

PB11.6.1



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SENT VIA E-MAIL (msexton@toronto.ca)

Toronto Preservation Board
City of Toronto
c/o Ms. Margaret Sexton, Committee Secretary
Clerk's Department
100 Queen Street West, City Hall
Toronto ON M5H 2N2

Dear Chair Saunders and Members of the Toronto Preservation Board:

RE: Item No. PB11.6
- Removal of Designated Heritage Property under the *Ontario Heritage Act*
- Request for Deferral re: 314 Jarvis Street

Please be advised that we are the solicitors for Duration Investments Limited, the owner of the property municipally known as 314 Jarvis Street. As part of a Zoning Amendment application covering the properties at 308-314 Jarvis and 225 Mutual Street, our client hired Philip Goldsmith Architect Inc. to prepare a Heritage Impact Assessment. As noted in the staff report, the Heritage Impact Assessment Report is dated January 19, 2012 and was submitted to the City as part of the rezoning submission on January 23, 2012.

A community meeting with respect to the rezoning application was held on February 27, 2012. At that meeting, a number of issues were raised dealing with the proposed development. It is my understanding that all of the issues raised were the standard issues raised in any rezoning application. However, the question of the heritage status and any matters relating to 314 Jarvis Street were not raised in the community meeting.

Therefore, it was with considerable surprise that we have recently received notice of the report dated March 26, 2012 which is coming before the Board at its meeting on Friday, April 27, 2012. Unlike the usual process where consultation occurs between Heritage Preservation Services staff and the applicant's consultant, (in this case, Mr. Goldsmith), for some reason in this instance, no consultation took place prior to the preparation and issuance of the report before you. From my experience in these matters over the last 35 years, this is highly unusual.

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Nonetheless, in order to address this anomalous situation, I forwarded the report dated March 26, 2012 to Mr. Goldsmith's office as soon as it was received. Unfortunately, Mr. Goldsmith is currently in England and not returning to Toronto until Monday, April 30, 2012. In these circumstances, therefore, I would respectfully request that the matter be deferred to the next meeting of Toronto Preservation Board in order to allow Mr. Goldsmith the opportunity to review this matter with Heritage Preservation Services staff. There should be no concern on the part of the Board with respect to the property, since, as the staff report notes, it is already subject to a Heritage Easement Agreement.

Kindly list me as a deputant to speak to this matter at the Friday, April 27, 2012 meeting.

Yours very truly,

Fraser Milner Casgrain LLP

Patrick J. Devine

PJD/mp

cc: Councillor Kristyn Wong-Tam (*by email – councillor_wongtam@toronto.ca*)

cc: Duration Investments Limited