

PUBLIC ATTACHMENT 1

AIRD BERLIS

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April 25, 2022

Our File No. 153675

BY EMAIL

Matthew Longo
City of Toronto, Legal Services
Metro Hall, 26th Floor
55 John Street
Toronto ON, M5V 3C6

Dear Mr. Longo:

**Re: OLT-22-002167 & OLT-22-002170
1354, 1358 and 1360 Queen Street West and 8-10, 12 and 14 Brock Street
With Prejudice Settlement Proposal**

As you are aware, Aird 7 Berlis LLP represents Queen and Brock Holdings Inc. with respect to its property located at 1354-1360 Queen Street West and 8-14 Brock Street and the above-noted Ontario Land Tribunal (“OLT”) appeals.

Further to our recent discussions with yourself and Heritage Planning staff, we are pleased to provide you with the enclosed revised plans, prepared by Giannone Petricone Associates (GPA) dated April 19, 2022 on behalf of our client (the “Revised Proposal”). The Revised Proposal illustrates a modified approach to the heritage conservation strategy, including the retention and conservation of the principle elevations of the corner building at 1354 Queen Street West.

In response to the enhanced level of heritage conservation our client has also proposed revisions to its zoning by-law application/appeal which are reflected in the Revised Proposal.

These plans are being provided to you on a with prejudice basis in an effort to resolve, in full, the City’s issues related to our client’s development application/appeal and to provide a framework for the processing of a permit to alter pursuant to Section 33 of the *Ontario Heritage Act*. In the event that the Revised Proposal does not resolve, in their entirety, the City’s issues with respect to the development application/appeal it is our expectation that it will scope the matters for a hearing by addressing the City’s issues related to heritage matters.

Accordingly, please find enclosed:

1. Architectural plans illustrating the Revised Proposal prepared by Giannone Petricone Associates (GPA), dated April 22, 2022;
2. Detailed elevation plan, prepared by GPA and ERA Architects Inc., dated April 19, 2022, illustrating the retention and conservation of the principle elevations at 1354-1360 Queen Street West and 8-14 Brock Street; and

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3. A Permit to Alter pursuant to Section 33 of the Ontario Heritage Act, together with a covering letter from ERA Architects Inc. and an updated HIA, dated April 22, 2022.

Please note that our client has authorized the waiver of the statutory time frame pursuant to the *Ontario Heritage Act* in recognition that additional detailed materials may be requested by Heritage Planning staff prior to the issuance of a permit pursuant to Section 33.

This **with prejudice settlement offer** is based on the following:

- Our client will withdraw its objection to the Part IV designation of 1354-1360 Queen Street West, on the understanding that the alteration and conservation strategy shown in the updated architectural drawings (including building setbacks and window openings) is acceptable to Heritage Planning staff;
- Our client will file a Heritage Permit Application (enclosed) for a permit to alter, pursuant to section 33 of the *Ontario Heritage Act*. The complete permit to alter, including an updated conservation plan, will be filed once our client's the Zoning By-law Amendment has been approved by the OLT;
- Heritage Planning staff will prepare a report with a recommendation to approve in principle the conservation strategy in the enclosed Heritage Permit Application with such report to be considered at the June 14, 2022 meeting of the Toronto Preservation Board;
- The City will consent to our client's request that the OLT schedule a two week hearing at the April 28, 2022 CMC, recognizing the constraints of obtaining instructions on the revised proposal; and
- The City will provide a draft issues list and draft Procedural Order in advance of the CMC and agree to fix a date upon which the final Procedural Order will be filed with the Tribunal.

It is our understanding that, should the Tribunal grant our client's appeal and approved the Revised Proposal, any Final Order will be conditional upon our client receiving a permit to alter pursuant to Section 33 of the *Ontario Heritage Act*.

Should you have any questions regarding the above or enclosed, we would be happy to discuss with you further.

Thank you for your ongoing assistance and cooperation in resolving these matters.



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Yours truly,

AIRD & BERLIS LLP

A handwritten signature in black ink, appearing to read "Eileen Costello". The signature is fluid and cursive, with the first name being more prominent.

Eileen Costello

EPKC/MTB/aje

Encl.

c. Michael McClelland, ERA Architects
Peter Smith, Bousfields Inc.
Client

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