

April 4, 2013

Our File No.: 09-2026

Via Email

Etobicoke York Community Council
Etobicoke Civic Centre
Main Floor, 399 The West Mall
Toronto, ON M9C 2Y2

Attention: Rosemary MacKenzie, Secretariat

Dear Sirs/Mesdames:

**Re: EY23.7 – Intention to Designate
2523 Lake Shore Boulevard West, 2527 Lake Shore Boulevard West, 2533-2535
Lake Shore Boulevard West, 2539A&B Lake Shore Boulevard West, 2541-2541A
Lake Shore Boulevard West, 5, 7 and 9 Douglas Boulevard**

We are solicitors for the owners of the above-noted properties, which are described in the staff report dated March 21, 2013 (the “Staff Report”) as the Mimico Estates (the “Subject Properties”). We are writing on behalf of our client to request that this item be deferred to allow for further discussions between our client and all divisions of City staff, in the context of the City’s ongoing review of our client’s official plan amendment application.

We previously provided correspondence to the Toronto Preservation Board and Etobicoke York Community Council (“EYCC”) outlining concerns with the proposed designation and process undertaken by Heritage Preservation Services. We will not repeat those concerns in this letter, although they remain unresolved, but would note that, again, staff have brought forward a proposed designation without informing our client or its heritage consultants. The staff report also attaches a revised heritage property research and evaluation report, which was not previously disclosed by City staff.

The lack of notice and disclosure from heritage staff is concerning when viewed in the context of ongoing discussions with the owner’s heritage consultants. As noted in the staff report, planning staff have been processing our client’s official plan amendment application and this work has included extensive discussions with the owner’s heritage consultants. However, at no time did heritage staff indicate that the designation recommendation would be coming back to EYCC, let alone that a revised heritage property research and evaluation report would be produced.

The overall context for the proposed designation is significant when considering our client's request for a deferral. The Staff Report acknowledges that the proposed Secondary Plan, which is also before EYCC, does envision redevelopment and intensification of the Subject Property. However, it is premature and misleading for heritage staff to suggest that the proposed designation does not preclude such redevelopment or intensification when no such conclusion has been reached by planning staff. Indeed, the Staff Report would divorce heritage considerations from the overall planning framework by elevating heritage considerations "notwithstanding any planning policies proposed for the Mimico area".

As noted above, we are writing to request that this item be deferred to allow for further discussions between our client and all divisions of City staff, in the context of the City's ongoing review of our client's official plan amendment application. There is no prejudice to the City in such a deferral because our client previously committed not to demolish any of the buildings proposed for designation.

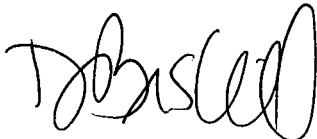
Further, while heritage staff are correct that the owner's official plan amendment application initially did not retain any identified heritage features in situ and proposed demolition of certain heritage features, the Staff Report glosses over the productive and collaborative discussions that have occurred since by stating only that "no formal revision to the initial submission has been received".

The Staff Report does not mention that heritage staff have reviewed a heritage impact assessment that proposes a different approach to the Subject Properties, which would outlined the retention and adaptive re-use of the original estate house and opportunities to enhance and/or restore the gardens, landscape and certain sightlines.. The staff report also does not mention that our client is in the process of preparing a revised approach for the Subject Properties, as part of its official plan amendment application. For all of these reasons, it would be more appropriate to consider the proposed designation in the context of this revised approach.

Please also accept this correspondence as our client's request for notice of any decision regarding this matter.

Yours very truly,

Goodmans LLP



David Bronskill

DJB/

cc: Client/Consultants