

October 16, 2025

**VIA EMAIL - [hertpb@toronto.ca](mailto:hertpb@toronto.ca)**

Toronto Preservation Board  
Toronto City Hall  
100 Queen Street West  
Toronto ON M5H 2N2

Dear Chair Rady and Members of Toronto Preservation Board:

**Re: Agenda Item PB36.4 – October 16, 2025  
164 and 166 Isabella Street - Notice of Intention to Designate a Property  
under Part IV, Section 29 of the *Ontario Heritage Act***

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Please be advised that Aird & Berlis LLP are counsel to Elysium Investments Inc. in respect of property known municipally as 164 and 166 Isabella Street in the City of Toronto (the “Site”).

Our client filed applications for an Official Plan Amendment and Zoning By-law Amendment with the City on August 18, 2025 and were deemed complete as of September 25, 2025. An accompanying application pursuant to Chapter 667 of the Toronto Municipal Code was deemed complete on September 19, 2025. As part of the applications for an Official Plan Amendment and Zoning By-law Amendment, our client filed a Heritage Impact Assessment (“HIA”) prepared by GBCA Architects (“GBCA”) to evaluate the alterations proposed to the existing structures on the Site necessary to facilitate the development. We understand that Heritage Planning staff have confirmed receipt of the HIA and that it fulfills the applicable City’s Terms of Reference.

To date, and except for a pre-application consultation with City staff to obtain an application checklist, our client and its consultants have not received any comments on the above referenced applications. It was with considerable surprise that our client learned in the last 24 hours through its consultant, GBCA, that the Site was the subject of the above referenced report to Toronto Preservation Board and that Heritage Planning were recommending that Council issue a Notice of Intent to Designate pursuant to Part IV of the *Ontario Heritage Act*.

We have reviewed the matter with our client which has advised **that it did not receive any notice of the report or recommendation**. We have also confirmed that our client’s consultant team has similarly not received any notice. In fact, GBCA came upon the report because it was reviewing the agenda for a different matter. We understand that due to the Canada Post labour disruption the City may have been attempting to provide notice via email but have also confirmed with our client that **no emails were received** from the City Clerk’s office in respect of this matter.

Accordingly, **we are respectfully requesting a one month deferral** of the report to enable our client to review the Notice of Intent to Designate with its consultants and our office and to then meet with Heritage Planning staff to review and discuss the recommendation, including the heritage attributes which have been listed in the report.

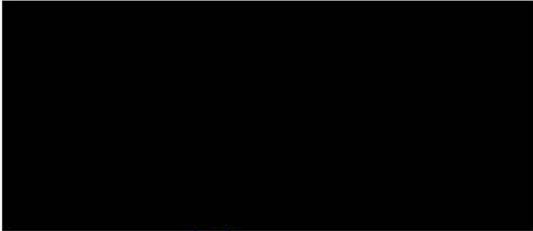
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We appreciate the Board's consideration of this request given the circumstances and the lack of required statutory notice.

A representative of our client will be in attendance at the Board meeting to speak to this matter.

Yours truly,

AIRD & BERLIS LLP



Eileen P. K. Costello  
EPKC/gg

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