site.

2. In response to suggestions from the neighbourhood association that the Granby Properties should be designated under the *OHA*, our client subsequently provided an updated Heritage Impact Assessment to the City, prepared by GBCA Architects and dated October 13, 2021 (the "**Updated HIA**"). The Updated HIA included a cultural heritage evaluation of the Granby Properties. Although the Updated HIA noted that the Granby Properties meet some of the criteria under Ontario Regulation 9/06, primarily on the basis of historical and contextual values, the Updated HIA did not recommend designation because the Granby Properties have lost their design value and experienced erosion of their architectural integrity. We are not aware of any disagreement with this conclusion, meaning that the Granby Properties should not be considered as significant and do not warrant designation under Part IV, Section 29 of the *OHA*.
3. The appropriate approach to conservation of the Site should be determined as part of the Applications, not through this separate process under the *OHA*. As a result of amendments to the *OHA*, any proposed designation should be considered in the overall planning approach to the Site, not in isolation. Withdrawal of the Notices would enable the advancement of the Applications to continue in good faith towards an amicable conclusion.

We would appreciate receiving notice of the required decision of City Council regarding this objection within the required ninety (90) day period under the *OHA*.

Yours truly,

**Goodmans LLP**



David Bronskill

DJB/

Encl.