

April 27, 2021

By E-Mail

Toronto City Council
c/o Ellen Devlin, Administrator, Toronto and East York Community Council
Toronto City Hall
100 Queen Street West, 2nd Floor West
Toronto, Ontario
M5H 2N2

Dear Ms. Devlin:

**Re: Proposed City-Initiated Amendments to the Official Plan and Zoning By-law
No. 569-2013 for the King-Parliament Secondary Plan Area
City Application No. 18 223807 SPS 00 OZ
Agenda Item: TE24.11**

We are counsel to 2575867 Ontario Inc. ("257"), the owner of lands municipally known as 60 Mill Street (the "Lands"), which are located within the King-Parliament Secondary Plan area.

We understand that at its meeting on April 21, 2021, Toronto and East York Community Council ("TEYCC") considered a staff report from the Director of Community Planning, Toronto and East York District, dated March 30, 2021 (the "Staff Report"). The Staff Report recommends, among other things, the adoption of an Official Plan Amendment (draft Official Plan Amendment No. 525), which includes an updated King-Parliament Secondary Plan (the "Proposed OPA"), and amendments to Zoning By-law No. 569-2013 (the "Proposed ZBA"), resulting from the City-initiated review of the King-Parliament Secondary Plan (the "Secondary Plan"). We further understand that the recommendations in the Staff Report were adopted, without amendment, by TEYCC and will be considered by City Council at its meeting scheduled for May 5 and 6, 2021.

At the time when 257 acquired the Lands, they were subject to outstanding appeals before the Local Planning Appeal Tribunal (the "Tribunal") that had been filed by a former owner of the Lands under LPAT Case No. PL151118. More specifically, a previous owner had appealed site-specific applications for a proposed mixed-use redevelopment on the Lands, including an addition above the existing Rack House "D" heritage building. Following a settlement between the former owner and the City, the Tribunal issued a Decision on July 6, 2017, approving amendments to the Secondary Plan and the former

City of Toronto Zoning By-law No. 438-86, in principle, but withheld its final Order pending the satisfaction of various conditions. The Tribunal's final Order has not yet been issued.

More recently, 257 submitted Zoning By-law Amendment and Site Plan Control applications to the City to permit the redevelopment of the Lands for a 31-storey hotel, which retains and incorporates the existing Rack House "D" heritage building and proposes the addition of a tall building element above. Those applications were appealed to the Tribunal in August 2020 under LPAT Case No. PL200325 and are scheduled for a hearing to commence on July 12, 2021.

257 objects to any new policies or zoning provisions being considered through the Proposed OPA and/or Proposed ZBA that could have the effect of imposing any additional requirements or restrictions for the proposed redevelopment of the Lands. Likewise, and given the various outstanding matters referred to above, it would be appropriate to exempt the Lands from the Proposed OPA and the Proposed ZBA, particularly prior to the completion of the matters currently before the Tribunal.

Kindly ensure that we receive notice of any decision(s) of City Council regarding this matter.

Yours truly,
DAVIES HOWE LLP



Mark R. Flowers
Professional Corporation

copy: Client
Michael Goldberg and Todd Trudelle, Goldberg Group