



DEVRY SMITH FRANK *LLP*
Lawyers & Mediators

david.white@devrylaw.ca
416-446-3330

October 6, 2015

Our File No.: ANNET850

WITHOUT PREJUDICE

By e-mail: Dawn.McAlpine@barrie.ca

City of Barrie
70 Collier Street
1st Floor
Barrie, ON L4M 4T5

Attention: Ms. Dawn McAlpine, City Clerk

Dear Dawn:

**Re: 6 Fred Grant Street, Barrie
Annet Towers Ltd.**

I represent Annet Towers Ltd., the owner of the former Bank of Montreal building, located at 6 Fred Grant Street.

It appears to be common knowledge that the City plans to close Fred Grant Street to a vehicular traffic as part of the redevelopment of the Memorial Square. This road closure will detrimentally impact the functionality and the value of the former Bank of Montreal building.

My client has never been formally contacted or notified by the City, however, the uncertainty that has been caused by the publicity of the proposed closure has resulted in my client being unable to lease the building, which has remained vacant for a considerable period of time.

Closure of the Fred Grant Street will result in a Chase McEachern Way being turned into a dead end street terminating somewhere near the southerly boundary of my client's property. Again, this will have a detrimental impact on the functionality and value of the former Bank of Montreal building.

My client will have a number of remedies available to it, including a challenge to the road closing by-law and/or a claim for injurious affection, pursuant to the *Expropriations Act*.

It is my client's desire to resolve this matter with the City of Barrie, and we believe there is an option available that would permit the City to proceed with its plans while at the same time providing for the possible redevelopment of my client's property.

Please provide a copy of this letter to the Mayor and all members of City Council.

We would welcome the opportunity to meet with the City to review this option.

Yours truly,

DEVRY SMITH FRANK *LLP*

A handwritten signature in black ink, appearing to read 'David S. White', with a long horizontal flourish extending to the left.

David S. White, Q.C.
DSW/jrg

c.c. Annet Towers Ltd.