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July 18, 2025

Via Email (hertpb@toronto.ca; registrarCCO@toronto.ca)

City Clerk
City of Toronto
Toronto City Hall
100 Queen Street West, 2nd Floor
Toronto ON M5H 2N2

**Attention: Tanya Spinello, Secretariat,
Toronto Preservation Board**

**Re: 81 Isabella Street - Notice of Intention to Designate
Toronto Preservation Board Item No. 2025.PB34.4**

We are the solicitors for Akelius Canada Ltd. ("**Akelius**"), the owner of the property municipally known as 81-83 Isabella Street (the "**Subject Property**").

At this time, we are writing on behalf of Akelius to object to the recommendation contained in the staff report titled "*81 Isabella Street – Notice of Intention to Designate a Property under Part IV, Section 29 of the Ontario Heritage Act*" dated July 4, 2025 (the "**Staff Report**"), that Council state its intention to designate the Subject Property.

We respectfully request that the item be deferred to the October 16, 2025, Toronto Preservation Board (the "**Preservation Board**") meeting, pursuant to the waiver request of City staff as described below and for the reasons noted herein.

Background

Following a collaborative pre-application process with City staff from both Community Planning and Heritage Planning, an application to amend the Zoning By-law (the "**Application**") was filed in respect of the Subject Property on June 6, 2025. The proposed development, as contemplated by the Application, integrates the principal (north) elevations and returns of the east and west wings of the existing building on the Subject Property into the base of a new multi-storey residential building (the "**Proposed Development**"). Akelius is committed to continuing to engage with Community Planning and Heritage Planning staff to discuss the Proposed Development.

A Notice of Complete Application was issued by the City on July 15, 2025, effective July 4, 2025 and the Application circulation was completed on July 15, 2025, per the Application Details¹ for 81 Isabella Street as noted on the City's Application Information Centre webpage.

It is our understanding that on June 27, 2025, Akelius, through its consultants, received an e-mailed request from Community Planning staff on behalf of Heritage Planning to complete and sign a waiver agreeing to extend the statutory reporting timelines as set out in the *Ontario Heritage Act* (the "**Heritage Act**"). Related email correspondence from City staff noted an extension to the September or October Preservation Board meeting.

Given the above request from City staff, Akelius was surprised to receive a mailed notice on July 15, 2025, that the Preservation Board, in its meeting on July 18, 2025, would be discussing the Notice of Intention to Designate 81 Isabella Street under Part IV of the *Heritage Act*.

In receiving the mailed notice on July 15, 2025 for the July 18, 2025 meeting, Akelius and its consultants were provided insufficient time to comprehensively review the Staff Report and attachments, including the proposed Statement of Significance/ Reasons for Designation.

Preliminary Concerns

Despite the limited timing, Akelius and its consultants have undertaken a preliminary review of the Staff Report and attachments and have a number of concerns with respect to the proposed heritage attributes. These preliminary concerns include, but are not limited to the following:

Overall, the proposed attributes identified as contributing to the design and physical value of the Subject Property are descriptive in nature and do not adequately demonstrate how the described building elements embody the cultural heritage value of the Subject Property.

Proposed heritage attribute 6: *"The fenestration comprising symmetrically arranged segmental arch window openings with brick voussoirs on the flanking elevations"*

This proposed attribute should be deleted. The fenestration is not symmetrically arranged and the flanking elevations do not share the same design articulation as the principal (north) massing, which is noted in Figure 10, Page 21 of the Staff Report. The flanking elevations appear volumetrically and materially different than the twin principal (north) elevations and returns of the east and west wings of the existing building and should not be considered heritage attributes.

Proposed heritage attribute 7: *The main entrances on the twin principal (north) elevations, which are placed in stone surrounds with classical detailing that includes an entablature containing "The Merlan" text adorned directly above with dentils and a deep cornice, including also the doorways' assemblies of leaded sidelights with wood-panelled base and glazed and leaded wood panel door."*

¹ Application details accessed from the City's Application Information Centre on July 17, 2025 via the following link:
<https://www.toronto.ca/city-government/planning-development/application-details/?id=5650494&pid=228876&title=81-ISABELLA-ST>

This proposed attribute should be substantially revised. The current door assembly is aluminum framing, not wood, and should not be considered a heritage attribute. GBCA, the heritage consultant retained by Akelius, has confirmed there is no leaded glass in the doors. Further, it is unclear how the building name could be considered an attribute contributing to the design and physical value of the Subject Property.

Absent the opportunity to review the Staff Report and attachments in greater detail and discuss our concerns with City staff, and should the proposed designation proceed as currently scheduled, a formal notice of objection will be filed with the City Clerk following the issuance of the Notice of Intent to Designate, and further, in the event the designation by-law is passed by Council, a notice of appeal will be filed.

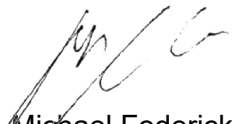
While Akelius is not disputing the idea of Part IV designation under the *Heritage Act* in principle, we are concerned with the timing of the item at Preservation Board and are thus requesting that the Preservation Board defer consideration of the item to the October 16, 2025 meeting to align with the waiver to extend the reporting timelines as requested by City staff.

In summary, the reasons for the objection and the request to defer the item to the October 16, 2025 Preservation Board meeting are as follows:

- the Application, which includes the Heritage Impact Assessment prepared by GBCA dated June 2, 2025 describing the proposed conservation strategy, was recently circulated to City staff for review;
- City staff had requested that Akelius sign a waiver extending the reporting timeline for the proposed designation and was in the process of working with its consultants to complete the waiver; and,
- the amount of time given to comprehensively review the contents of the Staff Report and its attachments, including the proposed Statement of Significance/Reasons for Designation, is insufficient and unreasonable.

In addition to the above-noted deferral request, we also request that the undersigned be provided with notice of any Committee, Community Council and City Council meetings where reports related to the above-noted matter are to be considered. Finally, we request that the undersigned be notified of any decision regarding this matter.

Yours truly,



Michael Foderick
Partner | Associ 

cc: Emily Game
Jeremy Humphrey
Stephan Posikira

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City Clerk - July 18, 2025