

AIRD & BERLIS LLP

Barristers and Solicitors

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File: 103872

October 31, 2011

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

Attention: Rosalind Dyers, Committee Administrator

Dear Community Council Members:

REQUEST for DEFERRAL
Toronto East York Community Council, November 2, 2011
Request for Direction Report 323-333 King Street West Zoning Amendment
Application (File No. 10 182677 STE 20 OZ) – Item No. TE11.10
and
Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act
King Street West Properties (Ward 20) – Item No. TE11.12

We act on behalf of Dani Cohen, owner of 323-325 King Street West and 451019 Ontario Limited, owner of 327-333 King Street West with respect to these matters.

After discussion with the Councillor, we are requesting that both above-noted reports be deferred for at least a one month period. Our client is undertaking revisions to the proposal which are intended to address the concerns raised in the recommendation report with respect to its planning application.

In addition, and with respect to the proposal to designate the subject properties, additional time is needed to work with Heritage staff to correct and refine the reasons provided for designation.

With respect to both matters, undertakings presently in force would continue: with respect to the *Planning Act* applications, we continue to confirm that our client will not request or accept a hearing date from the Ontario Municipal Board until this matter has been finally considered by Community Council.

Equally, and with respect to the recommendation of the Heritage Preservation Board, we undertake to not file any application to demolish the subject properties, again until this report has been dealt with by the Community Council.

Toronto and East York Community Council
City Clerk's Office
Toronto City Hall
Attention: Rosalind Dyers, Committee Administration
RE: TEYCC – November 2nd – Item Nos. TE11.10 and TE11.12
Reference No. 10 182677 STE 20 OZ
October 31, 2011
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Eileen Costello of this office will be present to address this matter as required, and to answer any questions the Committee might have.

Yours truly,

AIRD & BERLIS LLP

A handwritten signature in black ink, appearing to read "N. Jane Pepino". The signature is fluid and cursive, written over a light background.

N. Jane Pepino, C.M., Q.C., LL.D.

NJP/sh

c.c. Councillor Adam Vaughan
Dani Cohen, Property Owner
Eileen Costello, Aird & Berlis LLP

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