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***WITHOUT PREJUDICE***

December 8, 2020

**via email**

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

**Re: Settlement Offer – 12 to 20 Cordova Avenue, Toronto  
LPAT Case No. PL190405**

We are the solicitors for Minto Cordova LP (the “**Owner**”), an entity that controls the properties known municipally as 12, 16, 18 and 20 Cordova Avenue in the City of Toronto (together, the “**Property**”), regarding the above noted matter.

By way of background, the Owner filed an application to amend the Official Plan and Zoning By-law No. 1088-2002, which was deemed complete as of February 6, 2019 (the “**Application**”). On August 15, 2019, the Owner appealed the Application to the Local Planning Appeal Tribunal (the “**Tribunal**”), pursuant to s. 34(11) of the *Planning Act* (the “**Appeal**”).

The Appeal was assigned Case No. PL190405. In its decision dated January 28, 2020, the Tribunal set a 10 day hearing of the Appeal to commence Monday, January 11, 2021.

Further to our discussions with the other parties to the Appeal (the “**Parties**”), we write to make a without prejudice offer to settle the Appeal of our client, in its entirety (the “**Settlement Offer**”). The Settlement Offer is subject to the conditions as set out below:

**1. Built Form**

The zoning by-law amendment will permit the proposed development (the “**Development**”) substantially in accordance with the set of plans and drawings which is attached hereto as Schedule “1”, and which includes the following attributes:

- One residential building with a maximum height of approximately 82 metres which includes,
  - a maximum tower height of 24 storeys, plus mechanical penthouse/amenity space and mezzanine;

- a maximum 11-storey height of approximately 36 metres; and
- a maximum 4-storey base building height of approximately 15 metres;
- Amenity space will be provided at a minimum rate of 4.0 square metres for each dwelling unit, of which:
  - at least 1.5 square metres per dwelling unit is indoor amenity space; and
  - at least 1.5 square metres per dwelling unit is outdoor amenity space;
- A minimum of 10 percent of the dwelling units will contain three or more bedrooms;
- Parking spaces will be provided at a minimum of 0.55 parking spaces per dwelling unit (inclusive of visitor parking); and
- There will be no balconies or other building projections which penetrate above the 45-degree angular plane as projected from the north curb of Dundas Street West.

## **2. POPS Space**

A privately-owned publically accessible open space (“POPS”) with a minimum area of 160 square metres will be secured by way of easement conveyed to the City in a size and location generally shown on Schedule “1”, prior to the issuance of the final above-grade building permit.

## **3. Section 37 Agreement**

The Owner will enter into a Section 37 Agreement with the City, which will be registered on title, to secure the following:

- A cash contribution of \$1,430,000 be allocated towards capital facilities within the vicinity of the Property;
- The terms and conditions for the construction, conveyance and maintenance of the POPS as well as a POPS easement; and
- A gratuitous tenant move-out allowance in the amount of \$1,500 per unit will be provided for the three residential dwellings currently occupied on the Property as of December 1, 2020 plus a gratuitous three months of rent will be provided per unit at the time of move-out in excess of the any entitlements under the *Residential Tenancies Act, 2006*.

## **4. This Settlement Offer is conditional on:**

- Agreement between the City and Owner as to the final form of zoning by-law amendment in accordance with the above;
- The matters proposed to be provided by the Owner herein being secured in a Section 37 Agreement which is registered, and that the Development shall not be

subject to any community benefits charge by-law passed or approved pursuant to the *More Homes, More Choices Act*, 2019 or successor legislation; and

- On City Council accepting this offer during its meeting scheduled for December 16, 2020, as well as supporting the settlement in any hearing before the LPAT, including without limitation or qualification.

**5. The Owner acknowledges that if the City has not yet finalized its review of:**

- a) the transportation impact study;
- b) the functional servicing report; and
- c) the stormwater management report;

then the LPAT Order may be withheld pending the satisfactory resolution thereof.

We look forward to hearing from you. Should you require further information please do not hesitate to contact the undersigned.

Sincerely,

McCarthy Tétrault LLP

A handwritten signature in black ink, appearing to read 'Michael Foderick', written in a cursive style.

Michael Foderick