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Matter No. P752-01

August 30, 2017

DELIVERED BY EMAIL (teycc@toronto.ca)

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

Attention: Ellen Devlin, Administrator

Dear Ms. Devlin:

RE: Toronto and East York Community Council Meeting of September 6, 2017

- **Agenda Item TE26.14 – “Designation of the King-Spadina Heritage Conservation District under Part V of the Ontario Heritage Act”**
- **Letter filed on behalf of Ed Mirvish Enterprises Limited and 276 King West Inc. re: 260-270 King Street West and 284-322 King Street West**

Please be advised that we are the solicitors for Ed Mirvish Enterprises Limited and 276 King West Inc., the owners of the properties municipally known as 260-270 King Street West and 274-322 King Street West in the City of Toronto (the “**Site**”). We are writing on behalf of our client with respect to the above-noted Item, which is being considered by Toronto and East York Community Council at its meeting of September 6, 2017.

At its meeting of July 8, 9, 10 and 11, 2014, City Council approved plans to permit two tall buildings on the Site, known as the Mirvish + Gehry Project. The plans for the approved development involve the demolition of 266 King Street West and 276 King Street West.

Earlier this year, at its meeting of May 24, 25, and 16, 2017, City Council adopted several recommendations prepared by Heritage Preservation Services with respect to the heritage properties on the site, including recommendations to permit the demolition of heritage buildings on the properties at 266 and 276 King Street West and alterations to 284 and 322 King Street West.

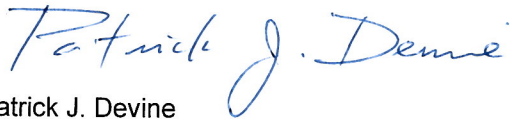
Despite Council's actions, in the proposed King-Spadina Heritage Conservation District Plan (the “**HCD Plan**”) the entirety of the Site, including 266 and 276 King Street West, is listed as a “contributing” property. It is our understanding that this listing would have the effect of prohibiting “the demolition and removal of buildings on the contributing properties, except in the case of a catastrophic loss and where losses were not the result of demolition by neglect, deferred maintenance or purposeful damage to the property”. There does not appear to be an exception in the HCD Plan for properties where demolition has already been approved by Council.

We are actively working with Heritage Preservation Services and City Legal to rectify this matter to the satisfaction of both parties and to ensure that the HCD Plan does not interfere with the approved development. Accordingly, we are writing this Notice of Objection to the designation of the King-Spadina Heritage Conservation District in respect of the Site out of an abundance of caution. We look forward to continuing to work with Staff to resolve this issue.

If you have any questions, please do not hesitate to contact myself or my colleague, Samantha Lampert, at 416.645.4532 or samantha.lampert@devinepark.com.

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 Limited and 276 King West Inc.