

**CC12.5 - Confidential Appendix A to Confidential Attachment 1-  
made public on December 3, 2019**

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November 13, 2019

Our File No.: 182623

**Without Prejudice**

Planning & Administrative Tribunal Law  
City of Toronto Legal Services  
55 John Street, 26<sup>th</sup> Floor, Metro Hall  
Toronto, ON M5V 3C6

**Attention: Kasia Czajkowski, City Solicitor**

Dear Sirs/Mesdames:

**Re: LPAT Case No. PL171548  
980-990 Bloor Street West, 756 Dovercourt Road  
Without Prejudice Settlement Offer**

We are the solicitors for Timbercreek 4Q Urban Redevelopment LP (Toronto), which is proposing to redevelop the lands known municipally as 980-990 Bloor Street West and 756 Dovercourt Road in the City of Toronto (the “**Property**”).

Based on extensive discussions between our client and City staff, we are writing on behalf of our client to provide this without prejudice settlement offer in respect of our client’s appeal of the rezoning application that is before the Local Planning Appeal Tribunal (“**LPAT**”). The settlement offer is based on the plans prepared by Diamond Schmitt Architects dated November 5, 2019 (the “**Revised Plans**”), which are attached hereto and form part of the without prejudice settlement offer.

These Revised Plans reflect comments received from City staff since the rezoning application was initially filed. The Revised Plans have been reviewed by City staff and we understand that City staff are in support of the Revised Plans based on the revisions made. Detailed aspects of the revised Application are further addressed below.

**The Revised Plans**

The fundamental components of this without prejudice settlement offer are based on the Revised Plans. In particular, we note the following revisions to the rezoning application, which are incorporated into the Revised Plans, as well as matters which our client agrees to undertake as part of this settlement offer and the redevelopment of the Property:

**Built Form:** Our client has put forward the Revised Plans, with revisions to the proposed built form, that result in a maximum gross floor area of approximately 80,516 square feet (as measured in accordance with Zoning By-law 569-2013). This represents a reduction from the gross floor area of approximately 82,376 square feet originally proposed.

**Height:** The building height has been reduced from 14-storeys (43.00 metres measured to the parapet of the mechanical penthouse), as originally proposed to City staff, to 11-storeys (38.25 metres also measured to the parapet of the mechanical penthouse).

**Massing:** Through discussions with City staff, there have been changes to the proposed massing, as reflected in the Revised Plans. Those changes include additional articulation of the building within the 45 degree angular plane along the northern elevation in an effort to minimize shadow impact on neighbouring properties and the parkette. Further, the original proposal include west, south and east facing projecting balconies, which are now shown as Juliet balconies in an effort to reinforce the stepback of the taller element of the building from the podium.

**Rental Replacement:** Our client has agreed to replace the existing eight (8) residential rental units, in accordance with Chapter 667 of the City of Toronto Municipal Code. A final decision on whether the balance of the building will be rental or condominium will be made during the processing of the site plan approval application.

**Unit Mix and Sizes:** Our client agrees to provide a minimum 13% 3-bedroom units and 28% 2-bedroom units, with the average unit size for a 2-bedroom unit being 83.9 square metres and the average unit size for a 3-bedroom unit being 104.3 square metres.

**Parking:** A total of 43 parking spaces will be provided for residents (with zero vehicle parking spaces for visitors), which may be implemented through a parking stacker system. Bicycle parking will be provided in accordance with the Toronto Green Standard.

**Toronto Green Standard:** Based on the date of our client's submission, the proposal would be built to comply with Toronto Green Standards Version 2.

### **Tribunal Order**

As part of this without prejudice settlement offer, our client agrees to request LPAT to withhold any final Order pending confirmation of the following in writing from the City Solicitor:

- (a) that the proposed Zoning By-law Amendments are in a form satisfactory to the Chief Planner and Executive Director, City Planning, and the City Solicitor, including securing the replacement rental dwelling units and rents, tenant assistance, and other rental related matters, and the owner has entered into and registered a Section 111 Agreement with the City incorporating such replacement rental dwelling units, rents, tenant assistance and other related rental matters, all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor;

- (b) 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; and,
- (c) City Council has agreed to the Rental Housing Demolition application under Chapter 667 of the Municipal Code pursuant to Section 111 of the City of Toronto Act to demolish the existing rental dwelling units at 980, 982, 984 and 990 Bloor Street West.

**Conclusion**


Our client and its consultant team appreciate the extensive efforts of City staff to review these matters and provide feedback as part of preparing this without prejudice settlement offer. Our client believes the Revised Plans represent good planning and an appropriate resolution for the Property.

Please note that this without prejudice settlement offer will remain open for consideration by the City until the conclusion of the City Council meeting scheduled to commence on November 26, 2019. At such time, this offer should be considered withdrawn.

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

Yours truly,

**Goodmans LLP**



David Bronskill

DJB/  
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