

Goodmans LLP

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Barristers & Solicitors
Bay Adelaide Centre
333 Bay Street, Suite 3400
Toronto, Ontario M5H 2S7

Telephone: 416.979.2211
Facsimile: 416.979.1234
goodmans.ca

Direct Line: 416.597.4299
dbronskill@goodmans.ca

November 4, 2013

Our File No.: 12-0023

Toronto Preservation Board
City of Toronto
100 Queen Street West, 2nd Floor, West Tower
Toronto, ON M5H 2N2

Attention: Janette Gerrard, Committee Secretariat

Dear Sirs/Mesdames:

Re: 33 Avenue Road
Toronto Preservation Board Agenda Item 26.6

We are writing on behalf of the owner of the property known municipally as 33 Avenue Road (the "Subject Property"). We are in receipt of the staff report dated October 18, 2013, which recommends that the Subject Property be included on the City of Toronto Inventory of Heritage Properties (the "Inventory"). We are writing to indicate our client's objection to this recommendation and ask that this matter be deferred to allow for meaningful consultation.

Our client received no notice that City staff were considering the Subject Property for inclusion on the Inventory. Further, our client received no notice from the City that the staff report would be considered by the Toronto Preservation Board at its meeting on November 5, 2013.

It is puzzling that the City did not provide any such notice to our client given that our client filed a rezoning application for lands including the Subject Property on January 27, 2012. Notably, City staff did not require submission of a heritage impact assessment with the rezoning application. Further, our client and its consultants have had discussions with City staff since submission of the rezoning application, and yet no mention was ever made of staff's review or the nomination mentioned in the introduction to the staff report.

It would have not only been respectful but also been prudent for City staff to contact our client as part of its review of the Subject Property for potential inclusion on the Inventory. This would have afforded our client the opportunity to retain a heritage consultant and have discussions with City staff. Our client is now in the process of retaining a heritage consultant to provide comments regarding the potential inclusion of the Subject Property on the Inventory.

There is no prejudice in deferring the matter because this letter can serve as our client's undertaking not to apply to demolish the existing building on the Subject Property during any deferral period.

PR 26.6.1

We submit, on the other hand, that additional time is warranted to enable our client to retain a heritage consultant, review the staff report and meet with City staff.

Unfortunately, given the lack of notice from the City, we cannot attend at the meeting of the Toronto Preservation Board. We would hope that a deferral is granted to enable the requested meeting to occur.

Yours very truly,

GOODMANS LLP

David Bronskill
DJB/
cc. Client

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