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May 15, 2013

Reply To: Joel D. Farber  
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Our File No. 08/1586

**VIA EMAIL PGM@TORONTO.CA**

Planning and Growth Management  
Committee, Toronto City Council  
100 Queen Street West  
Toronto, ON M5H 2N2

Attention: Clerk

Dear Mr. Chairman and Members of the Committee:

**Re: PG 24.5 & 24.6  
11 Peel Avenue, 17-21 Peel Avenue & 405 Dufferin Street, Toronto**

We are the solicitors for Simone Group Properties Limited (“SGPL”) and Liberata Simone, owners of the lands at 17-21 Peel Avenue. Our client SGPL was also the owner of the lands at 405 Dufferin Street prior to the expropriation of this property in 2005 for the purposes of construction of the Dufferin Street underpass of the CNR tracks at Queen.

We wrote to the Committee on November 2, 2012 seeking the inclusion of both 17-21 Peel and 405 Dufferin in the proposed expanded Mixed Use Area south of Peel, between Gladstone and Dufferin. We have also had further correspondence with staff in respect of our request.

We have asked for re-designation of the City owned land at 405 Dufferin to Mixed Use Area given our client’s desire and intention to re-purchase a portion of the expropriated lands which are now clearly surplus to the City’s requirements for the Dufferin Street right of way.

Our client is seeking to repurchase up to approximately 800 sq.m. of land (or about 1/5 of an acre) as generally shown on the attached plan. The total land requirement is being refined as our client considers alternative development and design proposals with its planner and architect. In preparing these plans, our client is seeking to enhance the urban open space potential along Dufferin Street, immediately north of the tracks, as is now being contemplated.

The attached plan also shows generally the land proposed to be acquired, and for ease of reference, shows the unapproved development proposal at 11 Peel, including the proposed plan

for the City owned land at 405 Dufferin. Note that the park plan for the City owned land is included as a component part in the 11 Peel development application.

We maintain our objection to the proposed Parks and Open Space designation at 405 Dufferin Street. Official Plan policy 4.5.1 specifically contemplates both parks and open space within the Mixed Use Area designation.

By allowing a Mixed Use Area designation instead of a Parks and Open Space designation, the City avoids prejudging the potential sale of some of the expropriated land back to our client and the appropriateness of development thereon, and avoids prejudging the development application for 11 Peel, which is still in process.

Yours truly,

**FOGLER, RUBINOFF LLP**

*“Joel D. Farber”*

Joel D. Farber

JDF/ay

Encls.

cc. client  
David A. McKay, MHBC Planning  
Allan Stone, SMV Architects  
Joe Casali  
Councillor Ana Bailao  
Sarah Phipps  
Brendan O’Callaghan

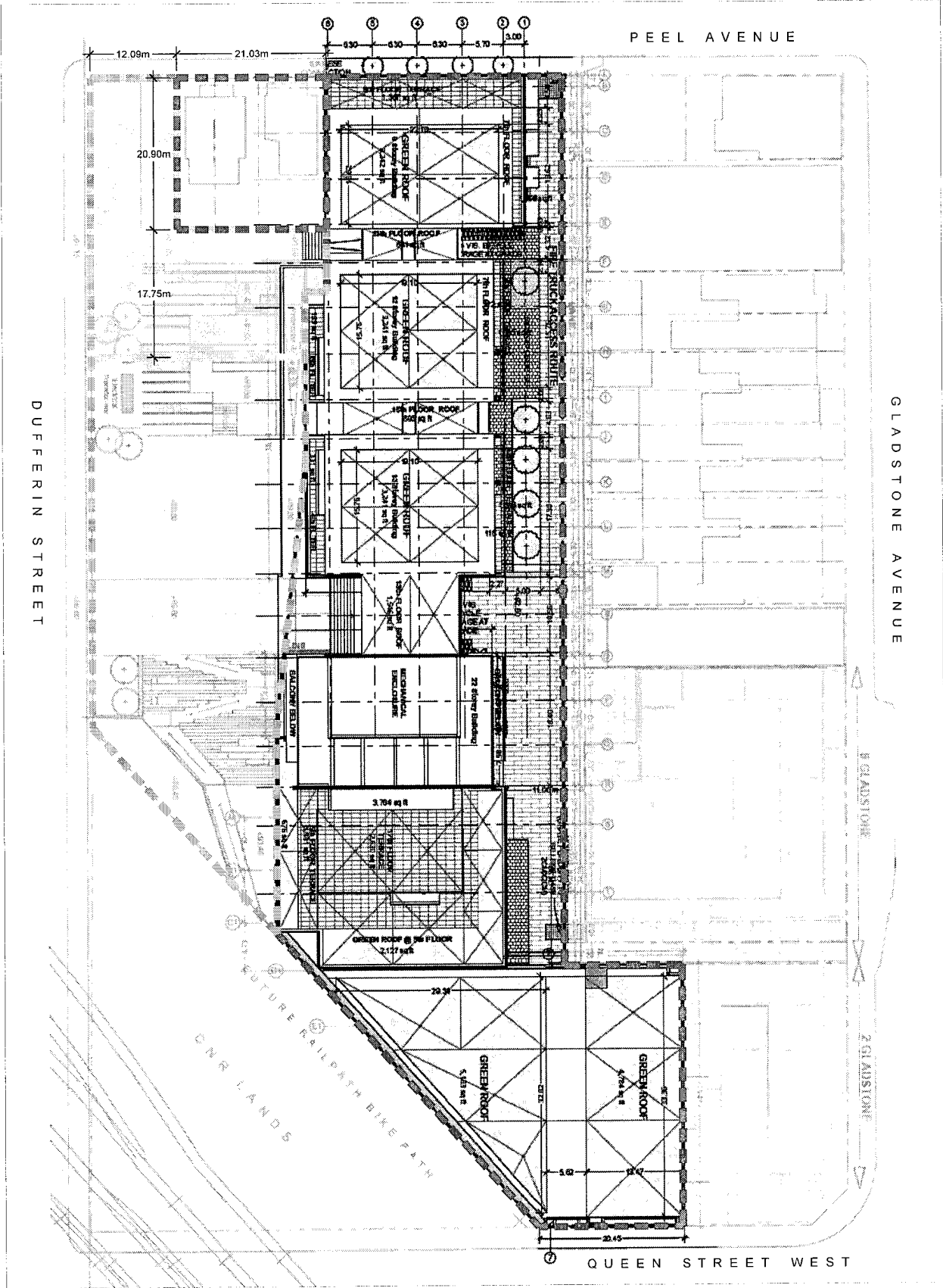
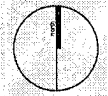


Figure 1  
**REQUESTED  
 LAND PURCHASE**

- LEGEND**
- 17 - 21 Peel Ave.
  - 11 Peel Ave.
  - 405 Dufferin St. (City)

DATE: May 10, 2013  
 SCALE 1" = 500'



**17-21 PEEL AVE.**  
 City of Toronto

Requested Sale of Lands to Simone  
 Group Properties Ltd. (Conveyed Land Area: 812.40m<sup>2</sup>)  
 (Retained Land Area: 1,832.96m<sup>2</sup>)

PLANNING  
 URBAN DESIGN  
 & LANDSCAPE  
 ARCHITECTURE

**MHBC**

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