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November 14, 2016

Toronto and East York Community Council  
Committee Room 1, City Hall  
100 Queen St. W.  
Toronto, ON M5H 2N2

**Attention: Toronto and East York Community Council**

Dear Chair of Committee and Members,

**Re: Item No. TE20.4 – Final Report – Liberty Village New Street  
City-Initiated Official Plan Amendment**

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We act as legal counsel to 1289777 Ontario Limited. 1289777 Ontario Limited is the owner of 1A Atlantic and 1 Jefferson (the properties) in Toronto's Liberty Village. Our client has reviewed the staff report regarding the proposed road through Liberty Village as contemplated by the draft Official Plan Amendment 363. We provide the following commentary.

Our client agrees with the general need for the Liberty New Street (LNS) and the requirement for it as soon as possible. However, the staff report is void of any active steps to make the road a reality. We respectfully submit that the City should be addressing means and ways to serve the lands for the road and to make its existence a reality. For that reason, we believe that the recommendation to adopt OPA 363 is premature, counterproductive, and should be deferred until a comprehensive Work Plan for the road is adopted and the 2018 Capital budget deliberations occur.

In our respectful submission, the adoption of OPA 363 at this time would result in the protection of lands for the LNS indefinitely. This is neither fair nor appropriate to current landowners and the community at large. Additional consultation and discussions need to occur with the affected landowners to ensure that the lands are not simply protected, but that there is a feasible plan for the road to be constructed. The issue of funding and construction timing was raised in the March 2016 EA staff report – nothing has changed – it continues to be an

issue. Further, our clients believe that the adoption of OPA 363 as currently drafted does not adequately address the development of the lands adjacent to the road. The adoption of OPA 363 will simply sterilize development potential for a road that is not designed nor financed, possibly for a significant length of time.

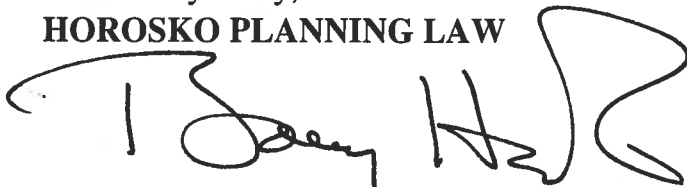
Our clients believe that an opportunity exists for further deliberations to occur between the City and landowners to find a solution for the financing and construction of the LNS project. There is no risk in the City deferring a decision on OPA 363 to engage in these discussions, which may result in a win-win situation for all parties.

**We therefore respectfully request that Council defer OPA 363 until the Spring of 2017 for these discussions to occur and to make real headway on this important project for Liberty Village.**

In the interim, we request that negotiations to secure a right-of-way for the LNS over the properties should be initiated between the City and 1289777 Ontario Limited.

Yours Very Truly,

**HOROSKO PLANNING LAW**

A handwritten signature in black ink, appearing to read 'Barry Horosko', is written over the printed name.

Barry Horosko, BES, JD

cc. B. Haley, City Solicitor  
Clients