

**ONTARIO
SUPERIOR COURT OF JUSTICE
(Divisional Court)**

BETWEEN:

CITY OF TORONTO

Applicant

– and –

**2059946 ONTARIO LIMITED,
VERDIROC DEVELOPMENT CORPORATION,
LANDMARK DEVELOPMENTS INC.,
WESTSIDE LOFTS AND TOWNS INC.,
BOHEMIAN EMBASSY RESIDENCES INC.,
ACTIVE 18 COMMUNITY ASSOCIATION,
ABELL INVESTMENTS LIMITED,
CANADIAN NATIONAL RAILWAY COMPANY and
GREATER TORONTO TRANSIT AUTHORITY**

Respondents

**JOINT FACTUM OF
2059946 ONTARIO LIMITED, VERDIROC DEVELOPMENT CORPORATION,
LANDMARK DEVELOPMENTS INC., WESTSIDE LOFTS AND TOWNS INC.,
BOHEMIAN EMBASSY RESIDENCES INC AND ABELL INVESTMENTS LIMITED
(THE “LANDOWNER RESPONDENTS”)**

(Motion returnable July 16, 2007)

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