

**Daniel Elmadany**

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**From:** Bronskill, David <dbronskill@goodmans.ca>  
**Sent:** March 26, 2018 1:34 PM  
**To:** Daniel Elmadany  
**Cc:** Amanda S. Hill  
**Subject:** 390-398 Spadina Rd -- Without Prejudice

Without Prejudice

The purpose of this e-mail is to confirm that our client's settlement offer, which is scheduled to be considered by City Council at its meeting this week, should be amended to include a Section 37 proposal, as below.

The implementing zoning by-law would include the following clauses

- n) the Owner agrees to enter into an Agreement pursuant to Section 37 of the Planning Act to the satisfaction of the City Solicitor as follows:
  - i. prior to the issuance of the first above-grade building permit the Owner shall provide a contribution in the amount of \$ 170,000.00 to be used towards parks, streetscape improvements and community infrastructure to be directed towards the local community;
  - ii. the financial contribution referred to in subsection n (i) shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made; and,
  - iii. in the event the cash contribution referred to in Section n(i) has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the local community.

All other aspects of the without prejudice offer remain unchanged.

Thank you,

David Bronskill  
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\*\*\*\* Attention \*\*\*\*

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