



MUNICIPAL, PLANNING & DEVELOPMENT LAW

17 July 2018

**Confidential and Without Prejudice**

Delivered via E-mail

Ms. Ellen Penner  
City of Toronto  
Legal, Corporate Services  
Metro Hall, 26th Floor, 55 John Street  
Toronto, ON M5V 3C6

Dear Ms. Penner:

**Re: Settlement Offer**  
**2706-2730 Dundas Street West, City of Toronto**  
**Zoning By-law Amendment Application No. 17 210219 STE 14 OZ**  
**LPAT Case No. PL171511**

We are counsel to 2720 Dundas Junction Inc., the applicant and appellant in respect of the proposed development of the property municipally known as 2706-2730 Dundas Street West, being the subject of the above-noted zoning by-law amendment application (the "Application").

On behalf of our client, we write this letter to present our client's final settlement offer with respect to the Application and its appeal at the Local Planning Appeal Tribunal (the "Appeal"). This letter and the attached drawings summarize the terms of the final offer as the basis for resolving the Appeal and proceeding with a resubmission of detailed plans and drawings for the purpose of developing a final form of zoning by-law amendment.

The settlement offer proposes a mixed-use building as shown conceptually in the attached drawings dated 17 July 2018. The features of the mixed-use building are outlined below (and together with the drawings shall be referred to as "the Settlement Offer"):

- a total of nine (9) storeys, representing a reduction in the original proposal of 12 storeys (at a total building height of 40.20 metres);
- a total height of 30.05 metres excluding allowable overruns as defined below, and based on an average grade of 200mm, representing a reduction in the resubmission proposal of 32.20 metres;

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- the allowable overruns permitted to exceed a height of 30.05 metres include the cooling tower, the mechanical screening for the cooling tower, the exit stairs as required by the Ontario Building Code, the building elevators (including required elevator overruns), the interior elevator lobby space located directly in front of the elevators, rooftop art installation (subject to City review) , and all other structures and equipment reasonably appropriate in the construction and operation of a rooftop outdoor amenity space and green roof;
- all mechanical equipment required for the operation of the building, irrespective of the actual height of the equipment, shall be installed on the floor nine (9) slab or lower in the building;
- remove the WC from the amenity floor;
- reduce interior corridor area on the rooftop so that the east exit stair is accessed from the outside;
- shift outdoor amenity deck northward so that the guardrails are less visible from Dundas Street West;
- general compliance with the 45 degree “skyview angular plane” taken from the south side of Dundas Street West, as shown on Drawing A301;
- Dundas Street West elevation to “read” as having a three (3) storey base building, for example by adding an architectural cap on top of the third floor ;
- some encroachment into 4.8 metre sidewalk is acceptable for the purpose of strengthening the “reading” of the above three (3) storey base building;
- a minimum parking ratio of 0.41 parking stalls per residential unit, a reduction from the original proposal of 93 spaces;
- two (2) visitor parking spaces and no retail parking spaces;
- a lane widening of 1.170 metres; and
- a reduction of the footprint of the rooftop mechanical area, as shown on Drawing A114.

With regard to recommendations made by the Toronto and East York Community Council at its meeting on 4 July 2018, our client will not oppose a City request to the Local Planning Appeal Tribunal (“LPAT”), if any, that the LPAT withhold the issuance of any Order(s) until such time as the LPAT has been advised that:



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- the final form of the Zoning By-law Amendments is to the satisfaction of the Acting Director, Community Planning, Toronto and East York District and the City Solicitor;
- 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;
- the owner has provided an updated Hydrogeological Report and supporting documents addressing any on-site groundwater to the satisfaction of the General Manager, Toronto Water; and / or
- if applicable to the proposal, 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 satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

Until such time that City Council accepts this Settlement Offer, the contents and details of the Settlement Offer are without prejudice and are to remain strictly confidential.

We trust that you will forward this Settlement Offer to City Council for its review and consideration at its meeting commencing on 23 July 2018. We look forward to receiving a response. Please do not hesitate to contact the undersigned if you have any questions.

Yours very truly,

**Wood Bull LLP**

A handwritten signature in black ink, appearing to read "Jshapira", is written over the printed name.

Johanna R. Shapira

JRS/af

c. Client

Encl