

# THOMSON ROGERS

## LAWYERS

*Al Burton*  
416-868-3113  
*aburton@thomsonrogers.com*

### SENT BY E-MAIL

May 5, 2015

City of Toronto Council  
c/o City Clerk's Office  
1st Floor North  
Toronto City Hall  
100 Queen Street West  
Toronto, Ontario  
M5H 2N2

Dear Sirs/Mesdames:

**Lixo Investments Limited re Proposed Expropriation of 14 John Street, Toronto  
Toronto Council Meeting May 5, 2015 – Agenda Item GM3.22  
Our File No. 500227**

We are the solicitors for Lixo Investments Limited which is the owner of the property at 14 John Street, Toronto (“Property”).

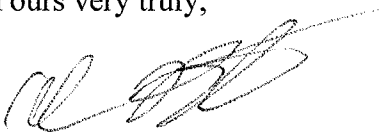
Our client objects to the proposed expropriation of the Property as no proper public objective has been provided for the proposed expropriation by City Staff. The proposed expropriation of the Property appears to significantly advantage another private developer at the expense of our client while providing no public benefit. To proceed with the proposed expropriation in the circumstances would be an improper use of the City’s powers under both the *City of Toronto Act* and the *Expropriations Act*.

We also note that City Staff in their report dated March 23, 2015 is at best disingenuous and at worst misleading City Council by indicating that the City has engaged in negotiations with the owner for the voluntary acquisition of the Property. In fact, despite correspondence to City Staff from our office in July, 2014 shortly after our client received a Notice of Application for Approval to Expropriate Land, City Staff have not engaged in any negotiations with our client. It was only at the recent prompting in March of this year by my office that City Staff even bothered to enlighten our client that a report would be

going forward to City Council to recommend the expropriation of the Property. Our client remains disappointed that the proposed expropriation has been hanging over this Property since at least December 2013 which has diminished the marketability of the Property and undermined our client's development plans.

Consequently, we urge you not to approve the proposed expropriation of the Property and to consider other alternatives which would not disadvantage our client. We thank you in advance for your consideration.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Al Burton', with a long horizontal flourish extending to the right.

Al Burton

AB/aph

cc: Client