

CC35.7 - Confidential Appendix A - Settlement Offer - made public on December 18, 2017



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By Same Day Courier and E-mail

CONFIDENTIAL AND WITHOUT PREJUDICE

City of Toronto
Legal Department
Metro Hall
55 John Street
Suite 2600
Toronto, ON M5V 3P8

Attention: Mr. Ray Kallio, Solicitor

Dear Sirs / Mesdames:

**Re: Claireville Holdings Limited et al. ("Claireville")
8-20 Widmer Street, Toronto (the "Claireville Lands")
Application to Amend Zoning By-law Nos 438-86 and 569-2013
City of Toronto File No. 16 118450 STE 20 OZ (the "Applications")
O.M.B. Case No. PL161031 (the "Claireville Appeals")**

We are the solicitors acting on behalf of Plazacorp Properties Limited (the "Company"). The Company has an interest in the Claireville Lands pursuant to an agreement of purchase and sale, and is acting as agent on behalf of the landowners with respect to the Applications and Claireville Appeals.

The Company is affiliated with the owner of the property located at 30 Widmer Street (the "30 Widmer Lands"), Widmer Residences Corp., and such owner has a settlement with the City with respect to the 30 Widmer Lands (the "Widmer Settlement") that has been presented to the Ontario Municipal Board ("Board").

On behalf of the Company, we are writing to propose a settlement of the Claireville Appeals presently before the Ontario Municipal Board (the "Board") appeal subject to the following:

Acquisition by the Company

- This offer is predicated on an acquisition of the Claireville Lands by a company controlled by the Company. That transaction is conditional upon the City accepting this offer at the City Council meeting scheduled to commence on December 5, 2017, and such settlement being presented to the Ontario Municipal Board at a one day settlement hearing, during the hearing presently scheduled to commence on January 8, 2017.

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Proposed Form of Development

- The proposed form of development will be substantially in accordance with the plans and drawings prepared by Quadrangle Architects dated November 27, 2017 (the "Plans"), and will have the following attributes:
- A maximum height of 157 metres, including the mechanical penthouse.
- An approximate density of 15.3 times the area of the lot, reduced from 19.12.
- The maximum total number of dwelling units will be approximately 434, excluding the existing row houses.
- The access to the development will be as shown on the Plans, with access for the parking from the south side of the Claireville Lands and access to the loading from the north-south public lane adjacent to the west side of the Claireville Lands, with no access from Adelaide Street West, (however, egress is permitted to Adelaide Street West). The loading and parking will be shared with the development of the 30 Widmer Lands. Loading activities will occur in the north-south public lane with trucks reversing in the public lane for exiting.
- The tower will have a maximum floor plate size of 585 square metres (gross buildable area).
- There will be a minimum 10 metre setback to the north lot line for the tower, which is proposed to be 12.5 metres. The permissions for the development on the 30 Widmer Lands will be adjusted, substantially in accordance with the Plans.
- There will be a 10 metre setback to the centre line of the public lane along the southerly limit of the Claireville Lands, unless 9.3 is determined to be acceptable to planning staff.
- The front wall of the tower will cantilever a maximum of 2.4 metres over the rear wall of the heritage row houses, starting above the 14th storey.
- Balconies will be inset on the east, west and north walls of the tower, with projecting balconies permitted on the south wall.
- At least fifteen percent (15%) of the total number of dwelling units shall have three (3) bedrooms and forty percent (40%) shall have two (2) bedrooms.

Amenity Space

- A minimum of 1.0 square metres of indoor residential amenity space will be provided per dwelling unit, which will be shared with the development of the 30 Widmer Lands.
- A minimum of 1.0 square metres of outdoor residential amenity space will be provided per dwelling unit, which will be shared with the development of the 30 Widmer Lands.

Parking Spaces

- A minimum of 0.17 parking spaces per dwelling unit will be provided for residents of the dwelling units, whereas 0.06 parking spaces will be provided for visitors which may form part of a commercial parking garage, including the 18 parking spaces for the hotel to be located on the 30 Widmer Lands. The parking rates apply to both the Claireville Lands and the 30 Widmer Lands, and the developments will share the underground parking garage. Parking spaces and loading are not required for the heritage row houses, which are proposed to be severed from the rest of the lands.

Heritage Conservation Strategy

- The conserved row houses will be a discrete three-dimensional entity that is visually and physically separated from the tower structure above ground, although the rear of the row houses will be attached and incorporated into the podium structure, substantially in accordance with the Quadrangle Drawings.
- The row houses are proposed to be live-work units. There will be no other non-residential uses on the Claireville Lands.
- The heritage attributes of the Ontario Heritage Act Section 27 "listed" row houses will be conserved in situ through an alteration program as described below.
- The Widmer Street elevation will be structurally secured and conserved.
- The front portion of the roof will be retained, including the gables, dormers and wooden details (where existing), subject to the Structural Analyses given the current condition of the roof structure. The balance of the roof will be removed and rebuilt, using documentary evidence from historical research on the properties from the Heritage Impact Statement and Heritage Assessment, or using typical examples to recreate missing details. A portion of the interior demising walls will be retained, subject to the Structural Analyses given the current condition of the interior demising walls.
- The rear wings of the row houses will be removed beyond approximately 13.5 metres from the east property line.
- The front porches and stairs on the eastern elevation will be rebuilt, using surviving materials as well as documentary evidence from historical research on the properties from the Heritage Impact Statement and Heritage Assessment, or using typical examples to recreate missing details.
- The character of the row houses will be supported by landscaping of the streetscape as part of the new development.
- The end walls (north and south) will be removed and replaced in kind. Details of the proposed interventions on the end walls (north and south elevations) will be provided in the Conservation Plan that will be submitted to the satisfaction of the Manager, Heritage Preservation Services.

- The Company will not object to a designation of the row houses in accordance with the parameters described above and will enter into a heritage easement agreement based upon a report to be prepared by Heritage Preservation Services that incorporates historical research and an evaluation of cultural heritage resources. This report will take into account the research that was previously completed for the Claireville Lands by Claireville's heritage consultants.

Section 37

- In addition to the significant number of two (2) and three (3) bedroom units and the implementation of the heritage conservation strategy outlined above, a payment of \$2.5 million will be made to the City on or before the date the first above-grade building permit is issued for the Claireville Lands. The first above-grade building permit does not include a permit issued for demolition, excavation and shoring, or for any heritage work, and is the above-grade permit issued for the proposed development.

We request a response to this offer to settle at your earliest opportunity.

Yours truly,



Cynthia A. MacDougall

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