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May 6, 2019

Our File No.: 163252

Without Prejudice

Via Email

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

Attention: Nathan Muscat

Dear Sirs/Mesdames:

Re: LPAT Case No. PL171337 – 1200 Dundas Street West

We are the solicitors for Dundas Ossington Developments Limited, the owner of the property known municipally as 1200 Dundas Street West (the “**Property**”). We are writing on a without prejudice basis to propose a settlement of our client’s appeal of its rezoning application for the Property, based on the revised proposal in the attached architectural plans dated as issued May 2, 2019 (the “**Revised Plans**”). Please note that this without prejudice settlement offer remains open until conclusion of the City Council meeting scheduled to commence on May 14, 2019.

The Revised Plans

The fundamental components of this without prejudice settlement offer are based on the Revised Plans. We note the significant revisions to the proposal, which are incorporated into the Revised Plans:

- **Rear Angular Plane:** The Revised Plans demonstrate that the proposal largely complies with the applicable rear angular plane as measured from actual grade, with the exception of a stairwell and screening of the chiller. As noted below, our client will work with City staff to minimize the chiller screening.
- **Lakeview Angular Plane:** The Revised Plans demonstrate that the proposal complies with the applicable angular plane from Lakeview Avenue.
- **Mechanical Penthouse:** Other than the above-noted chiller screening, the mechanical penthouse falls within all applicable angular planes.

- **At-Grade Setbacks:** The Revised Plans include a 4.8 metre setback of the building from the curb along Dundas Street West, a 7.5 metre rear setback and a staggered setback at-grade to align the face of the proposed amenity space with the front wall of the building directly to the north.
- **Underground Parking:** The Revised Plans demonstrate one level of underground parking, which includes a minimum of three (3) visitor parking spaces and a minimum of twenty-five (25) resident parking spaces.

Other Zoning Matters

- **Unit Mix:** Our client agrees to include language in the implementing zoning by-law to require a minimum 15% of the dwelling units as 2-bedroom units and a minimum 10% of the dwelling units as 3-bedroom units.
- **Bicycle Parking:** Our client agrees to include language in the implementing zoning by-law to provide the minimum number of bicycle parking spaces as required by Zoning By-law 569-2013 to meet the Tier 1 Toronto Green Standards.
- **Amenity Space:** Our client agrees to include language in the implementing zoning by-law to provide the a minimum of 1.5 square metres per unit of indoor amenity space and a minimum of 1.0 square metres per unit of outdoor amenity space.

Implementation

Our client would also agree that implementation of the settlement at the Local Planning Appeal Tribunal will be conditional upon the preparation of zoning by-law amendment(s), in a form acceptable to the parties.

With implementation of this redevelopment still subject to site plan control, refinements and improvements to the architectural expression can be resolved in a cooperative manner with City Staff and Council through this process. As part of this settlement, our client agrees that the following matters would be addressed as part of site plan control:

- **Design:** Our client acknowledges that updated renderings will be required and agrees to work with City staff to ensure that the original design concept is reflected, including the use of masonry/brick materials in the base of the building.
- **Location of Bicycle Parking:** The final location for the required bicycle parking spaces would be addressed as part of site plan control to ensure that the required bicycle parking spaces are in locations that are usable and accessible, with no bicycle spaces located in the boulevard so as to achieve a 4.8 metre pedestrian clear way.

- **Chiller**: As noted above, our client would work with City staff to minimize the size of the chiller screening.
- **Outdoor Amenity Space**: Our client would work with City staff on the final dimensions and programming of the outdoor amenity space.
- **At-Grade Corner Rounding**: Our client acknowledges the desire to achieve a rounding of the southwest corner of the building at-grade and would explore this possibility provided that any such potential rounding could be achieved to line-up with the upper levels of the building.
- **Construction Management Plan**: Our client would agree to submit and finalize a construction management plan as part of the site plan control process.
- **Loading Space**: Our client would agree to work with City staff regarding screening of the loading space in its current location.
- **On-Site Landscaping and Public Realm Improvements**: Our client would secure on-site landscaping and public realm improvements during the site plan control process, including a seating wall at the corner of the Property as a feature/gateway in the public realm.

Conclusion

Our client and its consultant team appreciate the extensive efforts of City staff to review these matters and provide feedback as part of reaching a mutually agreeable redevelopment proposal for the Property. Our client believes the Revised Plans represent good planning and an appropriate resolution to our client's appeal. Accordingly, it is hopeful that this without prejudice proposal will be accepted by City Council at its meeting commencing on May 14, 2019.

Please let us know if further clarification is required in respect of this without prejudice settlement offer.

Yours truly,

Goodmans LLP



David Bronskill

DJB/

cc: Client