



Barristers & Solicitors

Bay Adelaide Centre - West Tower
333 Bay Street, Suite 3400
Toronto, Ontario M5H 2S7

Telephone: 416.979.2211
Facsimile: 416.979.1234
goodmans.ca

Direct Line: 416.597.5160
iandres@goodmans.ca

June 15, 2018

Without Prejudice

Our File No.: 153481

Via Email and Courier

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

Attention: Jessica Braun and Cigdem Iltan, Solicitors

Dear Ms. Braun and Ms. Iltan:

**Re: LPAT Case No. PL170556
2442-2454 Bloor Street West & 1-9 Riverview Gardens
City of Toronto Application No. 16 148149 WET 13 OZ**

As you know, we are solicitors for Bloor Riverview Residences Corp., the applicant and appellant in respect of the official plan and zoning by-law amendment applications (the "Applications") for 2442-2454 Bloor Street West and 1-9 Riverview Gardens (the "Property"). The Applications are the subject of outstanding appeals at the Local Planning Appeal Tribunal ("LPAT") as a result of the failure of the City of Toronto (the "City") to make a decision within the statutory timeframe.

In accordance with the direction of City Council dated December 5, 2017, our client has engaged in extensive discussions with City staff to negotiate an appropriate development proposal for the Property. These discussions have been fruitful on many fronts, and our client appreciates the efforts of not only City staff, but also the Bloor West Village Residents' Association, the Swansea Area Ratepayers' Group and certain adjacent landowners who participated in the discussions. As a result of feedback received from the various stakeholders, our client has formally revised its development proposal from the original 14 storey submission to a 10-12 storey mixed use building with a significantly reduced floor space index of 6.9 times the lot area. A site plan application has also been submitted to the City based on this revised proposal.

Accordingly, we are writing to propose a comprehensive settlement of our client's appeals, based on the revised proposal as set out in the architectural plans, site statistics and elevations prepared by Quadrangle Architects Inc., dated April 25, 2018, copies of which are enclosed for ease of

reference (the “Revised Plans”). We understand that the Revised Plans are considered acceptable by City staff, and therefore it is our client’s intention to present the Revised Plans to the LPAT for approval, hopefully with the consent of all parties. We also understand that this settlement offer will be the subject of a staff recommendation report for consideration by City Council at its meeting scheduled to commence on June 26, 2018.

In addition to committing to the built form and massing as reflected in the Revised Plans, our client is also prepared to make a section 37 contribution of \$2,707,000 as part of a full settlement of this matter, which is comprised of \$407,000 to reflect the unpaid contribution from the previous zoning amendment for the Property (indexed in accordance with the provisions of the existing Section 37 Agreement) and \$2,300,000 in respect of the incremental gross floor area above the existing as-of-right zoning permission.

Our client is agreeable to this section 37 contribution being allocated at the discretion of the Chief Planner, in consultation with the Ward Councillor, to the following facilities and services:

- a) daycare capital in the vicinity of the Property;
- b) streetscape improvements in the vicinity of the Property; and
- c) capital improvements to parks in the Ward.

Our client will also agree that implementation of the settlement will be conditional upon the following matters, which must be completed prior to the issuance of any final order from the LPAT to allow our client’s appeals and to approve the required planning instruments:

- a. preparation of final official plan and zoning by-law amendments to permit the proposed development as set out in the Revised Plans, in a form acceptable to the Chief Planner and Executive Director, City Planning and the City Solicitor;
- b. the owner has provided an updated Transportation and Traffic Impact Study which demonstrates that the proposed development will have no unacceptable traffic impacts on the area surrounding the site, with respect to the residential and retail portions of the proposal, to the satisfaction of the General Manager, Transportation Services;
- c. the owner has provided an updated Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- d. the owner has made satisfactory arrangements, including entering into a financially secured agreement with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades to this infrastructure are required to support the proposed development, according to the Functional Servicing

Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and

- e. the community benefits and other matters in support of the development are secured in a Section 37 Agreement executed by the owner and registered on title to the Property to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

In summary, our client and its consultants believe that the Revised Plans represent good planning and an appropriate resolution to the outstanding appeals. We are hopeful that this settlement offer will be accepted by the City so that we may advise the LPAT that all of the issues with the City have been resolved at the next prehearing conference scheduled to occur on June 28, 2018. However, if this settlement offer is not accepted at the City Council meeting scheduled to commence on June 26, 2018, then it should be considered as withdrawn.

Please let us know if any additional information is required.

Yours truly,

Goodmans LLP



Ian Andres
IDA/

cc: Client

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