

July 12, 2018

VIA EMAIL

Our File #127111

Ms. Jennifer Rieger
Chair, Toronto Preservation Board
2nd floor, West Tower, City Hall
100 Queen Street West
Toronto, ON
M5H 2N2

Dear Ms. Rieger:

Re: Request for Direction – Alterations to Heritage Properties, Intention to Designate under Part IV Section 29 of the Ontario Heritage Act and Authority to Enter into a Heritage Easement Agreements – 485, 489, 495, 511, 519, 521, 523, 527 and 529 King Street West

We act on behalf of Allied Properties REIT, Westbank Projects Corp. and 489-539 King Street West Inc. in connection with the above referenced matter.

We have now had an opportunity to review the Staff report in this matter. Our client continues to be of the view that this exciting development respects the heritage attributes of the properties in question as well as the broader area and that the proposal conforms to the objectives of the recently adopted King/Spadina HCD Plan which remains under appeal. We have also reviewed the recommendations in the Staff report and can advise that our client generally concurs with same, subject to the comments below.

The purpose of this letter is to address the condition which requires our client to withdraw its appeal of the King/Spadina HCD Plan. By way of background, in May of 2016 our client filed a rezoning application in order to permit the construction of a mixed-use development which incorporates significant heritage conservation and preservation, a central courtyard, and a mid-block pedestrian connection to a new public park fronting onto Wellington Street West.

While our clients have remained keenly interested in arriving at a consensual resolution to the outstanding issues, in November 2017, in response to the then pending amendments to the Planning Act, our client appealed to the Ontario Municipal Board (now the Local Planning Appeal Tribunal or "LPAT") based on Council's failure to consider its rezoning application within the statutory time frame.

On June 15, 2018 we submitted drawings on behalf of our client and prepared by BIG - Bjarke Ingels Group as part of a with prejudice settlement offer with the City. One point in the settlement offer stated:

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1. The City and the owner will work together to identify any modifications necessary to the King-Spadina Heritage Conservation District Plan in order to resolve our client's appeal of same and permit the project to proceed.

Regarding the above, we can confirm that our client is willing to withdraw their appeal of the King-Spadina HCD only as it relates to the above-referenced subject site. Further, this withdrawal would only occur after confirmation from the City that no changes are necessary to the HCD Plan to reflect the details of this settlement. If changes are required then our client would withdraw its appeal following confirmation and acceptance of the actual changes proposed to the HCD Plan.

We will be in attendance at today's meeting should the members of the Board have any questions.

Yours truly,

AIRD & BERLIS LLP



Eileen P.K. Costello
EPKC/jh/

cc: Client
Lynda MacDonald; City of Toronto
Dan Nicholson; City of Toronto
Corwin Cambray; City of Toronto

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