

McCarthy Tétrault LLP  
PO Box 48, Suite 5300  
Toronto-Dominion Bank Tower  
Toronto ON M5K 1E6  
Canada  
Tel: 416-362-1812  
Fax: 416-868-0673

**mccarthy  
tétrault**

**Cynthia A. MacDougall**  
Partner  
Direct Line: (416) 601-7634  
Direct Fax: (416) 868-0673  
Email: cmacdoug@mccarthy.ca

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Toronto and East York Community Council  
2nd floor, West Tower, City Hall  
100 Queen St. W.  
Toronto, ON M5H 2N2

**Attention: Rosalind Dyers, Committee Administrator**

Dear Sirs/Mesdames:

**Re: Item 17.26 - Intention to Designate Under Part IV, Section 29 of the Ontario Heritage Act - 19 Duncan Street**

We are the solicitors for 19 Duncan Street Inc. ("Westbank/Allied"), the owner of the above referenced property (the "Site").

The Site is the subject of a rezoning application submitted by Westbank/Allied to provide for mixed-use development, consisting of office and purpose-built rental apartment uses, which incorporates the conservation of the existing listed heritage property. The rezoning application, currently under review by City Staff, was submitted in the Spring of 2015 and recently revised in response to comments and consultation.

Westbank/Allied have continued to work with Staff to address various objectives related to the conservation of the existing heritage building and property and other issues identified by Staff in connection with the proposed redevelopment. This is part of an ongoing dialogue between Westbank/Allied and Staff.

In our view, consideration of the proposed heritage designation before you today, in isolation and in advance of Staff completing its review of the active development application for the Site, is premature.

In addition, we respectfully disagree with certain physical characteristics of the building identified by Staff in the report dated May 11, 2016 as a heritage attribute which contributes to the cultural heritage value or interest of the Site. For example, an elevator shaft attached to the façade of the existing building with limited visibility does not, in our view, contribute to the cultural heritage value or interest of the existing building or the Site generally.

Accordingly, we would respectfully request that Community Council defer consideration of this Item so that it may be brought forward together with the Final Report on the rezoning application as there are interrelated issues which should be considered comprehensively in connection with this Site.

Yours truly,



Cynthia A. MacDougall