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February 14, 2019

Via Email

Without Prejudice

City of Toronto
c/o Legal Department
Metro Hall
26th Floor, 55 John Street
Toronto ON M5V 3C6

Attention: Laura Bisset

Dear Sirs/Mesdames:

**Re: Official Plan No. 352 and Zoning By-law Nos. 1106-2016 and 1107-2016
LPAT Case No. PL161316
Appeal Nos. 52, 54, 66
Settlement Offer**

We are counsel acting on behalf of the entities listed in Schedule "A" hereto (collectively, the "**Companies**") in connection with the above referenced proceedings.

We are writing to propose the settlement of the Companies' respective appeals of Official Plan Amendment No. 352 ("**OPA 352**") and Zoning By-law Nos. 1106-2016 and 1107-2016 (collectively, the "**TOcore By-laws**") on the basis that:

1. the Companies and the City of Toronto will, at a forthcoming settlement hearing or Pre-Hearing Conference, jointly request that the Local Planning Appeal Tribunal (the "Tribunal"), approve modifications to the TOcore By-laws to address various technical matters, substantially in accordance with the proposed modifications set out in Schedule "B" hereto (the "**Technical Amendments**");
2. City Staff will bring forward a report to City Council, at its meeting scheduled to commence on February 26, 2019, recommending that City Council accept the settlement, and direct Staff to take such action as may be necessary in order to implement such settlement before the Tribunal, consistent with the terms set out herein; and
3. the Companies will withdraw their respective appeals of OPA 352 and the TOcore By-laws by filing a letter with the appropriate Tribunal caseworker, forthwith following the issuance of a final Tribunal Order approving the Technical Amendments and bringing the TOcore By-laws with such Technical Amendments into force in respect of the

Companies' lands (as identified in Schedule "A" hereto), with all applicable appeal periods in respect of such Order having lapsed.

This proposed settlement is conditional on City Council accepting this proposal and adopting the recommendations set out in the Request for Directions Report, with such recommendations being consistent with the terms described herein, at the City Council meeting scheduled to commence on February 26, 2019.

Should you require further information please do not hesitate to contact the undersigned.

Yours truly,



Brendan Smith

BS/sy
Attachments

Schedule "A"

- **Appeal No. 52 – Musee Residences Corp.**
Associated Municipal Addresses: 523, 525 and 525A Adelaide Street West;
- **Appeal No. 54 – Tribute (Church Street) Limited**
Associated Municipal Addresses: 70 and 72 Carlton Street
- **Appeal No. 66 – 2-8 St. Thomas Holding Inc.**
Associated Municipal Addresses: 2-8 St. Thomas Street

Schedule "B"

By-law No. 1106-2016:

- (8) None of the provisions of section 12(2)380. of this By-law shall apply to prevent the erection or use of a building or structure permitted by **any one or more of** the following amending by-laws to By-law No. 438-86 of the former City of Toronto and/or by **any one or more of** the following amending by-laws to By-law No. 569-2013 of the City of Toronto, including as **eachsuch** may be amended pursuant to a Section 34 Planning Act By-law or varied by a Section 45 Planning Act minor variance: [...]

By-law No. 1107-2016:

- (3) None of the provisions of this Section 600.10.10 Building Setback Overlay District "A" apply to prevent the erection or use of a building or structure permitted by **any one or more of** the following amending by-laws to the Former General Zoning By-law 438-86 and/or by **any one or more of** the following amending by-laws to this By-law including as **eachsuch** may be amended pursuant to a Section 34 Planning Act By-law or varied by a Section 45 Planning Act minor variance: [...]