

June 9, 2017

Our File No.: 162890

Via E-mail and Courier

Toronto and East York Community Council
100 Queen Street West
City Hall, West Tower, 2nd Floor
Toronto, ON M5H 2N2

Attention: Ellen Devlin, Administrator

Dear Ms. Devlin:

Re: Item TE25.52 – Permanent Closure to Vehicular Traffic of a 0.3 Metre Wide Strip of Land on the East Side of the North-South Portion of the Public Lane Located at the Rear of 1126-1140 Gerrard Street East and 387 and 389R Leslie Street

We are solicitors for Leslie Mews Inc., the owner of the property known municipally as 387R, 395 and 413R Leslie Street (the “**Property**”). The Property is immediately adjacent to the public lane (the “**Lane**”) that is the subject matter of the above-noted agenda item. We write on behalf of our client to object to Transportation Services’ recommendation to permanently close the 0.3 metre wide strip of land on the east side of the Lane (the “**Reserve**”) to vehicular traffic. The Reserve would not only create a dangerous and wholly untenable situation for the long-term tenants of the existing dwelling on the Property, but it also serves no public purpose and therefore seems deliberately intended to prejudice our client. Given that there is no legitimate justification for the Reserve, we urge Community Council to refuse to adopt the recommendations.

By way of background, the Property is located on Leslie Street, just north of Gerrard Street East. Two detached dwellings currently occupy the Property. The dwelling at 387R Leslie Street is immediately adjacent to, and takes its vehicular access from, the Lane. With the Reserve in place as recommended, the long-term tenants of the dwelling would have no means of vehicular access to the Property without trespassing. Likewise, in case of emergencies, the Property would be legally unreachable to vehicles, creating a risk to public safety. Staff are either unaware of the dwelling adjacent to the Lane or have inappropriately disregarded the fundamental unfairness and safety risks associated with implementing the Reserve.

Moreover, the Reserve appears to generate these consequences for no legitimate public purpose. There is no public objective mentioned in the staff report or the Community Council motions preceding it. Rather, the Reserve appears to be intended to directly prejudice our client. Our client's development application for the Property is currently before the Ontario Municipal Board (the "**Board**"). The Lane, which has been in public use for many years, is integrated into our client's development proposal and is currently the only functional means of access to the Property. Given the absence of any other justification for the Reserve, we can only conclude that it is a targeted and deliberate attempt to frustrate our client's development application. Using Community Council's statutory authority over the City's public lanes in this manner as a tool to gain leverage in an impending Board proceeding is wholly inappropriate, and conduct for which our client intends to seek recourse. As indicated in previous correspondence to Community Council relating to the Lane, if the Reserve is implemented, our client will have no choice but to consider all available legal action.

Please notify us of all decisions on this matter.

Yours truly,

Goodmans LLP



Max Laskin

ML/

cc: Client
Councillor Fletcher
Nathan Muscat, City Solicitor

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