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October 28, 2021

Our File No.: 190253

WITH PREJUDICE

Via Email

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

Attention: Alexander Suriano/Marc Hardiejowski

Dear Sirs/Mesdames:

**Re: LPAT Case No. PL200301 – 717-733 Mount Pleasant Road
With Prejudice Offer to Settle**

We are solicitors for Rockport (MPE) Inc., the owner of the lands known municipally in the City of Toronto as 717-733 Mount Pleasant Road (the “**Property**”). We are writing on behalf of our client with a with prejudice settlement offer in respect of the above-noted matter. This settlement offer would remain open until the end of the City Council meeting scheduled to commence on November 9, 2021.

As you know, our client engaged in a without prejudice mediation with City staff, the Toronto District School Board and resident groups over the last several months regarding the redevelopment proposal for the Property. These discussions have resulted in a revised site plan and massing, dated July 12, 2021 and prepared by Wallman Architects and attached to this letter as Schedule “B” (the “**Revised Plans**”). A summary table showing the evolution of the proposal is attached to this letter as Schedule “A”.

We understand that the other parties to the appeal are supportive of the Revised Plans, including the Toronto District School Board (the “**TDSB**”), the South Eglinton Ratepayers’ and Residents’ Association (SERRA), and the Taunton Residents Association (Toronto) Inc. Our client greatly appreciates the efforts of these parties in achieving this settlement.

The terms of this with prejudice settlement offer are as follows:

1. The settlement offer is based on the Revised Plans, which would be implemented through the resulting zoning by-law.

2. The Revised Plans incorporate the following revisions:
- (i) height reduction from 27-storeys to 23-storeys (metric height of 75 metres, or geodetic height of approximately 233.05 metres and 81 metres to the top of the mechanical penthouse, or geodetic height of approximately 239.05 metres);
 - (ii) the rooftop mechanical penthouse has been sculpted and reduced in height;
 - (iii) reduced number of surface vehicle parking spaces at the rear of the building from eleven (11) spaces to nine (9) spaces;
 - (iv) reduced number of balconies on the east façade (from 5 per floor to 3 per floor) to reduce potential overlook impacts;
 - (v) relocated balconies from the corners of the building to reduce shadow impacts;
 - (vi) relocated internal and external amenity spaces to the west;
 - (vii) inclusion of plantings along the perimeter of terraces and outdoor amenity areas;
 - (viii) reduced depth of 2nd floor terraces on the east side of the building;
 - (ix) use of solid materials on east facing balconies to reduce overlook opportunities;
 - (x) inclusion of a dog run on the north end of the 2nd floor with screening to the east; and,
 - (xi) reduced ground floor depth to accommodate a 1.2 metre landscaped area.

We note that the reduced overall height, changes to the rooftop mechanical penthouse and relocated have reduced the shadow impacts on the outdoor area associated with the Eglinton Junior Public School and eliminated any shadowing of the school's solar panels. There are also no shadows on the solar panels associated with the First Christian Reformed Church of Toronto. In general, shadow impacts on the surrounding community have also been reduced.

3. Our client has agreed to convey lands (7.5 metres in width) at the rear of the Subject Property, as shown on the Revised Plans, to facilitate a future north/south public lane, with no parking beneath the lane to minimize potential impacts on trees on neighbouring lands to the east. The conveyance allows for a 6.0 metre wide paved

area and setbacks (in accordance with City standards) and the 1.2 metre wide landscaped buffer along the east lot line. As part of this conveyance, our client will work with the neighbours and the City on the design of this landscaped buffer and associated fence and retaining wall, as well as the potential for additional plantings on adjoining lands to the east. Our client would install and maintain the landscaped buffer, which could be secured as a means of legal convenience in the Section 37 agreement.

4. The zoning by-law amendment(s) would implement the parking supply provided on the Revised Plans.
5. Our client would provide an indexed cash payment of \$1.6-million as a Section 37 contribution, to be paid prior to the first above-grade building permit, to be allocated by the Chief Planner for use by the City for local improvements in the vicinity of the Property, in consultation with the local ward councillor.
6. Our client has addressed matters related to stormwater for the Functional Servicing Report to the satisfaction of City staff for the purposes of the rezoning application, the details of which are to be finalized at the site plan application stage.

Our client agrees that, in the event City council accepts this settlement offer, the final order of the Local Planning Appeal Tribunal would be withheld pending:

- the City solicitor confirming that the required zoning by-law amendment(s) are in final form and content to the satisfaction of the Chief Planner and Executive Director, City Planning; and,
- execution and registration of a Section 37 agreement to the satisfaction of the City Solicitor to secure the community benefits outlined above in accordance with the Planning Act before it was amended by Bill 108 and Bill 197, as well as any matters of legal convenience to implement the matters listed above.

As noted above, this with prejudice settlement offer will remain open until the end of the City Council meeting scheduled to commence on November 9, 2021, after which it should be considered as withdrawn.

Our client greatly appreciates the hard work of City staff that had enabled the presentation of this settlement offer to City council.

Yours truly,

Goodmans LLP

A handwritten signature in blue ink, appearing to read 'D. Bronskill', is positioned above the printed name.

David Bronskill
DJB/ bp

cc: Client

SCHEDULE “A” – SUMMARY TABLE

717-733 Mt. Pleasant Road

Project Statistics - Settlement Plans

2021-10-27

BUILDING INFORMATION SUMMARY

Building height:	23	
	By law 569-2013	
	m ²	sf
Site Area	2,969	31,958
Retail	277.1	2,983
Residential	16,963.0	182,584
Gross Floor Area	17,240.1	185,566
FSI	5.81	

Tower Floor Plate (GCA)	716.0 m2
Vehicular Parking	93 Spaces
Bicycle Parking	258 Spaces
Unit Count	250 Units