

RUSSELL D. CHEESEMAN

- Barrister & Solicitor -

REAL ESTATE DEVELOPMENT MUNICIPAL LAW ENVIRONMENTAL LAW

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May 22, 2018

VIA E-MAIL AND COURIER

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

Attention: Ellen Devlin, Secretariat Contact

Dear Chair Kristyn Wong-Tam:

**Re: Potential Closure and Sale of Rodega Lane
Site Plan Application 17 260753 STE 28 SA
65-89 King Street East**

We are solicitors for 485236 Ontario Limited, the owner of Tom Jones Steak House located at 17 Leader Lane in the City of Toronto.

We have recently been made aware of the application for Site Plan Approval that has been submitted by a neighbouring landowner, Cartera Management Inc., which we refer to above. Our client has concerns with respect to the way the development is proposed to occur on lands which are known as Rodega Lane that abuts our client's building on the north side. Our client currently has an access to its restaurant at the intersection of Rodega Lane and Leader Lane. Our client's premises also have windows at the second and third floors of its building that open onto Rodega Lane. Our client is particularly concerned with the impact the proposed large scale development will have on the operation of these windows for light and air, and would not like to see the business negatively impacted in any manner by the new building. We also have servicing and access concerns if Rodega Lane is actually closed as part of the new development.

We have heard from your Transportation Services Division that the report for the closure of Rodega Lane is to be tabled at the June 6th meeting of Toronto and East York Community Council. To date, our client has never been notified of the possible closing of this public lane. We would be interested in seeing how the proposed building is to interface with our existing building at 17 Leader Lane.

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277 Lakeshore Road East, Suite 211
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Brookfield Place, 161 Bay Street, Suite 2700
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We understand that the development on the east side of our client's lands proposes to have a full wall of windows on, or close to, the property line with Tom Jones Steak House. We cannot understand how this would not contravene the Ontario Building Code. The development of windows on this side of the proposed project would, we believe, negatively impact on the ability of our client's property to re-develop in the future.

We would like to be informed of how a decision to stop up and close Rodega Lane and to transfer its ownership to someone other than the City can occur, without a transparent bidding process for the lands that the City may deem as no longer necessary for its needs. Our client would be very interested in bidding on the lands that abut its property in the event that the City wishes dispose of them. As outlined above, our client's building has doors and windows on Rodega Lane that it needs to keep open for the purposes of operating the ongoing business.

Our client's building is on the Heritage List of the City and was constructed in the early 1830's. Tom Jones Steak House has been operating on the site for over 50 years. We would like to ensure that its ongoing operation is not put in jeopardy by changes that the adjoining development may bring to the area, and are especially concerned that the closing of Rodega Lane and its sale to a third party could impact negatively on the ongoing viability of our client's successful restaurant that is a landmark in the area.

Our client wants to ensure that Toronto and East York Community Council hear its concerns prior to any recommendation being made to City Council about the future of Rodega Lane.

Yours very truly,



Russell D. Cheeseman

cc. Councillor Ana Bailao
Councillor Joe Cressy
Councillor Janet Davis
Councillor Paula Fletcher
Councillor Mary Fragedakis
Councillor Mike Layton
Councillor Josh Matlow
Councillor Mary-Margaret McMahon
Councillor Joe Mihevc
Councillor Gord Perks
Councillor Lucy Troisi
Mayor John Tory
Frank Goutzioulis
George Goutzioulis