

CONFIDENTIAL ATTACHMENT 2



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January 25, 2021

Our File No.: 180891

Without Prejudice & Confidential

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

Attention: Michael Mahoney

Dear Sirs/Mesdames:

**Re: LPAT Case No. PL180573 – 2908 Yonge Street
Without Prejudice Submission**

We are solicitors for the Appellant in the above-noted matter. We are writing to provide a without prejudice and confidential settlement offer regarding the proposed redevelopment of the lands known municipally as 2908 Yonge Street (the “**Property**”) for consideration by City Council at its meeting scheduled to commence on February 2, 2021.

The terms of this without prejudice and confidential settlement offer are as follows:

1. The settlement is based on the attached plans and site statistics, prepared by RAW Architects, which would be implemented through the resulting zoning by-laws.
2. The proposed height has been reduced to a modified 10 storeys plus 11th floor penthouse, including a residential penthouse unit and a mechanical penthouse. The rooftop penthouse would have a height of 3.9 metres with an elevator overrun of approximately 1.55 metres permitted beyond this height for a portion of the mechanical penthouse.
3. The corner rounding requested at the intersection of Yonge Street and Chatsworth Drive would be provided.
4. The revised proposal includes the following setbacks and/or stepbacks:
 - a. East (Yonge Street frontage): 0.7 metre setback from the new property line at-grade, with a 1.5 metre stepback at the 7th floor and a 1.5 metre stepback at the 9th floor;

- b. North (Chatsworth Drive frontage): [1.5 metre setback at the 7th floor];
 - c. South (Park frontage): a 1.0 metre setback at-grade; and,
 - d. West (Park frontage): a 3.0 metre setback at-grade to accommodate a POPS (see below), with balconies at the lower floors and the drive aisle to be at the edge of the POPS area.
5. A privately-owned publicly accessible space (or POPS) will be provided along the western edge of the site abutting Duplex Parkette. The POPS will have a width of 3.0 metres and will be landscaped and accessible to the public. Underground parking will be permitted to encroach under the POPS, but the vent pipes associated with the previous gas station use would be removed. This POPS will be secured in a Section 37 agreement as a matter of legal convenience, with the design to be confirmed through the site plan control process. The POPS would be used for pedestrian access and landscaping complimentary to the abutting Duplex Parkette, with tree and shrub plantings and some form of bench seating.
 6. Cash-in-lieu of parkland would now be required in accordance with Section 42 of the *Planning Act*.
 7. Parking would be provided at a rate of [0.77] spaces per unit, including of visitor parking spaces.

Implementation

As part of this without prejudice offer, our client would agree to request LPAT to withhold any final order pending the following:

- our client has finalized the form and content of the implementing zoning by-law amendments;
- a Section 37 Agreement has been executed and registered on title to secure matters related to the POPS, as described above; and,
- all engineering matters have been addressed to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager of Toronto Water; and,
- the Owner has entered into an agreement or agreements or otherwise secured the design, construction, and the provision of financial securities for any required upgrades or improvements to the existing municipal infrastructure should it be determined that improvements or upgrades are required to support the development as may be identified in the accepted Functional Servicing Report, Stormwater Management Report, and

Hydrogeological Assessment, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and General Manager, Toronto Water.

Please note that this without prejudice settlement offer will remain open for consideration by the City until the conclusion of the City Council meeting scheduled to commence on February 2, 2021. At such time, this offer should be considered withdrawn.

Yours truly,

Goodmans LLP



David Bronskill
DJB/
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