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September 16, 2021
File No.: 1383591001

WITH PREJUDICE
By E-mail
alexander.suriano@toronto.ca

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

Attention: Mr. Alexander Suriano

Dear Mr. Suriano:

Re: With Prejudice Settlement Offer
OLT Case No. PL200354
149, 151, 171 Front Street West, 7 Station Street, 20 York Street

We are the solicitors for 20 York Inc., which is the registered owner of the properties municipally known as 149, 151, 171 Front Street West, 7 Station Street, and 20 York Street, Toronto (the “**Property**”). Our client has appealed its Official Plan and Zoning By-law Amendment applications for the Property to the Ontario Land Tribunal (the “**OLT**”). These appeals are presently proceeding under OLT Case No. PL200354 (the “**Appeal**”).

We previously submitted a “with prejudice” settlement offer to the City dated June 30, 2021. At its meeting on July 14, 2021, City Council adopted recommendations from a Solicitor’s Report dated July 5, 2021 to support the proposed settlement.

Through further discussions with City staff and the City Solicitor, refinements to the proposal have been made and additional details about the design of the office building have been clarified. An updated Section 37 contribution that has been increased to reflect these refinements is also now proposed.

As a result, further to our discussions with City staff and the City Solicitor, we are submitting a further settlement offer letter to allow the City to obtain updated instructions that reflect the proposal intended to be brought before the OLT for approval.

1. The overall building height shall not exceed 300 metres.
2. The proposed new GFA above and beyond the current existing GFA shall not exceed 135,000 square metres.
3. An additional \$500,000 shall be added to the \$4,500,000 Section 37 contribution. The \$500,000 is to be divided equally between public art, and the City of Toronto’s Residential School Survivors Legacy Structure. For greater clarity, the Section 37 contribution amount is as follows:

- (i) \$1,750,000 towards public art;
- (ii) \$1,000,000 towards new off-site affordable housing;
- (iii) \$1,000,000 towards arts and culture in Ward 10;
- (iv) \$1,000,000 for study of and/or capital investment in the implementation of the Downtown Parks and Public Realm Plan; and
- (v) \$250,000 towards the City of Toronto's Residential School Survivors Legacy Structure.

Please contact the undersigned if you wish to discuss further. We look forward to receiving City Council's support for our settlement offer.

Yours truly,

Stikeman Elliott LLP

Per:



Calvin Lantz

CL/ae

cc.

Client

Jonathan Cheng, *Stikeman Elliott LLP*

Michael Mahoney, *City of Toronto*

Mladen Kukic, *City of Toronto*

Willie Macrae, *City of Toronto*