

CC22.5 - Confidential APPENDIX "A" - made public
on November 17, 2016

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Matter No. O701-01

November 3, 2016

CONFIDENTIAL AND WITHOUT PREJUDICE

DELIVERED VIA EMAIL

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

Attention: Ms. Leslie Forder, Solicitor

Dear Ms. Forder:

**RE: 65 Grand Magazine Street, City of Toronto – Without Prejudice Settlement Offer
Official Plan and Zoning Amendment Applications
OMB Case No. PL150733**

We are the solicitors for Onni Development (Fort York 2009) Corp., the owners of the property municipally known as 65 Grand Magazine Street (the "**Site**") in the City of Toronto. The Site is located on the block bounded by Bruyeres Mews to the north, Ianuzzi Street to the east, Sloping Sky Mews to the south and Grand Magazine Street to the west. The Site is located within the Fort York Neighbourhood Secondary Plan area and is surrounded by a variety of tall buildings. The Site is subject to former City of Toronto Zoning By-law No. 438-86 and Zoning By-law No. 897-2007(OMB).

Our client submitted a combined Official Plan Amendment and Zoning By-law Amendment Application with respect to the Site on December 14, 2014 (the "**Application**"). Due to the failure of Council to make a decision on the Application within 180 days for the Official Plan Amendment and 120 days for the Zoning By-law Amendment, we appealed to the Ontario Municipal Board on behalf of our client on July 27, 2015. The first prehearing was held on February 22, 2016 and a second prehearing was held on August 12, 2016.

Throughout the last several months, our client has been working closely with City Planning to produce a development proposal that would facilitate a settlement of the appeal. We are pleased to report that due to the considerable cooperation and efforts between our client and City Planning, a revised development proposal has been developed which we believe addresses the interests of both parties. We are amenable to Council delegating authority to the City Solicitor and Chief Planner to prepare the necessary by-laws to implement the settlement.

The following sets out the key elements and revisions to the application which has resulted from the coordinated efforts of our client and City Planning:

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1. The maximum total residential gross floor area of the proposed building has been reduced from 31,500 square metres to 28,500 square metres. This revision will be implemented through an official plan amendment to the Fort York Neighbourhood Secondary Plan which provides for a total combined maximum gross floor area and a maximum residential gross floor area for Blocks 4 and 4A.
2. The maximum height of the proposed tower has decreased from 32-storeys (108 metres) to 24-storeys (75.5 metres with a maximum height of 79 metres). The maximum height will include the mechanical penthouse and there will be no projections above this height limit.
3. The maximum height of the proposed podium fronting along Sloping Sky Mews and the south frontage on Grand Magazine Street has increased from 14.0 metres to 20 metres.
4. The revised building envelopes have resulted in various changes to setbacks. The setback from the tower to Ianuzzi Street has been increased to 5.0 metres, whereas the setback from the tower portion of the building to Bruyeres Mews has been reduced from 8.5 metres to 4.5 metres. Furthermore, the setback from the podium portion of the building to Bruyeres Mews has increased from 1.3 metres to 1.5 metres.
5. The proposed heights, building envelopes and setbacks are shown on the Map attached as Appendix "1".
6. The total unit count has been decreased from 511 units to 459 units with a unit mix as follows: 40 bachelor units, 294 1-bedroom units, 85 2-bedroom units and 40 3-bedroom units.
7. Any floor of the tower above 20 metres will not exceed a residential gross floor area of 775 square metres and the floorplate (area contained by the exterior walls of the building, excluding inset or projecting balconies) will not exceed 815 square metres.
8. Parking spaces will be provided on the Site in accordance with the following:
 - a. a minimum of 0.3 parking spaces for each bachelor unit;
 - b. a minimum of 0.6 parking spaces for each 1-bedroom unit;
 - c. a minimum of 0.9 parking spaces for each 2-bedroom unit;
 - d. a minimum of 1.15 parking spaces for each 3-bedroom unit; and
 - e. a minimum of 0.12 visitor parking spaces for each dwelling unit.
9. Bicycle parking spaces will be provided on the Site in accordance with the following:
 - a. 0.9 long term bicycle parking spaces per dwelling unit; and
 - b. 0.1 short term bicycle parking spaces per dwelling unit.
10. One (1) Type G loading space and one (1) Type C loading space will be provided on the Site.
11. The generally agreed upon built form is illustrated in the elevations attached.

12. In connection with the additional gross floor area not otherwise permitted by the in-force zoning for this Site, a Section 37 contribution in the amount of \$575,000.00 has been agreed to which is proposed to be applied at the discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor toward one or more improvements to Gore Park or other park or public realm improvements in the vicinity of the Site.

In all other respects and as applicable the provisions of site specific By-law No. 897-2007 and 438-86, as amended, are intended to continue to apply to the development of this Site.

In light of the foregoing, we confirm that our client is committed to proceeding to a settlement hearing in support of the revised proposal and Section 37 contribution relating to the additional height and density to that otherwise permitted as outlined above. As discussed, kindly proceed to bring this matter forward for consideration by Council at its upcoming meeting scheduled to commence on November 8, 2016.

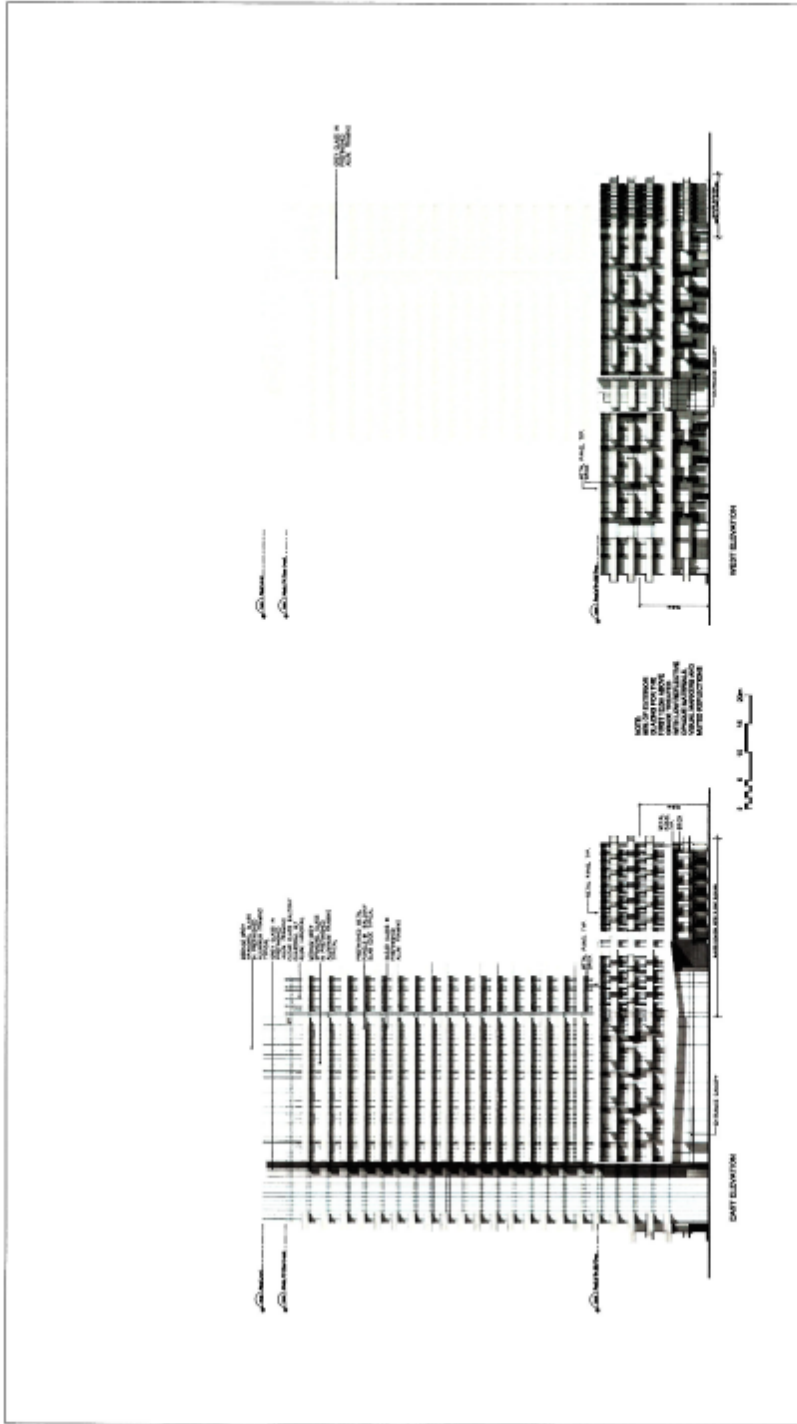
Should you require any further information, kindly contact me at your earliest convenience.

Yours very truly,

Devine Park LLP

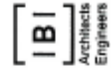


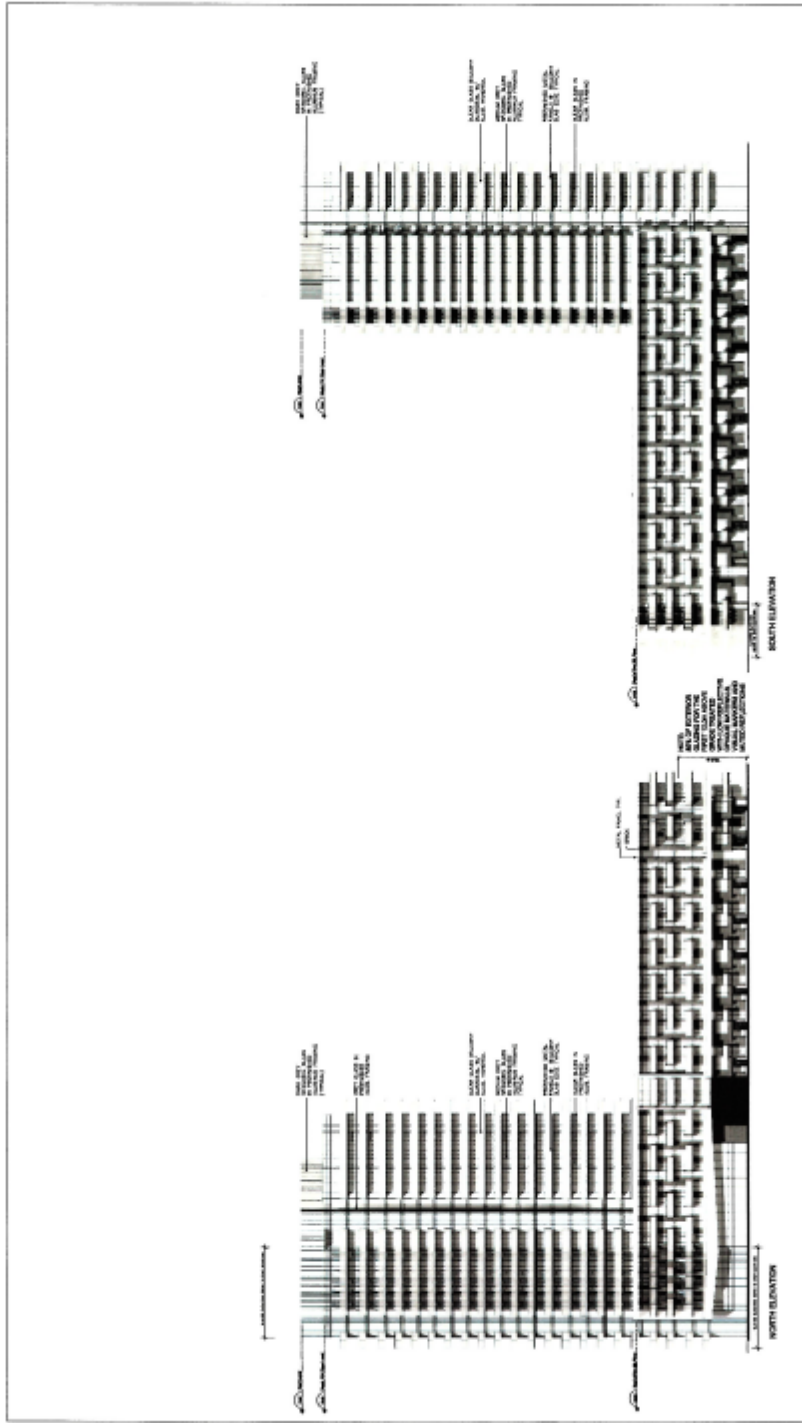
Patrick J. Devine
PJD/SHL
Encl.



FORT YORK - BLOCK 4A
 65 GRAND MAGAZINE ST.

SITE PLAN APPROVAL SUBMISSION
 EAST + WEST ELEVATIONS
 PROJECT NO. 0943 SCALE 1/8" = 1'-0" OCTOBER 10, 2008





FORT YORK - BLOCK 4A
 65 GRAND MAGAZINE ST.

SITE PLAN APPROVAL SUBMISSION
NORTH + SOUTH ELEVATIONS
 PROJECT NO. 1813 SCALE 1/8" = 1'-0"
 OCTOBER 14, 2018



CC22.5 - Confidential APPENDIX "B" -

made public on November 17, 2016

COMPARATIVE ZONING CHART

	Current Zoning Permissions	Original Proposal	Settlement Proposal
Total Floor Area	Not more than 30,000 square metres of a combined total of 37,533 square metres on Blocks 4 and 4A (Block 4 contains 15,915 square metres leaving 21,445 square metres for Block 4A)	31,270 square metres	28,500 square metres
Tower Height	19 storeys 59.0 metres (additional height allowance for mechanical space)	32 storeys 106.5 metres (including mechanical space)	24 storeys 79.0 metres (including mechanical space with no projections above)
Tower Floorplate	Maximum residential gross floor area of 750 square metres; variable tower floorplate size determined by height map and setbacks	Tower floorplate of 750 square metres	Maximum residential gross floor area of 775 square metres Tower floorplate of 815 square metres
Podium Height	4 Storeys (14 metres) on Breuyers Mews and 6 Storeys (20 metres) on Sloping Sky Mews	Same as current by-law permission	6 Storeys (20 metres)
Tower Separation	N/A	Minimum 25 metres from any other tall building	Minimum 25 metres from any other tall building
Unit Count	N/A	Bachelor: 29 1 Bedroom: 343 2 Bedroom: 79 3 Bedroom: 60 511 units	Bachelor: 40 1 Bedroom: 294 2 Bedroom: 85 3 Bedroom: 40 459 units

Appendix B cont...	Current Zoning Permissions	Original Proposal	Settlement Proposal
Parking Ratio	0.3 spaces for each bachelor unit 0.7 spaces for each 1-bedroom unit 1.0 spaces for each 2-bedroom unit 1.2 spaces for each 3-bedroom unit 0.12 visitor spaces per unit	Same as current by-law permission	0.3 spaces for each bachelor unit 0.6 spaces for each 1-bedroom unit 0.9 spaces for each 2-bedroom unit 1.15 spaces for each 3-bedroom unit 0.12 visitor spaces per unit
Bicycle Parking Ratio	N/A	0.9 long term spaces per unit 0.1 visitor spaces per unit	0.9 long term spaces per unit 0.1 visitor spaces per unit
Loading Spaces	1 Type G space 1 Type C space Pursuant to 438-86	Same as current by-law permission	Same as current by-law permission
Amenity Space	438-86 & 897-2007	438-86 & 897-2007	438-86 & 897-2007
Setbacks	Plan 4, 897-2007	Plan 4, 897-2007	Settlement Offer-Map