



CASSELS BROCK
LAWYERS

May 10, 2016

BY EMAIL

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file # 40563-2

Dear Ms. Devlin:

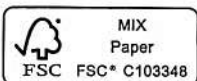
**Re: 1-11 Bloor Street West, 760-762 Yonge Street and 768-784 Yonge Street (the "Subject Lands")
Application for Zoning By-law Amendment By Mizrahi Development Group (The One) Inc.**

We are the solicitors for Altavista Properties Inc., the owner of 15 Bloor Street West, immediately adjacent to the Subject Lands. In particular, my client is the holder of a right of way running north-south from Bloor, through the proposed development. My client, through its representatives, has participated in the community working group meetings to ensure the development does not have an unacceptable negative impact on its lands, and particularly to ensure its use of the right of way is maintained.

While we understand the proposed development now seeks to maintain the existing right of way, our client has significant concerns with respect to the safety and function of the right of way within the development and it is our client's position that the whole design is fundamentally flawed. Correspondence to City Transportation staff respecting the safety of the right of way has gone unanswered to date, and our client's legal representative was prevented from attending the last working group meeting. In particular, our client has the following, among other, concerns:

- The plans do not identify any barriers to ensure that pedestrians remain within the pedestrian easement and will be prevented from stepping out into the laneway;
- It is not clear from the plans that no entrances are proposed across the lane from the elevator lobby, to minimize pedestrian-vehicular conflicts;
- We understand that electronic bollards are proposed to control vehicular use of the laneway. However our client has received no particulars as to how this is intended to operate;
- Further information is required as to the role of the Dock Master and his/her availability;
- It is unclear how the proposed laneway operation is intended to be secured long term.

In the event the City decides to approve the proposed development, at a minimum we request that the City ensures that the appropriate conditions are in place respecting the above noted





matters to ensure the right of way functions safely and pedestrian-vehicular conflict is minimized now and into the future.

Our client will hold the applicant and the City responsible for any damages that may result from the unsafe operation of the right of way.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in blue ink, appearing to read "Signe Leisk". The signature is fluid and cursive, with a prominent loop at the beginning and a long, sweeping tail.

Signe Leisk

SL/dj

cc. client