



June 1, 2022

Phil Verster
President & Chief Executive Officer
Metrolinx Inc.
97 Front Street West
Toronto, ON M5J 1E6

Via Email (CEO@metrolinx.com)

Dear Mr. Verster:

Re: Ontario Line Construction Impacts on Osgoode Hall and Ontario Courts

The Federation of Ontario Law Associations (FOLA) is the voice of Ontario's 46 county and district law associations, and through them, their members, who are on the front lines of legal services and the Ontario justice system.

We are writing you today to convey our serious concerns about the planned Metrolinx construction on the Osgoode Hall property in Toronto. These concerns arise from our discussions with a number of our member organizations and stakeholders in the justice system about this project.

It is our understanding that the planned Ontario Line construction is to include a redeveloped Osgoode Station, at the corner of Queen and University. Reports indicate that this project is expected to use the grounds of Osgoode Hall as a staging area for the construction period, and that this work will mire this historic property in construction for a decade or more. When completed, it is our understanding that the new construction will place a new structure over a portion of the Osgoode Hall grounds.

We have significant apprehensions about the disruption this project will cause to the users of Osgoode Hall, including the Court of Appeal for Ontario, the Superior Court of Justice, the Law Society of Ontario, and the Great Library. These institutions are central to the function of the Ontario court system and the legal profession itself. They serve critical public and governmental functions and their access and use is paramount to the work of our members and others. FOLA

FOLA Executive:

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does not have offices in Osgoode Hall, but the building remains an important facility for the services our members provide to Ontarians.

Noise, traffic, dust, and other construction realities are not consistent with the rigorous and concentrated work, research, and advocacy that takes place at Osgoode Hall. It also hinders our public commitments to provide open, accessible courts. It is unknown how construction vibrations and shaking will impact the integrity of the building. Among other specifics, Metrolinx documents estimate the removal of 96,000 squared meters of material, requiring 25 trucks per day transiting through our court grounds. A further 25 trucks per day are estimated to accommodate deliveries of concrete, steel, and other materials, and up to 15 trucks per hour. This work will require the removal of mature trees and heritage landscaping, walkways, and other features of the property.

We are deeply concerned by the apparent disregard for the heritage, environmental, and community value of this historic property. Both the Osgoode Hall building and grounds are designated as historic sites. Construction of the building began in 1828, under the direction of the Law Society, which continues to occupy the facility. The building was expanded in stages to the current complex, and it is now regarded as one of the most beautiful buildings in Canada. The Osgoode Hall grounds were adorned with the historic iron fence along Queen and University in the 1860s. The metal was spared during Canada's war effort and has even survived past municipal proposals to widen Queen Street. The grounds continue to be the only public greenspace in downtown Toronto, which serves important environmental, health, community purposes.

It remains unclear to us why Osgoode Hall – a working justice institution – has been selected for this disruptive project when there are clearly other possibilities in the vicinity that are less problematic. We understand, from our conversations with some stakeholders, that Metrolinx has acknowledged that other locations are also technically feasible. We note, for instance, that Campbell House, on the northwest corner of Queen and University, serves no governmental or institutional function and, unlike Osgoode Hall, is not even in its original location. The building was moved there in 1972.

Finally, in writing you today, we are mindful that some of the stakeholders most impacted by subway construction at Osgoode Hall are not in a position to engage in advocacy on these issues or to proactively bring their operational needs and concerns to your attention. To that end, we urge Metrolinx to meaningfully canvass the views and concerns of the courts. We have copied on this letter the Chief Justices' offices, and we urge you to make contact with them before moving forward.

Should you wish to discuss these matters, please feel free to contact me. We anticipate that all of the organizations copied on this letter will have an interest in your response and how this project unfolds. We encourage you to make contact with each of them.

Sincerely,

Douglas W. Judson
Chair
info@douglasjudson.ca



- C. The Honourable George Strathy, Chief Justice of Ontario, *Via Email (jacob.bakan@ontario.ca)*;
The Honourable Geoffrey B. Morawetz, Chief Justice of the Superior Court of Justice, *Via Email (joshua.patlik@ontario.ca)*;
The Honourable Doug Downey, MPP, Attorney General of Ontario, *Via Email (doug.downey@pc.ola.org)*;
His Worship John Tory, Mayor, City of Toronto, *Via Email (mayor_tory@toronto.ca)*;
Ward 10 (Spadina—Fort York) Office, City of Toronto, *Via Email (Brent.Gilliard3@toronto.ca)*;
Ward 13 (Toronto Centre) Office, City of Toronto, *Via Email (Robin.BuxtonPotts3@toronto.ca)*;
Teresa Donnelly, Treasurer, Law Society of Ontario, *Via Email (tdonnelly@lso.ca)*;
Toronto Lawyers' Association, *Via Email (eodonovan@osc.gov.on.ca)*;
Karen Perron, President, Ontario Bar Association, *Via Email (kperron@blg.com)*;
Deborah E. Palter, President, The Advocates' Society, *Via Email (dpalter@tgf.ca)*;
County and District Law Association Presidents, *Via Email (various)*