
AIRD & BERLIS LLP

Barristers and Solicitors

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September 2, 2016

Our File No.: 119947

BY EMAIL

Toronto and East York Community Council
City Clerk's Office
2nd floor, West Tower, City Hall
100 Queen St. W.
Toronto, ON M5H 2N2Attention: Ellen Devlin, Committee Administrator (teycc@toronto.ca)

Re: TEYCC Agenda Item 18.7
To Core: Updating Tall Building Setbacks in the Downtown – City
Initiated Official Plan Amendment and Zoning By-law Amendments

Aird & Berlis LLP represents KingSett Capital Inc., the current owner of the lands known municipally as 480-494 Yonge Street (the "site"). The site is currently the subject of an Agreement of Purchase and Sale with Cresford (Rosedale) Developments Inc., another client of our firm.

The site is the subject of a rezoning application, submitted to the City in December, 2014. Additionally, the site has been the subject of extensive discussion and negotiation with the City and with area community groups which resulted in the partial settlement of KingSett's appeal of OPA 183 earlier this year, secured through Minutes of Settlement executed with the City and the community associations in June, 2016. Revisions to the application based in part on that settlement are currently being made.

The settlement is contingent on the implementation of a specific development proposal and built form for the site which has been secured through the Minutes of Settlement. Requiring our client to comply with the proposed Official Plan Amendment ("OPA") and Zoning By-law Amendments ("ZBLAs") would effectively nullify the settlement which was reached at great expense to all of the parties and which required a significant use of the Ontario Municipal Board's limited time and resources.

On behalf of our client, we request that the site be exempted from the City's proposed ZBLAs and OPA with respect to "tall buildings" setbacks in the downtown area of the City.

September 2, 2016

Page 2

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

AIRD & BERLIS LLP



per Eileen P. K. Costello
EPKC/SJL

c: KingSett Capital Inc.
Cresford (Rosedale) Developments Inc.
S. Haniford, Legal Services, City of Toronto
N.J. Pepino, Aird & Berlis LLP
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