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DELIVERED BY EMAIL (teycc@toronto.ca)

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

**Attention: Ms. Ellen Devlin,
Committee Administrator**

Dear Chair Layton and Members of Community Council:

**RE: Item No. TE19.35 Preliminary Report
- Nos. 859-861 and 875 Eglinton Avenue West
- Corrections Required to the Report**

Please be advised that we are the solicitors for Upper Village Investments Limited and Bateg Investments Limited, the owners of the above-noted properties which are the subject of the Zoning By-law Amendment application referenced in the City staff Preliminary Report dated August 8, 2016. While there are many matters in that report with respect to which we disagree, those matters will be dealt with in the ongoing dialogue relating to the processing of the rezoning application.

However, there are two key errors in the report that should be corrected at this time. These are as follows:

1. Pre-application Consultation

On Page 3 of the Preliminary Report, it states that the applicant "did not hold a pre-application consultation with staff". This is not correct. A pre-application consultation meeting did indeed occur on November 16, 2015 and a subsequent list of completion application submission requirements was provided to us by the City planner on November 24, 2015.

2. Application Data Sheet – Name of Owner

In Attachment No. 7 found on Page 21, being the "Application Data Sheet", it shows the owner of the properties as being "METROLINX". This is also not correct. The owners of the property are as noted above. In the spirit of co-operation with the City and Metrolinx, our client has indeed entered into an agreement with Metrolinx to allow the subject properties to be used on an interim basis for construction staging purposes relating to the construction of the Forest Hill Station on the Eglinton Crosstown LRT. But, ownership of the properties still remains with my clients.

Should any further information be required, please contact either the writer or my colleague, Chris Drew, land use planner, at your earliest convenience.

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/mp

cc: Councillor Joe Mihevc

cc: Upper Village Investments Limited and Bateg Investments Limited