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May 2, 2018

Without Prejudice

Our File No.: 163334

Via E-mail and Courier

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

Attention: Jessica Braun, City Solicitor

Dear Sirs/Mesdames:

**Re: OMB Case No. PL171269
39-41 Roehampton Avenue and 50 Eglinton Avenue East
City of Toronto Application No. 16 269637 STE 22 OZ**

As you know, we are solicitors for the owner of the properties known municipally as 39-41 Roehampton Avenue and 50 Eglinton Avenue East (the "Property") in respect of its above-noted rezoning application (the "**Application**"). We write further to the with prejudice settlement offer that we made on behalf of our client earlier today (the "**With Prejudice Letter**") in respect of our client's appeal of the Application to propose a further without prejudice settlement.

As set out in our With Prejudice Letter, our client hopes to reach a comprehensive settlement of this matter. To that end, our client is prepared, on a without prejudice basis, to significantly increase its voluntary section 37 contribution in order to facilitate a resolution. Specifically, our client is prepared to settle this matter based on:

- the Revised Plans, as described in the With Prejudice Letter;
- the voluntary section 37 contribution of \$790,000 to be allocated towards upgrades to the private-owned publicly-accessible open space (POPS), as detailed in the landscape plans provided to the City; and,
- a further voluntary section 37 contribution of \$910,000 to be allocated toward public realm improvements, public art and/or additional community services and facilities in the Yonge-Eglinton Secondary Plan area in accordance with emerging infrastructure

priorities identified in the Yonge-Eglinton Secondary Plan Review, for a total Section 37 contribution of \$1.7-million.

Our client is hopeful that this without prejudice proposal will be accepted. Acceptance of this without prejudice offer would include acceptance of all matters set out in our client's without prejudice offer, including the terms of implementation. However, if this settlement offer is not accepted at the City Council meeting scheduled to commence on May 22, 2018, then this settlement offer should be considered as withdrawn.

Please let us know if any additional information is required.

Yours truly,

Goodmans LLP

A handwritten signature in black ink, appearing to read 'DB', is written over the printed name of David Bronskill.

David Bronskill
DJB/
6812790