



January 21, 2022

Our File No.: 00-1882

City of Toronto, Legal Services
Metro Hall
55 John Street, 26th Floor
Toronto, Ontario M5V3C6

Attention: Mr. Matthew Longo, City Solicitor

Dear Mr. Longo:

Re: "With Prejudice" Offer to Settle the application for a Zoning By-law Amendment for the property municipally known as 240 MARKLAND DRIVE in the City of Toronto City File No.: 11 209308 WET 03 OZ

We are the solicitors for 240 Markland Drive LP, who has acquired the property municipally known as 240 Markland Drive (the "Site") in the City of Toronto. The originating application for a Zoning By-law Amendment was submitted on June 8, 2011 and a number of revised submissions were made in March 2012, February 2015, October 2016, and June 2017, with community consultation meetings on June 19, 2012 and April 20, 2017. The application was subsequently appealed to the Ontario Land Tribunal (the "OLT") (formerly the Ontario Municipal Board and the Local Planning Appeal Tribunal). A settlement was reached between the City, the former owner of the Site, and the Markland Wood Homeowners Association (the "Homeowners"), which settlement was endorsed by the OLT on March 26, 2020.

For the past year and a half, since acquiring this Site, our client has worked cooperatively with the City, the local Councillor, and the Homeowners, and retained architects IBI Group, as well as an expanded team of consultants to provide a "fresh outlook" on the Site's potential with submissions made on April 8, 2021, June 30, 2021, and December 10, 2021. As part of this cooperative process, our client and their consultants held meetings with City Staff on Sept 28, 2020, January 8, 2021 and February 19, 2021, gave presentations to the Homeowners Association on April 23, 2020, May 20 2020, and March 15, 2021, and met with the local Councillor on July 23, 2020. The enclosed design continues to reflect the settlement proposal approved at the OLT, while providing improved compatibility with the surrounding area in an elegant and well-articulated built form. The full set of revisions are reflected in the plans attached hereto, with the following providing a description of the main revisions to the previously approved settlement proposal:

- At the request of the Homeowners, the Sunplains Building has been removed and replaced with landscaped outdoor space in the southwestern portion of the Site;

- The Broadfield Townhomes have been replaced with a 3-storey portion of the Bloor Building, containing walk-up units on the ground and second floor, and units within the Bloor Building on the 3rd floor;
- The Bloor Building has been extended westward, with the setback from the west lot line being reduced from 47 metres to 11 metres, providing a continuous streetwall and animating the site's frontage along Bloor Street West;
- At the City's request, the western portion of the Bloor Building extends south to abut the existing building from the 3rd to 9th floor. No internal connection is provided between the existing and proposed buildings. No unit windows are located on the north façade of the existing building;
- The number of new units has increased from 164 to 234, while the new GFA has decreased slightly from 17,678 m² to 17,615.36m;
- The vehicular entrance from Bloor Street West, the entrance to the underground parking ramp and the loading space have all been moved westward on the Site and located in the internal courtyard accessed through a porte cochere, away from the 2-storey townhomes on the property to the east;
- The indoor amenity spaces on the ground floor have been consolidated into one more efficient indoor amenity space, which space is contiguous with the outdoor amenity space. All outdoor amenity space has now been consolidated on this eastern portion of the Site;
- The number of parking spaces for residents of the existing building has decreased from 133 spaces to 115 spaces, in response to actual demand for parking spaces within the building;
- The exterior façade has been redesigned, introducing solid materials throughout, rather than the glazing/spandrel that was previously proposed. At the City's request, various balcony treatments have been added along the Bloor Street façade to create the look of multiple buildings; and
- The 1.0m ground floor depression was removed so the lobby is now at grade. Floor to floor heights have been adjusted accordingly but the overall building height remains the same.

The revised settlement proposal, including the significant outdoor space, the improved frontage along Bloor Street West, and enhanced sensitivity of the design fits well within the fabric of the area and responds to the input of City, the local community and Council. The proposed design revitalizes an underutilized Site, which proposal we are confident will be a significant improvement to the Site and surrounding area.

On the condition that our client's "with prejudice" settlement offer is endorsed by City Council substantially in accordance with the plans attached hereto, our client will agree to secure in a Section 37 agreement the items outlined in Sections a., b. and d. of Attachment 1 of the OLT decision on this matter, dated March 26, 2020 (Case No. PL171321), which items were also previously endorsed by City Council at its meeting on June 26, 2018, in relation to this Site. This offer is being forwarded to City Council for its consideration, which offer is made on the condition that such offer is accepted by City Staff prior to February 2, 2022, failing which, this offer is to be considered formally withdrawn.

Should you have any questions, please do not hesitate to contact the writer, or Naomi Mares, a lawyer in our office.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Adam J. Brown', with a stylized, cursive flourish at the end.

Adam J. Brown

Cc: Mr. Jim Tadeson, 240 Markland Drive LP
Ms. Christina Basan, 240 Markland Drive LP