

June 24, 2019

BY EMAIL

Local Planning Appeal Tribunal
655 Bay Street, Suite 1500
Toronto, ON M5G 1E5

Attention: Ms. Sandra Chan, Case Coordinator

Dear Ms. Chan:

**Re: Request for Mediation
LPAT Case No. PL171510
582-590 King Street West, 471 and 473 Adelaide Street West and 115
Portland Street, Toronto**

We act on behalf of 738489 Ontario Limited, the owner of the property municipally known as 582-590 King Street West, 471 and 473 Adelaide Street West and 115 Portland Street, Toronto (the "**Subject Lands**"). Our client appealed their applications for a zoning by-law amendment and site plan approval with respect to the Subject Lands on December 12, 2017 and February 23, 2018, respectively. Pre-hearing conferences in these proceedings were held on December 18, 2018 and January 24, 2019. A four week hearing has been scheduled to commence on May 5, 2020.

We believe that mediation would be productive and beneficial in these proceedings for the following reasons:

1. The parties to these proceedings have expressed their interest in participating in Tribunal-led mediation. For clarity, the Garment District Neighbourhood Association has been granted participant status in these proceedings but, for the purposes of mediation only, have requested party status;
2. Our client and the City have already engaged in discussions to understand and address the City's issues with the proposed development. From our client's perspective, these meetings have been productive but would benefit from a neutral third-party mediator to guide discussion and facilitate resolution;
3. Our client is willing to consider revisions to the proposal to respond to the concerns of the parties;
4. While the ultimate goal would be to resolve each of the parties' issues, there is potential through this mediation to resolve individual issues which would serve to shorten a hearing on the merits considerably, saving the parties and the Tribunal significant time and expense; and
5. Our client is experienced with Tribunal-led mediation. Similarly, the other parties are represented by experienced counsel and/or are also familiar with the mediation process.

June 24, 2019

Page 2

Our client's goal in mediation would be the full resolution of the issues and the creation of a framework for settlement. However, we would consider mediation a success if it served to scope the issues before the Tribunal and reduce the time, expense, and complexity of the hearing.

We believe mediation to be appropriate for this matter and request that the Tribunal schedule a two-day mediation in these proceedings.

Yours truly,

AIRD & BERLIS LLP



Maggie Bassani

MB

- c. Kim Kovar, Aird & Berlis LLP
- Mark Crawford, City of Toronto
- David Bronskill, Goodmans LLP
- Andrew Biggart, Ritchie Ketcheson Hart & Biggart
- David Donnelly and Alexandra Whyte, Donnelly Law
- Max Allen, Grange Community Association
- Valerie Eggertson, Garment District Neighbourhood Association

36471523.1

AIRD BERLIS