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Our File No.: 11-2495

Via Email

North York Community Council
North York Civic Centre
Main Floor, 5100 Yonge Street
Toronto, ON M2N 5V7

Attention: Francine Adamo, Secretariat

Dear Sirs/Mesdames:

**Re: Item No. NY28.31
Final Report - Yonge, Duplex, Helendale and Orchard View Block Study**

We are solicitors for KCAP Helendale Inc., the owner of the properties known municipally as 2360-2378 Yonge Street in the City of Toronto (the "Property"), which are located within walking distance of an existing subway station and the City's significant investment in the Eglinton Crosstown LRT.

In two pieces of previous correspondence, we wrote on behalf of client to request a deferral of the above-noted matter. The purpose of the requested deferral was to allow an appropriate opportunity for discussions between the City and the owners of land on the south side of Helendale Avenue regarding development options for this block. While one such meeting has now occurred, the final report is still coming forward with recommendations to amend the Yonge-Eglinton Secondary Plan and to adopt urban design guidelines.

It remains our client's view that the most appropriate course of action is to continue the above-noted discussions in advance of any decision regarding the Block Study. As such, and based on our client's concerns regarding the new policy direction for the area, our client has no choice but to object to the proposed official plan amendment and urban design guidelines.

As noted previously, the City has provided no clear direction as to whether the new policy direction and urban design guidelines would be applied to current development applications. It is well-established jurisprudence that planning applications should be evaluated under the existing policy and guidelines context at the time of submission. It remains our client's position that the policy and guidelines context existing at the time of submission of the rezoning application for the Property should be used to evaluate the proposed rezoning.

Please also accept this letter as our request for notice of any meeting or decision made in respect of the above-noted matter.

Yours very truly,

Goodmans LLP

David Bronskill

DJB/

cc: Client

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