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2011 APR -8 P 5:37

April 8, 2011

Mayor Rob Ford and Members of Council
City of Toronto
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Ms. Allison Meistrich, Senior Planner, Community Planning
Ms. Ulli Watkiss, City Clerk, City Clerk's Office

Your Worship and Members of Council:

Re: 7, 15, 25R, 29, and 39 Queens Quay East
Pier 27 – Phase 2
Official Plan Amendment/Rezoning/Site Plan Application
City File Nos. 10 147083 STE 28 OZ & 10 147097 STE 28 SA)

Extension of Time for City Election re Day Care Space in Phase 2 Development

Request for Deferral of Notice of Motion for City Election re Day Care Space

We are the solicitors for Pier 27 Toronto Inc., Pier 27 Toronto (North) Inc., and Pier 27 Toronto (West) Inc., the owner and applicant in the above-noted matters (the "Owner").

We write further to our March 8, 2011 letter to City Council on March 8 and 9, 2011 (the "Letter") in response to the March 8, 2011 staff report regarding the above-noted matter (the "Staff Report") brought forward to Council by a Notice of Motion from the Councillor McConnell.

Specifically, the Staff Report sought Council direction on elections the City could make regarding the daycare space as provided for in the Section 37 Agreement. The purpose of the Letter was to extend the time periods set out in the Section 37 Agreement under which the City is to make an election whether to accept an on-site day facility or whether to require a cash payment by the Owner. The Notice of Motion was deferred by Council to the April 12, 2011 meeting to provide City staff and the Owner an opportunity to further explore how best to achieve this daycare objective.

We are pleased to advise that discussions between City Staff, the Councillor's office, and the Owner have been positive and productive. The Owner is currently investigating ways to accommodate a larger day care facility within the development. As the parties continue to discuss these matters, we respectfully request that the Notice of Motion and accompanying Staff Report be deferred to the June Council meeting at which time it is expected that a final staff report on Phase II of the development will be considered. The timeline of this deferral request lies within the timeline of the extensions that the Owner agreed to last month.

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Given the ongoing discussions and the agreement of the Owner to extend the timelines, in our view, it would be premature and unnecessary for the City to make its election now.

Thank you for your consideration of this matter.

Yours very truly,

McCarthy Tétrault LLP

Per:



Christopher J. Tanzola

CJT/kem
c. P. Stellato (Pier 27 Toronto Inc., Pier 27 Toronto (North) Inc., Pier 27 Toronto (West) Inc.)
Councillor P. McConnell (Ward 28)
P. Prieditis (Policy and Research)
G. Lintern (Community Planning)
S. Haniford (City Legal)