

April 25, 2016

File No.: 529492-9

DELIVERED**PW12.12.4**

Public Works and Infrastructure Committee
City of Toronto
Toronto City Hall, 10th Floor, West Tower
100 Queen Street West
Toronto ON M5H 2N2

Dear Chair and Members of the Committee:

RE: Item PW12.12 - Liberty New Street - Environmental Assessment Study

We are co-counsel, along with Douglas Quick, for 863880 Ontario Limited, the owner of 39 and 49 East Liberty Street.

On April 19, 2016 our client received the above noted Environmental Study Report ("ESR" or the "Report") and the enclosed Notice dated April 14, 2016 in which the City indicated its intention to proceed with its consideration of the Report at its meeting of April 25, 2016.

As a result our client has had less than a week to review and respond to the ESR. This is particularly problematic as Mr. Quick is out of the country. I also note that Passover started last Friday which has made it difficult for us to review these matters with our client.

As part of the ESR process our client expressed concerns by letter dated November 29, 2011 with new road scenarios which would connect to Strachan Avenue. At this point such a connection was only one of several options being explored by the City.

It appears this connection is now the preferred option.

This possibility was raised during meetings last October between Mr. Quick and City Legal and a representative from Transportation Services with a view to discussing the possible implications of this connection for our client's subdivision agreement for the above-noted properties. Among other matters we discussed the impact of the Strachan Avenue connection on the design of the currently planned new road Solidarity Way. This had two important implications.

The first is the relationship between the new Strachan Avenue connected local road and the still mandated northern arm of the proposed Solidarity Way. From a transportation standpoint it would be unnecessary and might adversely impact the new east west road. Our client has since investigated modifying its design to accommodate servicing (including fire routes) from East Liberty Street.

The second was that our client is currently required to construct and convey the new road on Block 10 of its subdivision plan 66M-2511 on a timing and alignment which is inconsistent with the new local east west road proposed by the Report.

At that meeting last fall we expressed our client's willingness to disentangle these matters to allow both projects to proceed independently. This would "disconnect" the construction of the new east-west road and our client's developments at 39 and 49 East Liberty Street so that their timing is independent. Our client subsequently determined that this was possible and redesigned its servicing and access to accommodate this.

We were then to meet with other affected City departments to review the required revisions to the approved planning arrangements. By e-mail dated March 4, 2016 Mr. Quick forwarded a package of materials including supporting City agreements setting out the basic parameters as we saw them for the required revisions to our client's legal arrangements with the City to accommodate the new east-west road.

Our client's representatives have made themselves continuously available but the City's representatives have not yet been able to meet.

As a result the ESR is going forward without these discussions having been completed.

With respect to the Recommended Plan attached as Schedule 1 to the ESR we note there is an opening shown in the north limit of the new east-west road to the planned Solidarity Way as are the words "Solidarity Way". There is also a reference on page 9 of the Report to Solidarity Way being a north-south connection to the new east-west road.

Based upon the above discussions with Staff there may not be such an intersection/connection.

We received written confirmation from Staff on Friday, April 22, 2016 that in their view such an intersection/connection is not part of the new east-west road being approved and its' presence or deletion would not require amendment to the approval. Accordingly, it is their opinion that the ESR can proceed without prejudice to the discussions respecting revision to our client's approvals.

Based upon those assurances our client is not at this time requesting any delay in the Committee's consideration of the ESR. This is without prejudice to our client's rights respecting these approvals or the related approvals under the Planning Act.

Please notify us, with a copy to Mr. Quick and Mr. Bill Dalton, of any actions taken or decisions made in respect of this matter. Mr. Quick can be reached at 70 Airdrie Road, Toronto, Ontario, M4G 1M2 or dbqlaw@rogers.com. Mr. Dalton can be reached at IBI Group, 55 St. Clair Avenue West, 7th Floor, Toronto, Ontario, M4V 2Y7 or BDalton@IBIGroup.com.

Yours very truly,
Dentons Canada LLP



Mark Piel

MAP

c.c. Douglas Quick
863880 Ontario Limited
Bill Dalton, IBI Group

APR 19 2016

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April 14, 2016

**To: IBI Group (863880 Ontario Limited / TOWERS AT LIBERTY VILLAGE INC)
Representative, Bill Dalton <BDalton@IBIGroup.com>**

**Acting on behalf of owners of properties 59 East Liberty St.,
55 East Liberty St. and 39 East Liberty St.**

**Subject: Liberty New Street Environmental Assessment Study
Property Impacts to the address listed above**

In follow-up to previous communications, we would like to provide you with some important updates about the Liberty New Street Environmental Assessment (EA) Study. We would also like to advise you that the Transportation Services Division will be making recommendations about this EA to City Council and that you will have an opportunity for further public input about the EA.

Update on Recommended Design:

Since late 2015 the City has made some minor changes to the proposed alignment of the new street to minimize property impacts. For example, the alignment of the future road right-of-way has been shifted as far as possible to the south and the traffic island at the intersection of the new road and Strachan Avenue has been removed. Plans remain for this intersection to operate under right in/out-only conditions only. See attached drawing #29-14, which shows the Recommended Design.

Impacts to Properties: 59 East Liberty St., 55 East Liberty St. and 39 East Liberty St.

As a result of the modifications to the right-of-way alignment, there is no further anticipated required land from these properties.

Next Opportunity for Input

A staff report on the study recommendations will be presented to a committee of City Council called the Public Works & Infrastructure Committee (PWIC). The Committee reviews the report and can adopt the staff recommendations or suggest changes that will then be considered by City Council in their decision-making. Interested members of the public can arrange to speak or submit comments to PWIC.

We are expecting the Liberty New Street study to be on the agenda of the next PWIC meeting, scheduled for April 25, 2016. But please confirm one week prior to the meeting by viewing the [PWIC agenda online](#) or calling the Committee secretariat.

The details regarding this meeting are as follows:

DATE: April 25, 2016
TIME: 9:30 a.m.
LOCATION: Committee Room 2
2nd Floor, City Hall
100 Queen Street West

The staff report will be made available on the City's website one week prior to the PWIC meeting with a link to be provided on the project web page. For those who wish to make a deputation at the PWIC meeting regarding the project you must contact City's Clerks staff at (416) 397-4592 or via the PWIC web page by 4:30 p.m. on the day before a meeting. If you cannot attend the meeting but would like to express your opinions on the project to PWIC, you may do so in writing by submitting a letter or email to the following address:

Public Works and Infrastructure Committee
Toronto City Hall, Floor 10, West Tower
100 Queen Street West
Toronto, Ontario M5H 2N2
Fax: (416) 392-1879
Email: pwic@toronto.ca

See also the City web page: [Have Your Say!](#)

Additional information can be found on the project website:

www.toronto.ca/involved/projects/libertynewst

We invite you to e-mail, mail or call us to discuss the study, its property impacts and next steps. We can arrange an in-person meeting if you would like to discuss in detail.

The City contact is Lorna Zappone, Project Manager, who can be reached at 416-392-8650 or by e-mail at lzappon@toronto.ca.

Yours truly,



Jeffrey Dea
Manager, Infrastructure Planning

Attachments:

- **LIBERTY VILLAGE STREET EA STUDY, DUFFERIN STREET TO STRACHAN AVENUE RECOMMENDED DESIGN - ALIGNMENT OPTION C(ia) - Drawing No. 29-14**
- **LIBERTY VILLAGE STREET EA STUDY, DUFFERIN STREET TO STRACHAN AVENUE RECOMMENDED DESIGN - ALIGNMENT OPTION C(ia) Property Requirements - Drawing No. 29-13**