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P752-01

September 28, 2016

DELIVERED BY EMAIL AND COURIER

Mayor and Members of Council
c/o City Clerk's Office
City of Toronto
13th Floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M4H 2N2

**Attention: Ms. Ulli S. Watkiss,
City Clerk**

Dear Ms. Watkiss:

**RE: City-Initiated Request to Amend the Official Plan and Zoning By-laws
TOcore: Updating Tall Buildings Setbacks in the Downtown
City File No: 16-103066 SPS 00 OZ
Item No. TE18.7, to be considered by City Council on October 5, 2016
Ed Mirvish Enterprises Ltd. and 276 King West Inc.**

Please be advised that we are the solicitors for Ed Mirvish Enterprises Ltd. and 276 King West Inc., the owners of the lands known municipally as 260-270 King Street West and 274-322 King Street West in the City of Toronto (the "**Property**").

We have reviewed the Final Report and Supplementary Report of the Director, Community Planning, Toronto and East York District dated May 27, 2016 and August 31, 2016, respectively, with respect to the above-noted proposed Official Plan Amendment and Zoning By-law Amendments (the "**Proposed Amendments**").

Upon review of the Proposed Amendments, we understand and appreciate the City's intention to exempt the Property from the application of the Proposed Amendments by indicating that its site-specific zoning by-law amendment will continue to apply. However, the zoning by-law amendment with respect to the Property has yet to be finalized or enacted. We are working actively with City Staff to get the by-law finalized, which will ultimately include minor revisions to the setback provisions. In reviewing the draft Proposed Amendments, it is unclear whether the final form of zoning by-law amendment that applies to the Property will be exempted. Accordingly, out of an abundance of caution, we are writing this letter to ensure that the Property will continue to be exempted from the application of the Proposed Amendments.

We would also encourage City Staff and Council to consider whether the proposed transition provisions would be clearer and better served by exempting specific properties in addition to, or alternatively, instead of, the exemption of site-specific by-laws, particularly in instances where site-specific zoning by-laws have not yet been finalized or approved. In this regard, we specifically request that the Property be exempted from the Proposed Amendments.

Please accept this letter as notice of our client's objections to the Proposed Amendments. We respectfully request that we be notified of any further actions or decisions made by City Council respecting the above-noted Proposed Amendments.

If you have any questions or concerns about the matters discussed above, please contact the undersigned.

Yours very truly,

Devine Park LLP

A handwritten signature in blue ink that reads "Patrick J. Devine". The signature is written in a cursive, flowing style.

Patrick J. Devine
PJD/SHL

cc: Ed Mirvish Enterprises Ltd. and 276 King West Inc.
Projectcore Inc.