

Sherman♦Brown

BARRISTERS & SOLICITORS

February 10, 2016

Our File No.: 00-1670

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

Attention: Ms. Ros Dyers, Secretariat

And To:

Toronto Preservation Board
2nd floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Chair and Members of the Committee:

Re: NOTICE OF OBJECTION to the proposed Historic Yonge Street Heritage Conservation District as it affects the properties municipally known as 586 YONGE STREET, 6, 8, 10, 12, 14 & 16 WELLESLEY STREET WEST AND 5 & 7 ST. NICHOLAS STREET, in the City of Toronto (the "Site")

And Re: Request for Receipt of any and all future reports in respect of the proposed Historic Yonge Street Heritage Conservation District

And Re: Request for Notification of any meetings of Council, Committees of Council, Community Council and/or Public Meetings and/or Community Information Meetings where the Historic Yonge Street Heritage Conservation District is to be considered

And Re: Request for Notification of the passage the proposed Historic Yonge Street Heritage Conservation District

Toronto Preservation Board Item No.: PB12.1

Toronto and East York Community Council Item No.: TE14.4

We are the solicitors for Bazis International Inc., the owners pursuant to an agreement of purchase and sale of the properties municipally known as 586 Yonge Street, 6, 8, 10, 12, 14 & 16 Wellesley Street West and 5 & 7 St. Nicholas Street in the City of Toronto. The Site is an irregularly shaped parcel located northwest of the intersection of Yonge Street and Wellesley Street, in an area within the City recognized as a "Centre" and a "Mixed Use Area" pursuant to the City of Toronto Official Plan. The area is recognized by the Provincial Policy and Local City of Toronto Official Plan policies as one where the greatest height and densities are intended to be realized.

Our client and their consultant's also conducted a full and comprehensive review of the "in force" Provincial and City Policies, to determine the development potential of the Site for a tower. Our client and its various consultants attended very positive pre-consultation meetings with City Staff (including planning, urban design and heritage staff) to review our client's proposed design.

Our client's plans respond to all comments raised by both planning and heritage staff. However, without final approval of a site specific rezoning, out of an abundance of caution, our client has no choice but to object to the proposed Heritage Conservation District to ensure that our client's plans, which have been well received by City Staff and respond to all planning, urban design and heritage considerations, are not encumbered by the passage of the proposed Heritage Conservation District.

Our client purchased their Site on the understanding that the Site was not subject to a Heritage Conservation District and as such, there was no limit on their development potential for heritage related reasons that are established by a Heritage Conservation District. Our client's development potential for the Site would be significantly encumbered by the proposed Heritage Conservation District. Our client is working with City Staff in the hopes of achieving a cooperative resolution of our concerns on a site specific application for a condominium building. As a result, we simply request that you defer the final determination of the proposed Heritage Conservation District as it relates to our client's Site.

In light of the significant efforts and funds invested by our client in acquiring the Site to pursue its proposed office development, we hereby formally request that the writer, as well as our client (Mr. Michael Gold, Bazis Inc., 1003-1700 Langstaff Road, Concord, ON, L4K 3S3) be provided with notice of any meetings of Council, Committees of Council, Community Council or Public Meetings/Community Consultation Meetings where reports related to the proposed Heritage Conservation District, are to be considered. We also respectfully request that both our client and the writer be forwarded copies of any future reports and/or proposed by-laws related to the proposed Heritage Conservation District. Finally, we would respectfully request that both the writer and our client be notified of the City's passage of the proposed Heritage Conservation District.

Should you have any questions, please do not hesitate to contact the writer, or Jessica Smuskowitz, a lawyer in our office.

Yours very truly,



Adam J. Brown

Encls.

Cc: Councillor Kristyn Wong-Tam
Mr. Michael Gold (Owner)