

STIKEMAN ELLIOTT

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on April 3, 2017**

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**WITHOUT PREJUDICE
BY E-MAIL**

March 21, 2017
File No.: 130398.1002

City of Toronto, Legal Services
Solicitor, Planning & Administrative Tribunal Law
Metro Hall, 26th Flr, Stn 1260
55 John Street
Toronto, ON, M5V 3C6

Attention: Leslie Forder

Dear Ms. Forder:

Re: Settlement Proposal
Property: 1087, 1091 and 1095 Leslie Street (the "Property")
OMB Case No.: PL160173

On behalf of Deltera Inc., being the agent/applicant for IOTP Developments Inc. (the owner of the Property), we write this letter to present our final settlement offer with respect to built form, parkland dedication and Section 37 contribution matters in connection with the proposed development on the Property and corresponding appeal proceedings before the Ontario Municipal Board (Case No. PL160173).

A. Settlement Terms

The following summarizes the terms of our final settlement offer with respect to built form, parkland dedication and Section 37 contribution matters as the basis for settling the appeals and proceeding with a resubmission of detailed plans and drawings for the purpose of developing a final form of proposed zoning by-law amendment:

1. Site Organization

Our client proposes the site organization as shown on the enclosed site plan, dated March 20, 2017 and prepared by Graziani+Corazza Architects Inc. (the "Site Plan"). The Site Plan illustrates the following:

- private vehicular routes and parking garage access locations;

TORONTO

MONTREAL

OTTAWA

CALGARY

VANCOUVER

NEW YORK

LONDON

SYDNEY

- pedestrian and bicycle circulation routes;
- public road "A";
- future north-south road along the eastern boundary of the Property;
- building locations, orientation, stepbacks and setbacks;
- building separations;
- location of service/loading areas; and
- public park location and configuration.

With respect to the building setback from the future north-south road along the eastern boundary of the Property, the right-of-way width of the north-south road along the eastern boundary of the Property and the crash wall width, the actual dimensions will be subject to further review as part of the zoning by-law amendment and plan of subdivision application resubmissions.

2. Building Heights

As shown on the Site Plan, the following maximum building heights are shown:

- **Tower A:** 39 storeys with a metric height of 133 metres;
- **Tower B:** 29 storeys with a metric height of 95 metres; and
- **Tower C:** 45 storeys with a metric height of 145 metres.

These building heights are measured from the Canadian Geodetic Datum elevation of 125.00 metres. Furthermore, these heights are exclusive of projections, including but not limited to mechanical penthouses. Permissions with respect to projections will be determined based on review of more detailed plans and drawings in the context of finalizing the form of the contemplated zoning by-law amendment.

3. Tower Floor Plate Sizes

The three towers have the following floor plate sizes starting at the 13th floors:

- **Tower A:** ranges from 870 square metres to 765 square metres;
- **Tower B:** ranges from 775 square metres to 700 square metres; and
- **Tower C:** ranges from 875 square metres to 765 square metres.

These tower floor plate sizes are exclusive of projections. Permissions with respect to projections will be determined based on review of more detailed plans and drawings in the context of finalizing the form of the contemplated zoning by-law amendment.

4. Density & Gross Floor Areas

The Site Plan shows an overall floor space index of 4.56. This density calculation is based on the total gross site area of 21,748 square metres (being the area outlined in red on the enclosed site plan, which includes the public park, public

road "A" and the future road at the easterly boundary of the Property). The Site Plan illustrates a residential gross floor area of 98,840 square metres and approximate commercial gross floor area of 330 square metres, for a total combined gross floor area of 99,170 square metres. However, as part of the zoning by-law amendment application resubmission process, our client reserves the right to increase the maximum commercial floor area up to 500 square metres provided that the total gross floor area does not exceed 99,170 square metres. Note that all gross floor area calculations are based on Zoning By-law 569-2013.

5. Number of Residential Dwelling Units

A maximum total of 1,180 residential dwelling units would be permitted on the Property.

6. Section 37 Contributions

Our client is offering a Section 37 contribution value of \$5.4 million. Our client is agreeable to the allocation being focused on projects intended to further develop pedestrian and cycling connectivity with the surrounding area. The apportionment between a cash contributions and works to be undertaken by our client is expected to be determined in the context of finalizing the form of the contemplated zoning by-law amendment. In addition to the above contribution, our client is agreeable to the construction/maintenance of a pedestrian and cycling connection together with provisions of a public access easement through the Property, which is approximately shown as the "bike route" on the Site Plan. It would be anticipated that the Section 37 contributions would be secured in a Section 37 Agreement entered into with the City.

7. Parkland Dedication

The maximum required parkland dedication pursuant to the *Planning Act* will be conveyed to the City and will be determined with City staff on review of detailed plans and drawings as part of the zoning by-law amendment and draft plan of subdivision application resubmission process. For the purpose of the Site Plan illustration, a total parkland dedication area of approximately 2,523 square metres is proposed. To the extent that City-owned lands adjacent to Leslie Street are required to complete public road "A", our client is agreeable to a size increase of the parkland dedication area by an equivalent amount. Any additional lands to be added to the parkland dedication area will be reviewed and determined through the application resubmission process.

B. Parking Garage Lands

The revised draft plan of subdivision and the zoning by-law amendment applications currently do not include the lands occupied by the existing parking garage north of the easterly most quadrant of the Property which is not part of the current development proposal (the "Parking Garage Lands"). However, our client is generally agreeable to a technical amendment of boundaries of the lands that are the subject of the draft plan of subdivision and zoning by-law amendment applications

to include the Parking Garage Lands to address the continuation of the existing use of that site. It is acknowledged that the mechanics of carrying out this amendment will be reviewed and discussed further.

C. Plan of Subdivision

The matters currently before the Ontario Municipal Board respecting our client's development proposal include both an application for zoning by-law amendment as well as draft plan of subdivision. It is expected that a revised subdivision application will be prepared in accordance with the site organization reflected in the proposal as per the Site Plan and would be submitted to the City for review and circulation in the usual course. Through this review, the terms and conditions associated with matters such as the new public road (including the portion of the City lands required to complete such road), the future public road on the easterly boundary of the Property, crash wall requirements adjacent to the railway corridor to the east, etc. would be addressed. A revised draft plan of subdivision is attached for illustrative purposes only. The plan of subdivision will be finalized as part of the zoning by-law amendment and draft plan of subdivision application resubmissions review process.

It is anticipated that the draft plan conditions would ultimately be prepared for submission to the Ontario Municipal Board in conjunction with the preparation of the final form of contemplated zoning by-law amendment.

We trust that you will forward the terms of this final settlement offer to Joe Nanos and Willie Macrae for their review, consideration and ultimate submission to City Council at its meeting commencing March 28, 2017. We look forward to receiving your response. Please contact the undersigned if you wish to discuss further.

Yours truly,



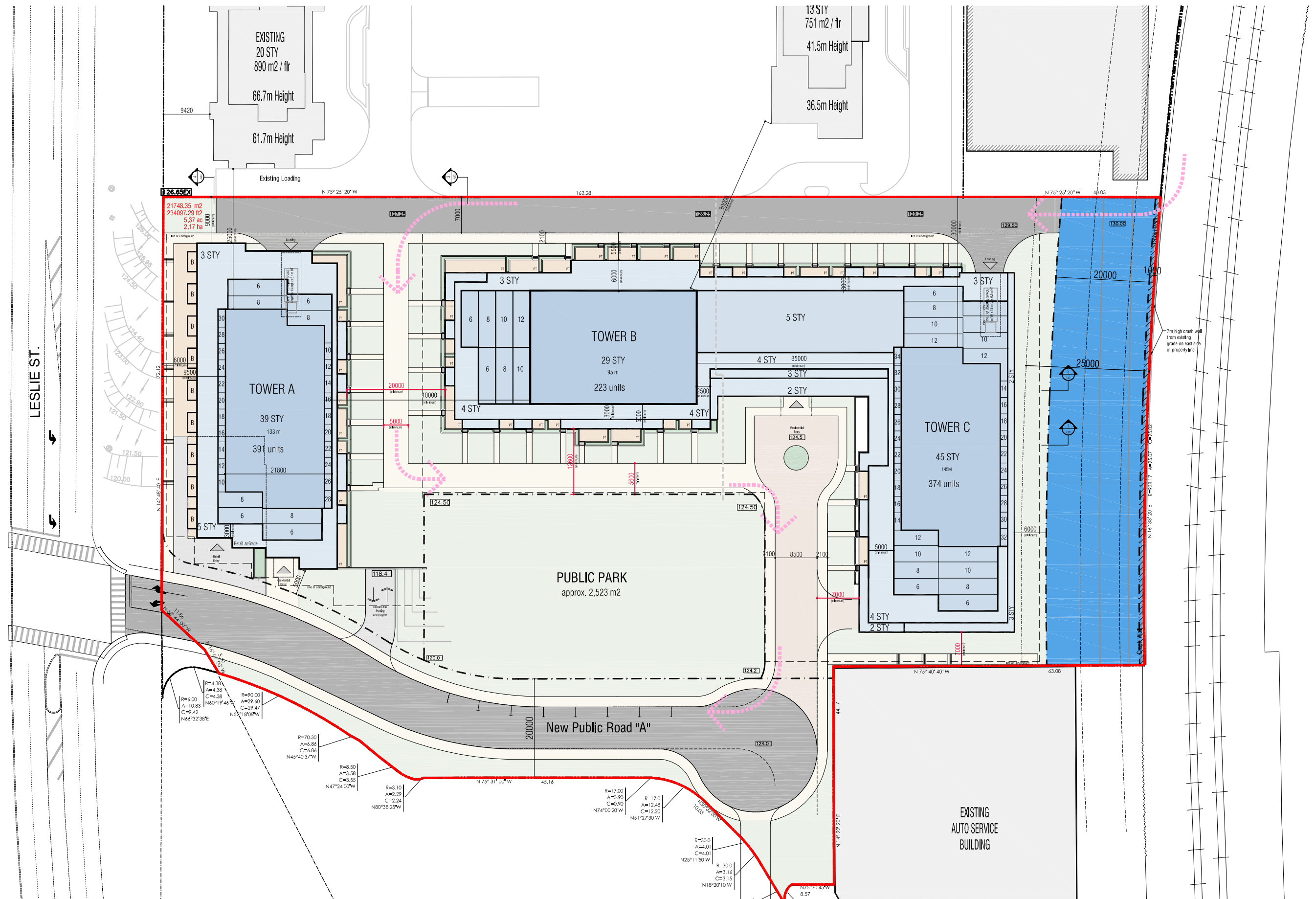
Calvin Lantz

CWL/mb

Attachments:

1. Site Plan, dated March 15, 2017 and prepared by Graziani+Corazza Architects Inc.;
2. Revised Draft Plan of Subdivision, dated March 3, 2017, and prepared by Bousfields Inc.

cc. Steve Daniels & Michael Mestyan
Tony Volpentesta



LEGEND

- Bike Route
- PT Private Terrace

Residential GFA	+98,840m ²
Non-Residential GFA	+330 m ²
Total	99,170 m²
Site Area	21,748 m ²
FSI	4.56
<small>All G.F.A calculations are based on City of Toronto Zoning By-law 569-2013</small>	

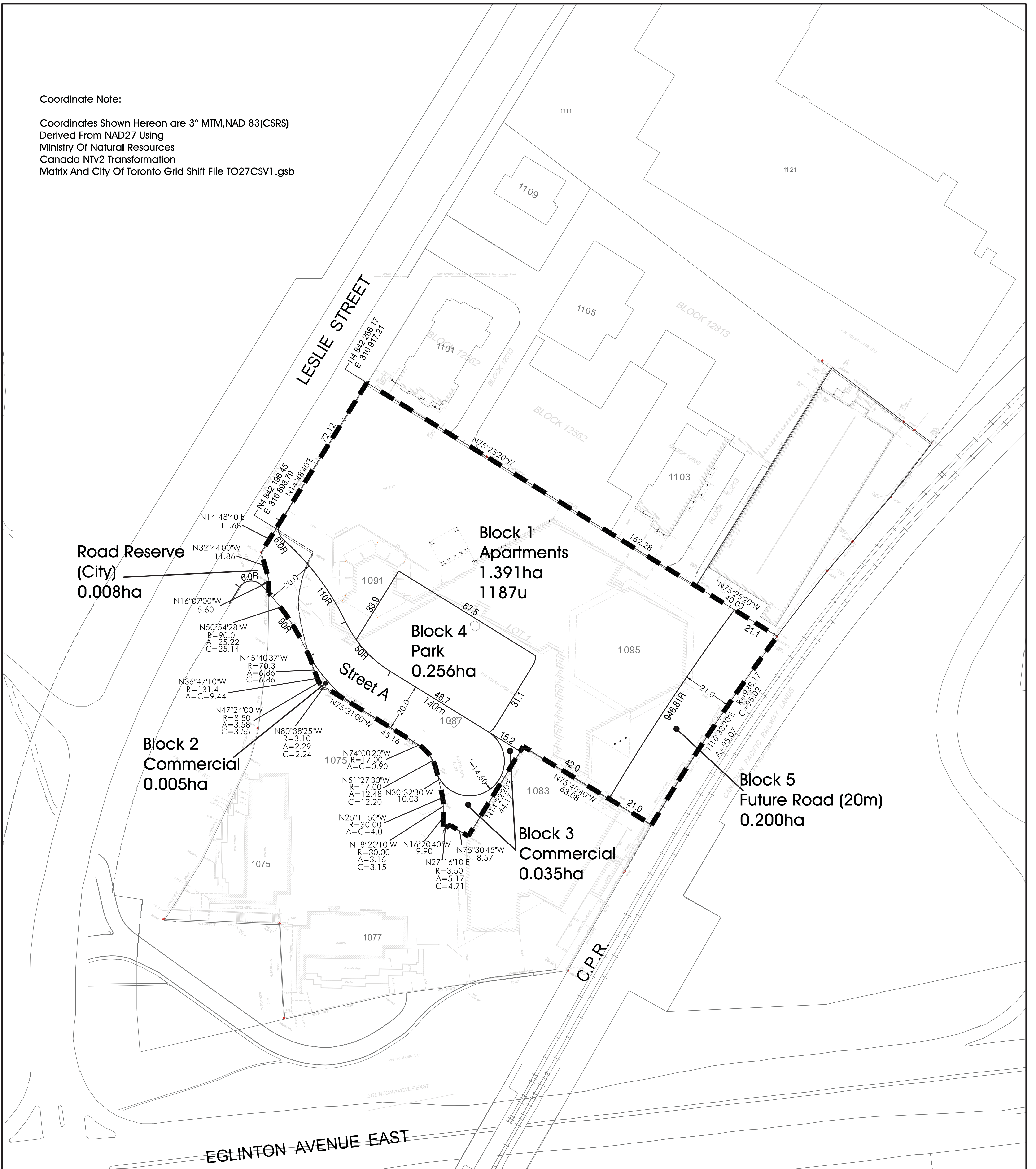
Building heights taken from established grade of 125.00 (Lobby of Tower B & C)

Building heights in meters (## m) do not include the mechanical penthouse level

SITE PLAN
O.T.P

Coordinate Note:

Coordinates Shown Hereon are 3° MTM, NAD 83 (CSRS)
 Derived From NAD27 Using
 Ministry Of Natural Resources
 Canada NTV2 Transformation
 Matrix And City Of Toronto Grid Shift File TO27CSV1.gsb



Road Reserve
(City)
0.008ha

Block 1
Apartments
1.391ha
1187u

Block 4
Park
0.256ha

Block 2
Commercial
0.005ha

Block 3
Commercial
0.035ha

Block 5
Future Road (20m)
0.200ha

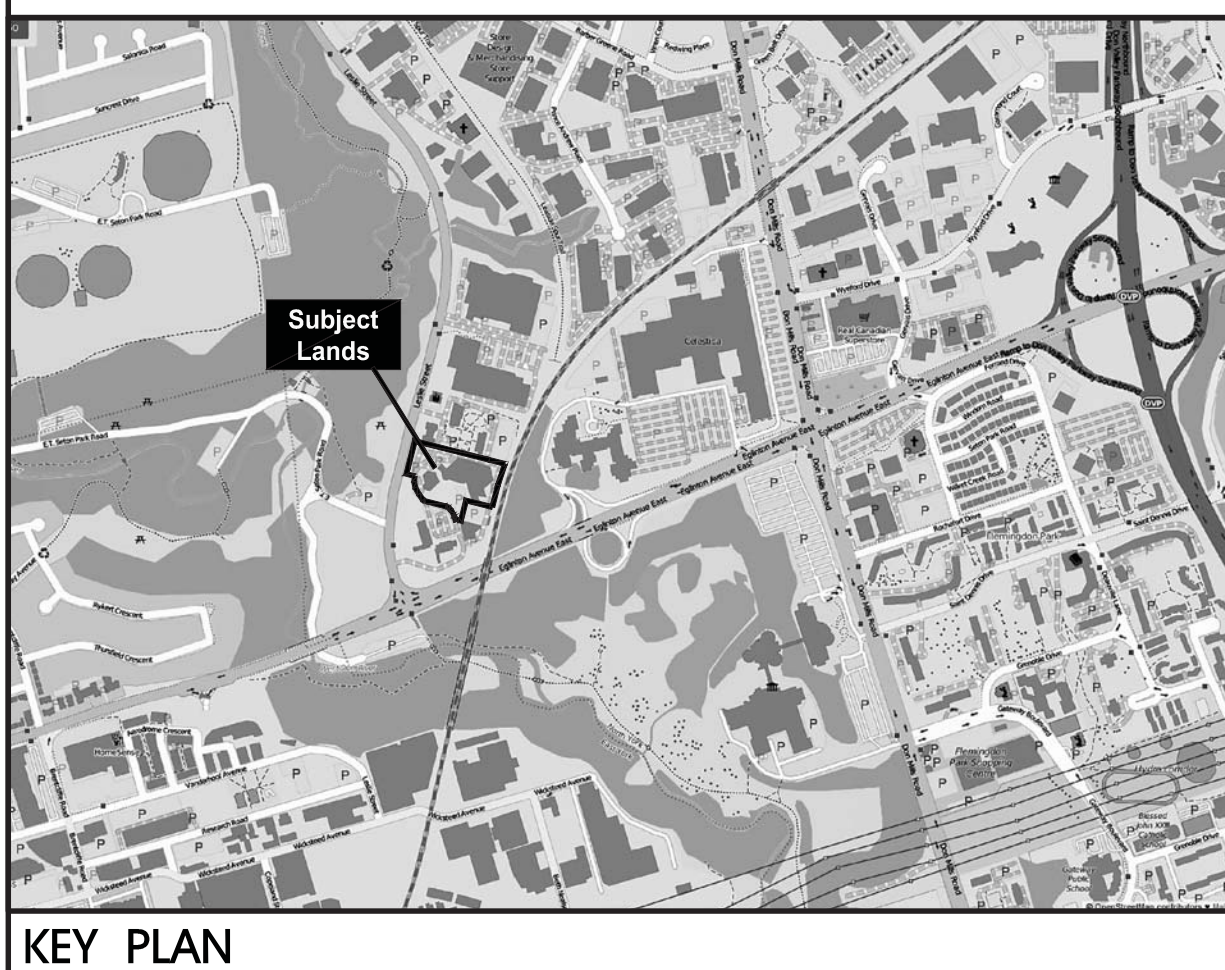
AREA TABLE		1475-35dp dated March 3, 2017
Apartments	Block 1	1.391
Commercial	Blocks 2, 3	0.040
Park	Block 4	0.256
Future Road	Block 5	0.200
Roads		0.288
TOTAL		2.175 ha

ROADS	
20.0m R.O.W.	140 m 0.288
TOTAL	140 m 0.288 ha

UNIT COUNT	
Apartments	1187
TOTAL	1187 u

LEGEND

Boundary of Subdivision



NOTES

All dimensions are in metres.
 All area measurements are computer generated.
 All elevations refer to Geodetic Datum.

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT

- C. Additional land owned by the applicant in the vicinity is as shown on the key plan.
- D. Townhouses, apartments, commercial, driveway & roads.
- H. Piped water to be provided.
- I. Clay loam soil.
- K. Sanitary & storm sewers to be provided.

SURVEYOR'S CERTIFICATE

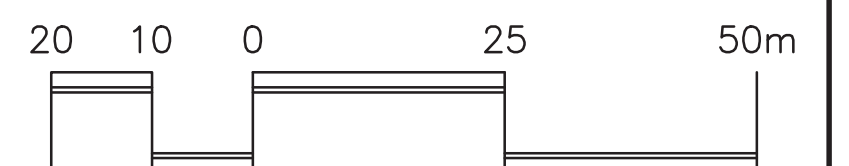
I certify that: the boundaries of the lands to be subdivided and their relationship to the adjacent lands are correctly shown.

P. [Signature] Signature 22 01 15
 Day Month Year

OWNER'S AUTHORIZATION

I/we, **IOTP DEVELOPMENT INC.**
 being the registered owner(s) of the subject lands hereby authorize **BOUSFIELDs INC.** to prepare and submit a draft plan of subdivision for approval.

A. [Signature] Signature 22 01 15
 Day Month Year



REVISED DRAFT PLAN OF
 PROPOSED SUBDIVISION
 PART OF LOT 1,
 CONCESSION 3
 EAST OF YONGE STREET,
 CITY OF TORONTO

BOUSFIELDs INC.
 3 Church Street, Suite 200
 Toronto, Ontario M5E 1M2
 P (416) 947-9744
 F (416) 947-0781
 E drafting@bousfields.ca

1 : 750 Scale
 March 3, 2017 Date
 1475-35dp Drawing Number