

# DEVINE PARK LLP

PLANNING AND DEVELOPMENT LAWYERS

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M613-02

March 1, 2021

## CONFIDENTIAL AND WITHOUT PREJUDICE

VIA EMAIL (daniel.elmadany@toronto.ca; alexander.suriano@toronto.ca)

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

Attention: Daniel Elmadany, Solicitor, and Alexander Suriano, Solicitor

Dear Mr. Elmadany and Mr. Suriano:

**RE: 465-471 Richmond St. W. & 38 Camden St., City of Toronto  
Appeals pursuant to ss. 34(11) of the *Planning Act* and ss. 34.1(1) of the  
*Ontario Heritage Act*  
LPAT Case Nos.: PL200082 & MM200029  
Proposed Settlement – Section 37 Contribution**

On February 1, 2021, we, the solicitors for Manga Hotels (Richmond) Inc. and Manga Hotels (Camden) Inc. (collectively referred to in this letter as the “**Client**”), wrote to you on a without prejudice basis with an offer to settle our client’s appeals before the Local Planning Appeal Tribunal (the “**LPAT**”), with respect to the lands municipally known as 465-471 Richmond St. W. and 38 Camden St. (the “**Subject Site**”). These appeals are known as LPAT Case Numbers PL200082 and MM200029.

Since our previous correspondence, our Client has negotiated with City of Toronto Staff to provide a cash contribution of five hundred thousand dollars (\$500,000.00) pursuant to section 37 of the *Planning Act*, RSO 1990, c. P. 13, on a voluntary basis. This cash contribution is to be directed as follows:

- Four hundred thousand dollars (\$400,000.00) towards the provision of new affordable housing and/or the Toronto Community Housing Corporation revolving capital fund for repairs to Toronto Community Housing Corporation housing to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor; and
- One hundred thousand dollars (\$100,000.00) towards local streetscape improvements and/or community service facilities within the vicinity of the Subject Site to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor.

This cash contribution made pursuant to section 37 of the *Planning Act*, shall be indexed upwardly in accordance with the Statistics Canada Construction Price Index for the Toronto Census Metropolitan Area, or its successor, calculated from the date of execution of a subsequent Section 37 Agreement to the date our Client makes payment to the City. Payment of the cash contribution shall be made at the time of the issuance of the first above-grade building permit.

We request that this supplementary offer be read in concert with our without prejudice settlement offer letter dated February 1, 2021, at the next City of Toronto Council meeting on March 10, 2021.

Should you require any further information, kindly contact me or my colleagues Michael Cook and Jennifer Evola, at your earliest convenience.

Yours very truly,  
**Devine Park LLP**



Patrick J. Devine  
PJD/MAC/JME

cc: Client