

**Kagan
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LAWYERS

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File No.: 16047

February 22, 2016

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

Attention: Ms. Lourdes Bettencourt, Secretariat

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 619, 621 & 623 Yonge Street, in the City of Toronto

We act on behalf of Harvet Enterprises Limited, Glowin Enterprises Limited and M. Weiner Enterprises Limited (collectively known as "Weiner Associates"), the owners of the properties municipally known as 619, 621 & 623 Yonge Street in the City of Toronto. The site is located on the east side of Yonge Street, between Isabella Street and Gloucester Street, within the boundary identified as the Historic Yonge Street Heritage Conservation District Plan (the "HYSHCD Plan" or the "Plan") and has been identified as a possible contributing property.

After careful review of the Plan we have identified a number of policies which are of concern to our client. The following represent some general comments and concerns with respect to the Plan:

Many of the policies and guidelines within the HYSHCD Plan are drafted in a compulsory manner. If applied rigidly, these policies would impose excessive obligations on developers and would ultimately hinder development in what is recognized as the "North Downtown Yonge Area" within the City of Toronto Official Plan, which directs growth opportunities in areas designated as "Mixed Use Areas".

Further, the HYSHCD Plan contains policies in Section 4.2,6 which are overly vague and do not adequately describe the methodology used to determine "contributing" and "non-contributing" properties. It is unclear how the City came to decide which properties were to be included in the Plan as "contributing" and in particular why our client's property is considered a contributing property as it displays no characteristics of a historic or cultural nature.

Our client believes that an objective assessment of their property would clearly identify that it holds no heritage or cultural significance and is appropriate for redevelopment. In any event, we fail to understand how the City has come to the conclusion that our client's property is worthy of the status as a contributing building given that the means by which such a determination is to be made have not been clearly identified.

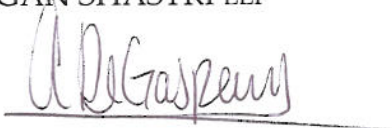
Our client is currently in the process of obtaining a heritage planning consultant to assist in further identifying issues specific to their property and we will of course advise further at that time.

While our client does not have a pending application before the City, they are justifiably concerned with the impact the Draft Plan policies, and specifically the assertion that our client's property is a 'contributing property' for the purpose of placing it on the City's Heritage Registrar, will have on the future anticipated development potential of the property and the ability of this site to contribute to the City's designation of this area as an area identified for future growth and redevelopment.

We will be in attendance at the February 23, 2016 Community Council Meeting to speak to this matter.

Thank you kindly for your attention to this matter.

Yours truly,
Alexandra De Gasperis
KAGAN SHASTRI LLP



Cc: Client

