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Our File No.: 131707

Without Prejudice

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

Attention: Laura Bisset

Dear Sirs/Mesdames:

**Re: 491 Glencairn Avenue/278, 280 & 282 Strathallan Wood Road – Settlement Offer
LPAT Case No. PL151148**

We are solicitors for Bathurst & Glencairn Square Limited, who are the owners of the properties known municipally as 491 Glencairn Avenue and 278, 280 & 282 Strathallan Wood Road (the “**Subject Lands**”). As you know, in a decision issued November 24, 2017 (the “**Decision**”), the Ontario Municipal Board (as it was then known), approved the redesignation of a portion of the Subject Lands from *Neighbourhoods* to *Mixed Use Areas* and directed a number of revisions to the proposed redevelopment of the Subject Lands.

As a result of discussions with City staff resulting from the Decision, we are writing on behalf of our client to provide a without prejudice settlement offer in respect of the above-noted matter. We understand that planning and urban design staff are in support of the proposed built form.

The settlement offer is based on the plans prepared by Core Architects and dated June 6, 2019 (the “**Plans**”), which are attached hereto and form part of the without prejudice settlement offer. Please note that the Plans will need to be updated to reflect the correct and agreed-upon outdoor amenity space requirements.

In particular, we note the following aspects of the Plans:

- the height is now 8-storeys and 27.0 metres to the top of the last residential level using an average grade of 187.65 metres, plus mechanical penthouse, all in accordance with the direction from the Decision;
- the proposed building implements the Mid-Rise Guidelines, with minor impacts as described by urban design staff, all in accordance with the direction from the Decision;

- the inclusion of 10 dedicated residential visitor spaces for a residential visitor parking requirement of 0.1 spaces per unit; and,
- additional detailed information on the grading around the townhouse entry level, terraces, planters and sidewalk.

Please note that our client has also committed to certain streetscape and intersection improvements, to be implemented as part of the site plan application, as follows:

- improvements along Glencairn Avenue, including curb extensions/bump-outs and a minimum 2.1 metre-wide public sidewalk within the public boulevard; and
- improvements at the northeast corner of Strathallan Wood and Bathurst Street to increase pedestrian safety, including include curb extensions/bump-outs.

Section 37 Contribution

As finalized with City staff, our client is proposing a voluntary Section 37 cash contribution of \$750,000.00, indexed from the date of execution of the Section 37 Agreement and payable prior to the issuance of the first above-grade permit for the proposed development, as part of this without prejudice settlement offer. The sum of this contribution is to be allocated towards local streetscape and park improvements, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor.

Implementation

Our client would also agree that implementation of the settlement at the Local Planning Appeal Tribunal remain conditional upon the following matters, which must be completed prior to issuance of any final order by LPAT:

- preparation of zoning by-law amendment(s), in a form acceptable to the parties;
- the execution of a Section 37 agreement, in a form satisfactory to the City solicitor, for which the City and our client will work cooperatively and in good faith to finalize as soon as possible; and,
- the owner has addressed the outstanding items relating to servicing outlined in the memorandum from Engineering and Construction Services dated March 3, 2014.

Our client and its consultant team appreciate the extensive efforts of City staff to review these matters. We note that there may be other design measures to be reviewed with City staff and implemented on the Plans as part of site plan approval for the Property.

Please let us know if further clarification is required in respect of this without prejudice settlement offer.

Yours truly,

Goodmans LLP

A handwritten signature in blue ink, appearing to read 'DJB', written in a cursive style.

David Bronskill
DJB/
6935923