

**AIRD BERLIS**

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October 1, 2018

Our File No. 135057

BY EMAIL

**Without Prejudice**

Ellen Penner and Matt Schuman  
City of Toronto, Legal Services  
Metro Hall, 26th Floor  
55 John Street  
Toronto ON, M5V 3C6

Dear Ms. Penner and Mr. Schuman:

**Re: PL170696 and PL180719 – 2795-2799 Bathurst Street  
Without Prejudice Settlement Proposal**

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As you are aware, we represent Riverking Development Inc. with respect to the above-noted LPAT appeals. We are pleased to provide you with the enclosed revised plans for the redevelopment of 2795-2799 Bathurst Street. These plans reflect and represent the agreements made between the parties during Tribunal-led mediation on September 4, 2018. These plans are being provided to you on a without prejudice basis to settle the City's issues on our client's Zoning By-law Amendment appeal (PL170696).

The revisions to the plans include the following changes:

- The overall building height has been reduced from 31.25m to 30m;
- The eastern residential wings height has been reduced from 15m to 13.65m (South);
- The eastern residential wings height has been reduced from 15m to 10.4m (North);
- The north residential wing has been lowered by 1 storey to 10.4m;
- On the south-east residential wing, a setback above the 3<sup>rd</sup> floor of 3m from the east has been introduced;
- On the north-east wing, the setback has been increased from 2.75m to 5.5m setback with 0.5m allowance for bay projections;
- On the south-east wing, the setback has been increased from 2.5m to 3m (Glencairn frontage);
- On the midrise, a material change and 1.5m setback has been introduced, with an allowance for projections of bays of 1.5m for a maximum of 60% of the frontage (H7.5-H19.9);
- On the midrise, a setback of 1.5m from H19.9 to H23.15 has been introduced;
- On the midrise, a setback of 3.7m from H26.4 to H30 has been introduced;
- The driveway has been reconfigured to allow a 5.3m separation of driveways at the vehicular entries;
- The driveway has been reconfigured to allow a synagogue driveway of 6m in width with easements on the proposed property;
- A landscape strip of 1.5m(north) to 3.15m(south) has been added along the eastern property line;

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- A 1.8m sidewalk has provided for the synagogue on the western flank of the synagogue building;
- Windows have been added to east façade of the eastern residential wings. An appropriate STC rating will be co-ordinated with acoustic consultant;
- Balconies will comprise a minimum of 25% of the width of the 9<sup>th</sup> floor for the 5<sup>th</sup>-9<sup>th</sup> floor on the southern façade of the midrise; and
- Balconies will comprise a minimum of 25% of the width of the 9<sup>th</sup> floor for the 2<sup>nd</sup>-9<sup>th</sup> floor on the northern façade of the midrise.

The draft by-law to implement these plans is being revised by our client's planner, Craig Hunter of Hunter and Associates. It is our understanding that Mr. Hunter will be finalizing this document with input from the City's planner, Mark Chlon, following the City's review of these plans.

Also enclosed with this letter is a copy of the draft OPA which has been drafted by Mr. Hunter in conjunction with Mr. Chlon. This instrument has been agreed to in principle and will form the basis of a settlement of our client's Official Plan Amendment appeal to LPAT (PL180719).

Should you have any questions regarding the above or enclosed, we would be happy to discuss with you further. We would also request that we be provided with a draft of the report to Council in advance of Council's consideration.

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

Yours truly,

AIRD & BERLIS LLP

  
David Neligan

DPN

- c. Eileen Costello and Kim Kovar, Aird & Berlis LLP;  
Craig Hunter, Craig Hunter and Associates;  
Henry Burstyn, IBI Group;  
Client

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