

February 22, 2016

Transmitted via Email

City of Toronto, City Clerk's Office,
Etobicoke Civic Centre,
399 The West Mall,
Toronto, ON M9C 2Y2

ATTENTION: ULLI S. WATKISS,
City Clerk

Dear Ms. Watkiss,

RE: **KORCE GROUP LTD.**
Municipal Address: 29 Church Street, York
EY Community Council Meeting of February 23, 2016

As you may recall I am the lawyer for Korce Group Ltd. I am in receipt of your letter dated February 9, 2016 which was not received until last Friday while the writer was in court. I am unable to attend tomorrow as I am previously scheduled in another matter in court. I note that I was not informed by the City of any new meeting date since the January 19, 2016 meeting. In any event the meeting process of allowing a 5 minute presentation without any opportunity to rebut the subsequent speakers, let alone to provide final representations to the council members, was neither fair nor just to my client.

I wish to make it clear that my client Korce Group Ltd. remains in compliance with the decision of the Ontario Municipal Board dated **February 24, 2005**, including directions regarding the specific area where recycling and waste are to be stored on the property. I would emphasize that at no time during the OMB hearing process in 2004 and 2005, let alone on the actual hearing days was there ANY argument raised by the City of re-locating the storage area. There were two OMB Decisions and I would recommend that anyone interested actually read the decisions and resist the urge to "jump to conclusions" to the contrary.

I will also emphasize that the City's Order of **November 3, 2014** was complied with by Korce Group Ltd. and such compliance was confirmed by the Honourable Mr. Justice Firestone's Superior Court Order dated **September 17, 2015**. Again, the City agreed as well as acknowledged that the cedar trees planted around the perimeter of the garbage/recycling containment area are compliant with and satisfy the City Order.

I would stress that neither of these Orders were appealed by the City.

Finally, I would point out that I contacted the City since their most recent Order on the same subject was issued on **January 28, 2016**. The issues raised are res judicata, and to proceed on such Order would violate the rules regarding double jeopardy as well. In any event in good faith I have been instructed by my client to agree to meet with the City and their lawyers shortly to resolve any other matters such as the conflict between their two bylaw provisions.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Leroy A. Bleta", with a large, stylized flourish at the end.

LEROY A. BLETA
LAB/rd