

# Public Attachment 1



**John M. Alati**  
*johna@davieshowe.com*  
Direct: 416.263.4509  
Main: 416.977.7088  
Fax: 416.977.8931  
File No. 703110

July 14, 2018

**By E-Mail Only to *Laura.Bisset@toronto.ca***

Ms. Laura K. Bisset  
Solicitor, Planning and Administrative Tribunal Law  
City of Toronto Legal Services  
55 John Street, 26<sup>th</sup> Floor, Metro Hall  
Toronto, ON  
M5V 3C6

## **WITH PREJUDICE**

Dear Ms. Bisset:

**Re: L.P.A.T. File No. PL170831  
15 Duncan Street and 158 Pearl Street, City of Toronto  
Soprano Developments Inc. and CGIV Properties Inc.  
Without Prejudice Settlement Offer**

### Purpose of this communication

I am writing further to our many conversations and communications over the course of last week. The purpose of this letter is to provide you with the terms of this revised **with prejudice** offer being advanced in respect of the above noted applications on behalf of my clients.

It is also our request that this revised *with prejudice* offer be presented to Council in your upcoming report prior to Council's final meeting in July of 2018 in order for the City to have direction in advance of the next LPAT PHC regarding this matter and the hearing scheduled to commence on November 20, 2018.

### The Offer

In an effort to resolve this matter my client is prepared to settle with a proposal in accordance with the drawings sent to you by drop box link attached to my e-mail dated July 12 sent at approximately 5:45 p.m.

In terms of other specific items I can advise as follows:

1. My clients will provide a Section 37 contribution of \$3.4 Million to the City with a \$400,000 proportion of those funds being allocated for streetscape improvements

and streetscape beautification on Pearl Street between Duncan Street and Simcoe Street. The balance of the Section 37 contribution would be allocated as the City determines appropriate and which would include, the provision of new affordable rental housing units as part of the Alexandra Park revitalization within Ward 20, the provision and maintenance of public art to be located on or near portions of my client's property which is visible from public areas, and community services and facilities in the King-Spadina East area;

2. My clients have agreed to retain the entire heritage building at 15 Duncan Street as an office/commercial building with 1,885.7 square metres of commercial/office space;
3. My clients will provide 2,030.2 square metres of commercial/office space in the building at 158 Pearl Street with the same commercial permissions which currently exist in the applicable zoning.
4. As a result, the proposed total commercial space in the new development is 3,915.9 square metres;
5. My clients propose to retain the existing south wall of the building at 158 Pearl Street *in situ* and a portion of the eastern wall of 158 Pearl Street will be rebuilt, as depicted on the dropbox link drawings;
6. A commitment to provide a total of 10 percent of the total units within the new development as three bedroom units;
7. The balance of the relevant project statistics are as depicted on the attached Drawing Sheets provided on the plans in the drop box link;
8. The Tribunal will be requested to issue a decision approving the settlement but the Tribunal will be asked to withhold its order until such time as the Toronto Preservation Board has considered and Toronto City Council has made a decision whether to designate the heritage buildings under Part IV of the OHA. In the event the buildings are designated, the Order will be also be withheld until an appropriate alteration permit has been granted to permit the construction of the development and the City has acknowledged that both of these matters will be addressed by the TPB and City Council in Q1 of 2019. It is further acknowledged that Heritage will recommend to TPB the issuance of the alteration permits to provide for the preservation elements as proposed by the Applicant in its revised offer to settle.

Next Steps

Please advise at your earliest opportunity of Council's decision in this matter.

Yours truly,

**DAVIES HOWE LLP**



John M. Alati

encls.:

copy: Clients  
M. Goldberg and J. Robinson, Goldberg Group  
S. Vitiello, Richmond Architects