



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

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City Clerk's Office
Toronto and East York Community Council
City Hall, 2nd Floor
100 Queen Street West
Toronto, Ontario M5H 2N2

Attn: Ellen Devlin, Administrator, Toronto and East York Community Council

Dear Ms. Devlin:

**Re: TEYCC Agenda Item 20.4
Liberty Village New Street – City-Initiated Official Plan Amendment, OPA
No. 363**

We are solicitors for 2429590 Ontario Ltd., the owner of the properties known municipally as 1-19 Fraser Avenue (together, the "**Property**"). The Property is the southernmost parcel between Fraser Avenue and Jefferson Avenue, just north of the CN/Metrolinx rail corridor. Our client recently submitted an application for site plan approval to develop a new purpose-built commercial complex, currently envisioned for office uses, on the eastern portion of the Property (the "**Site Plan Application**").

We are writing to express our client's concerns with the proposed identification of Liberty New Street as a planned but unbuilt road in Schedule 2 of the Official Plan. The future implementation of Liberty New Street would require the acquisition of the southern portion of the Property. While our client's Site Plan Application is compatible with the City's preferred design of Liberty New Street, as identified in its Class Environmental Assessment study, our client has the following concerns:

1. Private roads are more appropriate than a public road for the Liberty Village area generally and the Property in particular. Private roads address transportation needs at a lower cost to the City, as the City would otherwise be required to acquire the land necessary for Liberty New Street at market value. In addition,

private roads would allow for underground parking in a way that a public road would not. For example, our client's proposed development can be advanced based on a private road, with parking to support the development underneath that provide road. Accordingly, a public road would eliminate opportunities to provide an appropriate amount of parking. Such a result would not only represent poor planning, but it also indicates that the acquisition of the land required to implement Liberty New Street will lead to significant claims for injurious affection.

2. The identification of Liberty New Street in Schedule 2 of the Official Plan will delay the processing of the Site Plan Application. Further, there is little guidance from the City regarding when it intends to acquire the lands necessary to construct Liberty New Street.

Accordingly, our client hereby objects to the proposed Official Plan Amendment. Please also accept this letter as our request to be added to the notice list for this matter.

Yours very truly,

GOODMANS LLP

Per: David Bronskill

David Bronskill
DJB/

cc: Client

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