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LAWYERS

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File #: 18026

WITHOUT PREJUDICE

May 30, 2019

By email

Mr. Mark Piel
City of Toronto Legal Services
Metro Hall, 55 John Street, 26th Floor
Toronto, Ontario, M5V 3C6

Dear Mr. Piel:

**Re: Redevelopment of 55 Erskine Avenue, Toronto
 LPAT Case No. PL171307
 Our client: Frastell Associates Inc.**

This letter follows the without prejudice settlement meeting of Friday May 3, 2019 between you, I, City staff, my client and some of its consultants. I trust you will agree that the meeting was productive in allowing the parties to better appreciate each other's position. At the end of that meeting the City asked my client to consider further revisions to the proposed development which, if incorporated, would be supported by City staff. I am pleased to advise that my client has given very careful and serious consideration to City staff's comments and has made substantial revisions to the proposed development to address them.

In exchange for the City's support of this revised development at the September 30, 2019 LPAT hearing and a full settlement as between our respective clients, our client will seek approval of this revised development at the LPAT hearing. Given that Witness Statements are due on August 16, 2019, it would be most prudent for City Council to make a decision on this settlement offer at its June 18th -19th , 2019 meeting (or July 16th - 17th , 20019 at the latest). This would allow the City to withdraw its issues from the Procedural Order and for our respective client's to finalize the form and content of the Zoning By-law Amendment.

The revised development is summarized as follows:

1. Eleven (11) storey rental residential building, fronting onto Broadway Avenue, which steps down in height towards Broadway Avenue.
2. A new public park (284.2 sq. m in size) proposed at the southeast corner of the property, adjacent to the public park at 66 Broadway Avenue.

3. The proposed 11-storey rental residential building will have a gross floor area approximately of 9,226 m² resulting in an overall density of 2.9 FSI.
4. A significant number of the proposed 102 units are family-size including approximately 12% being three-bedrooms; and
5. Ninety-six (96) vehicle parking spaces, 167 bicycle parking spaces and 1 Type G loading space are proposed.

The revised architectural plans are too large (17MB) to attach to this letter so they can be downloaded at the following Dropbox link

https://www.dropbox.com/s/909frczm2t43e9q/55%20Erskine_Architectural.pdf?dl=0

Attached to this letter is a copy of the revised architectural plans and an updated statistics chart which identifies the key changes since the September 2018 submission. The changes are as follows:

1. The total building height has been reduced from 12 storeys to 11 storeys;
2. Additional stepping of the south elevation (fronting Broadway Avenue) has been introduced. The massing steps back 3.0m above the 4th storey, 3.0m above the 8th storey and 6.7m above the 10th storey. The mechanical penthouse has been relocated to the north end of the proposed building to reduce visibility from Broadway;
3. A 5.0m setback from the new public park has been provided, with a 2.1m walkway provided within this setback;
4. The building entrance has been reoriented to face Broadway Avenue;
5. The driveway has been reduced in width to 6.0m;
6. A pedestrian connection to the public mid-block walkway located on 66 Broadway Avenue has been proposed; and
7. The depth of balconies on the east and west elevations have been reduced to 1.8m and private walk-out terraces for the east-facing ground floor units have been provided;

Hard copies of the following materials have been delivered from my client's Land Use Planners to City Planning on Friday May 31, 2019:

1. One (1) copy of the Development Approval Resubmission Form;
2. One (1) copy of the Project Data Sheet;
3. Three (3) copies of the Architectural Plans (A-001, A-101, A201, A201B, A202, A203, A204, A205, A206, A207, A208, A301, A302, A303, A304, A401), prepared by Martin Simmons Architects, dated May 29, 2019;
4. Three (3) copies of the Landscape Plans (SPL 1, SPL 2, SPL 3, SPL 4, SPL 5, SPL 6), prepared by Ferris & Associates Inc., dated May 30, 2019;

5. Three (3) copies of the Engineering Plans (DD-01, DD-02, EC-01, SG-01, SS-01), prepared by Cole Engineering, dated May 29, 2019;
6. Three (3) copies of the draft Zoning By-law Amendments for By-law 438-86, as amended and By-law 569-2013, as amended, prepared by Bousfields Inc., dated May 31, 2019;
7. Three (3) copies of the Shadow Study, prepared by Martin Simmons Architects, dated May 2019;
8. Three (3) copies of the Urban Transportation Considerations Update Report, prepared by BA Group, dated May 27, 2019;
9. Three (3) copies of the Final Pedestrian Level Wind Study, prepared by Theakston Environmental, dated May 29, 2019;
10. Three (3) copies of the Functional Servicing and Stormwater Management Report, prepared by Cole Engineering, dated May, 2019;
11. Three (3) copies of the Arborist Report, prepared by Ferris and Associates Inc.;
12. Three (3) copies of the Hydrogeological Report, prepared by Terraprobe, dated September 28, 2018 (previously submitted);
13. Three (3) copies of the Geotechnical Report, prepared by Terraprobe, dated April 19, 2017 (previously submitted);
14. Three (3) copies of the Rental Housing Letter, prepared by Bousfields, dated May 31, 2019;
15. Three (3) copies of the updated Toronto Green Standards Checklist and statistics;
16. Three (3) copies of the compiled Response to Comments Matrix, prepared by Bousfields, dated May 31, 2019;
17. Mechanical letter regarding Ground Water Discharge Pump, dated May 28, 2019, prepared by Collins Engineering;
18. Mechanical letter regarding Energy Model, dated April 17, 2019, prepared by Collins Engineering Group; and
19. One (1) USB of the above noted material in digital format.

My client's proposed development is very modest when compared with most (perhaps all) others in the Yonge-Eglinton Provincial Growth Centre. My client's proposed development is for purpose-built residential rental and thus helps to immediately address the rental housing crisis in the City. My client has a long and distinguished track record as a residential landlord providing quality residential housing. Under just about any metric my client's proposed development represents good planning and is in the public interest. Accordingly, my client is optimistic that the City will support this settlement offer and looks forward to the City's positive response to it.

Thank you.

Yours very truly,

A handwritten signature in cursive script that reads "Ira Kagan".

Ira T. Kagan

Encl. [Chart of summary of revisions from the Sept. 2018 development]

cc. Client

Bousfields

Martin Simmons Architects

WITHOUT PREJUDICE

Key Statistics	Original Proposal (April 2017)	Revised Proposal (September 2018)	Revised Proposal (May 2019)
Site Area*:	8,090.36 sq. m	8,090.36 sq. m	8,090.36 sq. m
Gross Floor Area:	13,530.2 sq. m	11,304.4 sq. m	9,226.0 sq. m.
Floor Space Index*:	3.43 FSI	3.16 FSI	2.90 FSI
Building Height	12 storeys 38.0 m (exclusive of MPH)	12 storeys 38.0 m (exclusive of MPH)	11 storeys 35.0m (exclusive of MPH)
Building Setbacks			
North	16.79 m	16.79 m	16.79 m
South	6.00 m	23.12 m	25.12 m
West	6.95 m	7.50 m	7.50 m
East	7.40 m	7.50 m	7.50 m
On-Site Parkland Dedication	0.00 sq. m	284.2 sq. m	284.2 sq. m.
Residential Units			
<i>Bachelor Units</i>	12	12	8
<i>One-Bedroom Units</i>	66	48	41
<i>Two-Bedroom Units</i>	67	53	41
<i>Three-Bedroom Units</i>	2	13	12
<i>Total Dwelling Units</i>	147	126	102
Amenity Space			
<i>Indoor</i>	311 sq. m	309.9 sq. m	325 sq. m.
<i>Outdoor</i>	277 sq. m	194.1 sq. m	104 sq. m.
Car Parking Spaces	117 spaces	96 spaces	96 spaces
Bicycle Parking Spaces*	162 spaces	152 spaces	167 spaces

* Refers to entire site (including existing building)