

# Stikeman Elliott

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March 18, 2022  
File No.: 122998.1019

**Without Prejudice**  
**By E-mail**

City of Toronto  
Legal Services  
Metro Hall  
55 John Street, 26<sup>th</sup> Floor  
Toronto, ON M5V 3C6  
Attention: Mr. Roman Ivanov

Dear Mr. Ivanov:

**Re: OLT Case No. OLT-21-001193**  
**1109 Bathurst Street and 246-248 Albany Avenue**  
**Without Prejudice Settlement Offer**

We are counsel to Talus (Bathurst) Limited in respect of the proposed redevelopment of its property at 1109 Bathurst Street and 246-248 Albany Avenue, Toronto (the "**Property**") for a self-storage warehouse.

As you know, our client filed an appeal of its Zoning By-law Amendment application, which is currently proceeding before the Ontario Land Tribunal (the "**Tribunal**") under OLT Case No. OLT-21-00193 (the "**Appeal**").

On behalf of our client, we write this letter to present the settlement offer described herein (the "**Settlement Offer**"), as the basis for resolving the Appeal on the following terms:

1. The applicant shall revise, and the City shall support, the development proposal for the Property substantially in accordance with the enclosed drawings, prepared by Paul Hastings Architect and Rick Brown & Associates Inc., dated February 28, 2022, enclosed herewith (the "**Revised Drawings**"), and the particulars of the development proposal as provided in Paragraph 2 herein (together with the Revised Drawings, the "**Revised Development Proposal**"). In the event that there is a conflict between the Revised Drawings and the Revised Development Proposal as listed in Paragraph 2 herein, the particulars of the Revised Development Proposal as provided in Paragraph 2 will take precedence.
2. The self-storage building on the Property (the "**Building**") will have the following built form elements:
  - (a) The Building will be comprised of a maximum of 8 storeys above grade and 1 underground level;
  - (b) The Building will have an overall maximum height of 28.4 metres (the "**Maximum Building Height**");

- (c) Building elements and structures such as equipment used for the functional operation of the building, including electrical, utility, mechanical penthouse, mechanical and ventilation equipment, structures that enclose, screen or cover equipment and devices, chimneys, vents and flues, building maintenance units, window washing equipment and crane structures, elements and structures associated with a green roof, photovoltaic solar energy devices, enclosed stairwells, roof access, lighting fixtures, elevator shafts and overruns, telecommunication equipment, awnings, canopies, trellises, pergolas, pillars, architectural features, parapets, planters, guardrails and railings are permitted above the Maximum Building Height, provided such elements and structures do not project more than 3.5 metres beyond the Maximum Building Height; and
- (d) Along the frontages of Bathurst Street and Albany Avenue, the Building will have sufficiently clear glazing at floors 2 through 6, such that the storage door panels located within the Building at floors 2 through 6 are visible from the exterior of the Building through the glazing.

The Settlement Offer presented under this letter supersedes and replaces all prior offers, agreements, negotiations, and understandings in respect of these matters.

This Settlement Offer will remain open until the end of the City Council meeting scheduled to commence on April 6, 2022.

Until such time as City Council accepts this Settlement Offer, the contents and details of this offer, including any attachments to this letter, are to remain strictly confidential and without prejudice.

We trust that you will forward the terms of this final Settlement Offer for City Council's review and consideration at its meeting commencing April 6, 2022.

Yours truly,

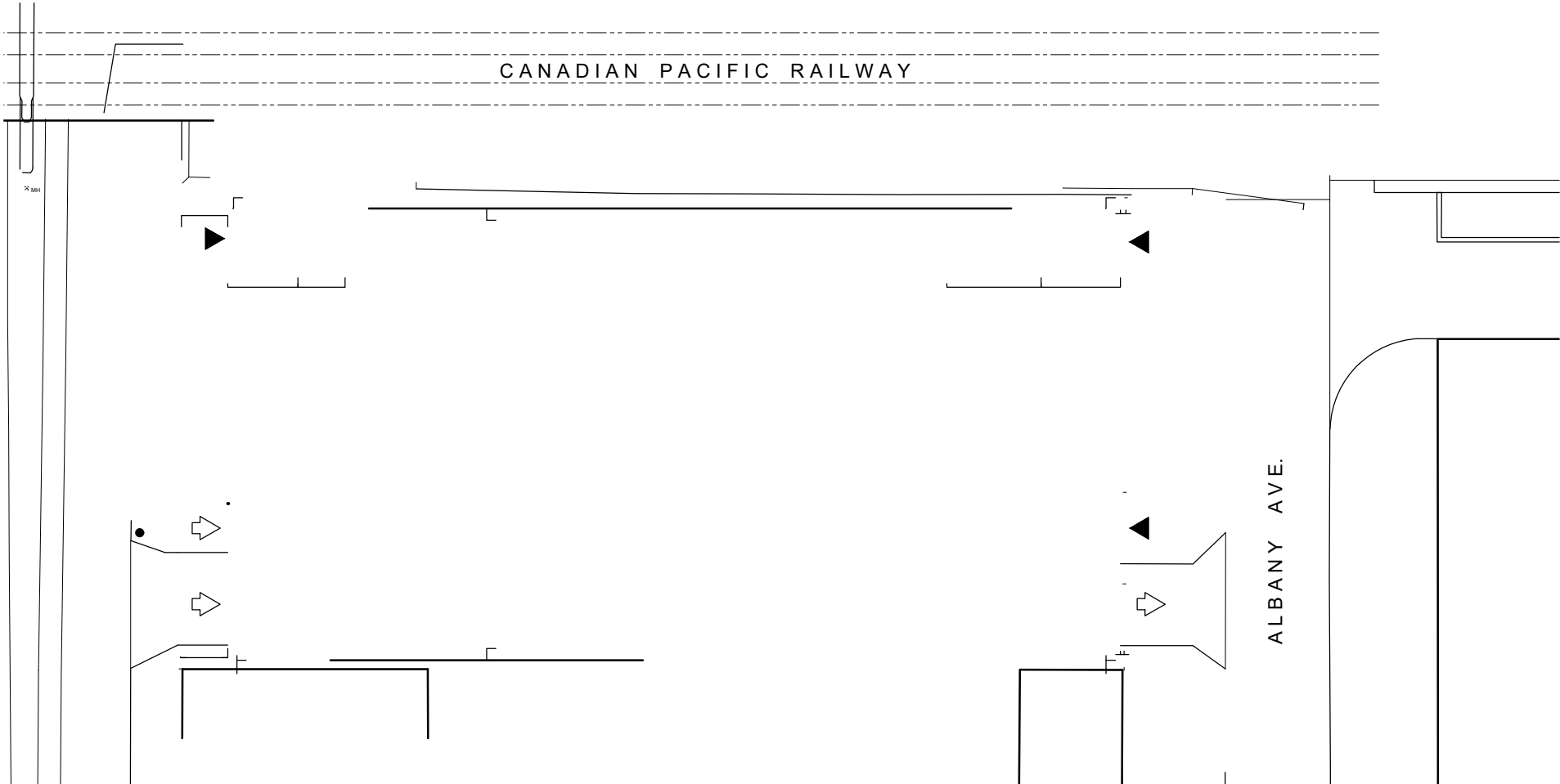


For: Calvin Lantz

CL/jsc

Enclosures

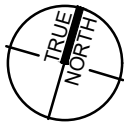
cc. Cameron McKeich, *City of Toronto*  
Jonathan S. Cheng, *Stikeman Elliott LLP*  
Mike Bissett, *Bousfields Inc.*  
Client



- PRINCIPAL ENTRANCE
- DRIVEWAY ENTRANCE AND EXIT
- ENTRANCE AND EXIT

HEIGHT MEASURED ABOVE  
 AVERAGE GRADE = 122.13m GEODETIC  
 DERIVED FROM CITY OF TORONTO  
 BENCHMARK CT622, ELEVATION = 122.660m

SITE AREA	1864.17 m <sup>2</sup>
PROPOSED GFA	13,530 m <sup>2</sup>
PROPOSED DENSITY GFA / SITE AREA	7.26



**PH**  
**Architect**  
 1317 Valerie Crescent, Oakville, ON. L6J 7E2  
 T: 905 829-5217 F: 905 829-9114  
 C: 416 650-4522 E: phasthngs@cogeco.ca



**RICK BROWN & ASSOCIATES INC.**  
 1100 CENTRAL PARKWAY WEST  
 SUITE 30, 2nd FLOOR  
 MISSISSAUGA, ON. L5C 4E5

T: 905 897-0388  
 C: 905 510-2579  
 rick@RBAdesign.ca

PROJECT NAME & ADDRESS:  
**PROPOSED SELF STORAGE BUILDING**  
 1109 Bathurst Street & 246 and 248 Albany Ave., Toronto, ON.

DRAWING TITLE:  
**BUILDING HEIGHT AND SITE PLAN**

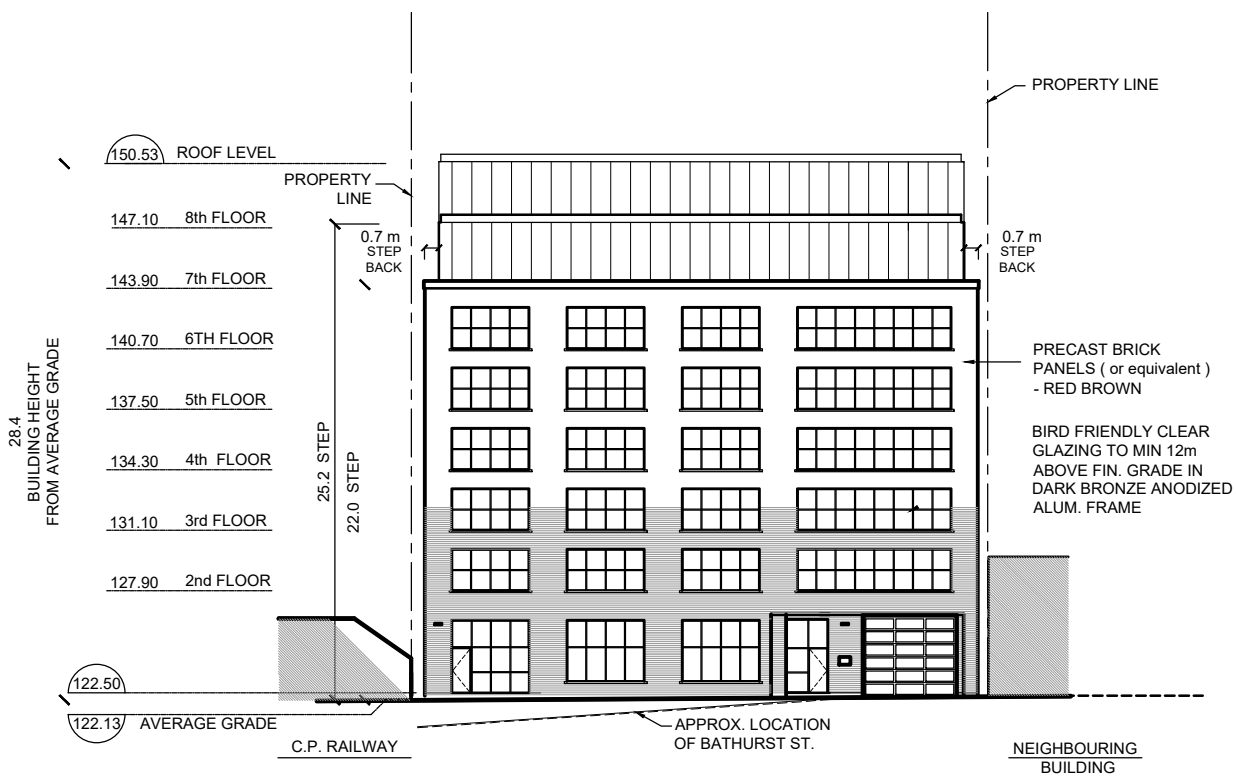
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 FEB 28, 2022

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 R.B.

**SK-01**

JOB NO.  
 201942



WEST ELEVATION



**PAUL HASTINGS Architect**  
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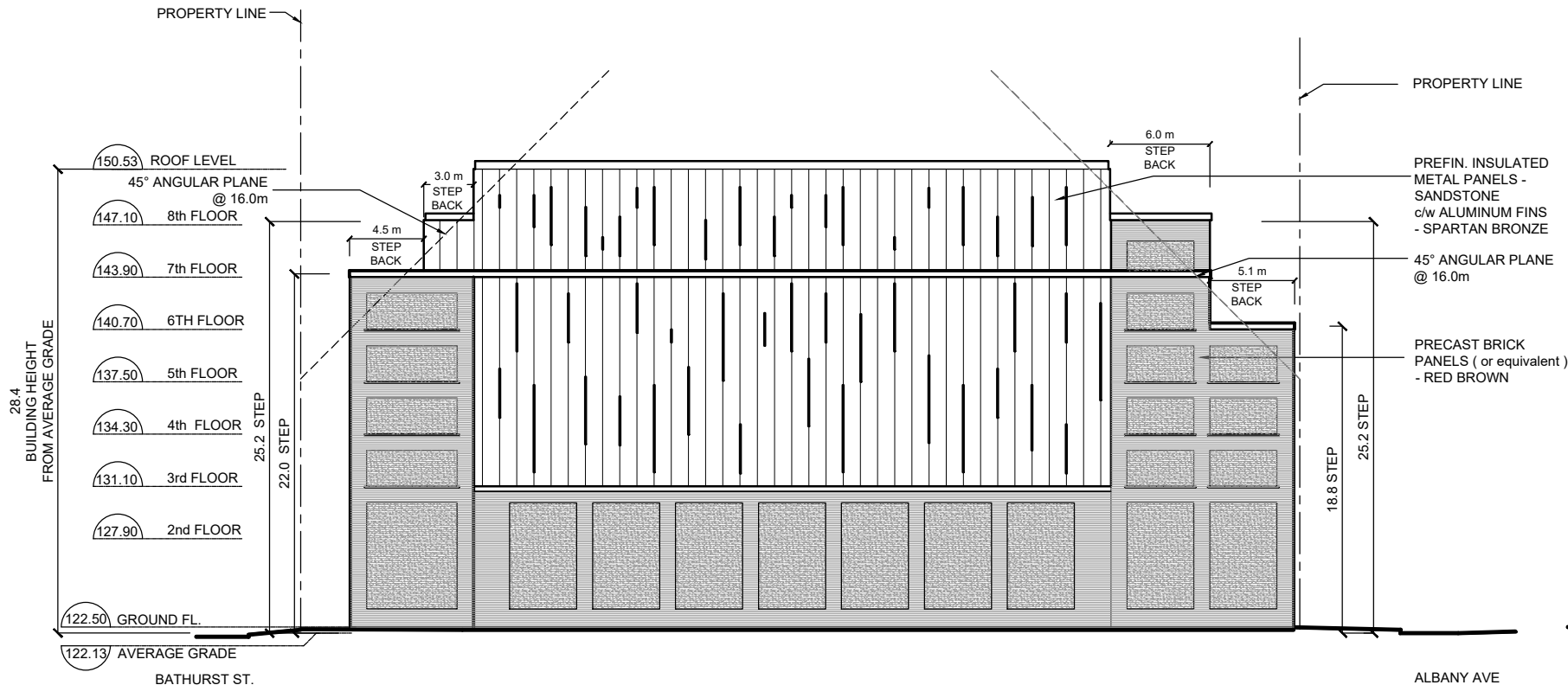
PROJECT NAME & ADDRESS:  
**PROPOSED SELF STORAGE BUILDING**  
 1109 Bathurst Street & 246 and 248 Albany Ave., Toronto, ON.

DRAWING TITLE:  
**SIMPLIFIED WEST ELEVATION**  
**(BATHURST STREET)**

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**SK-02**

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**201942**



**SOUTH ELEVATION**



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 SUITE 30, 2nd FLOOR  
 MISSISSAUGA, ON, L5C 4E5

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 C: 905 510-2579  
 rick@RBAdesign.ca

PROJECT NAME & ADDRESS:  
**PROPOSED SELF STORAGE BUILDING**  
 1109 Bathurst Street & 246 and 248 Albany Ave., Toronto, ON.

DRAWING TITLE:  
**SIMPLIFIED SOUTH ELEVATION**

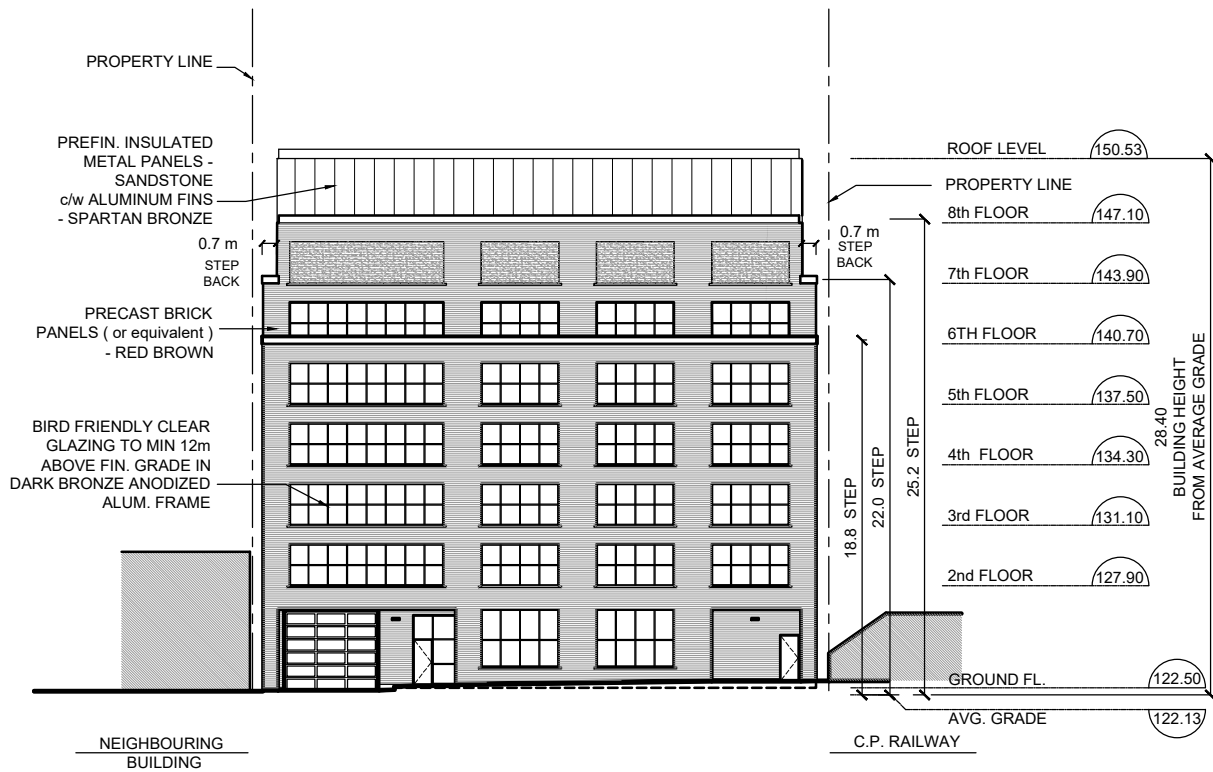
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**SK-03**

JOB NO.  
**201942**



EAST ELEVATION



**PAUL HASTINGS**  
Architect  
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**RICK BROWN & ASSOCIATES INC.**  
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rick@RBAdesign.ca

PROJECT NAME & ADDRESS:  
**PROPOSED SELF STORAGE BUILDING**  
1109 Bathurst Street & 246 and 248 Albany Ave., Toronto, ON.

DRAWING TITLE:  
**SIMPLIFIED EAST ELEVATION**  
**(ALBANY AVENUE)**

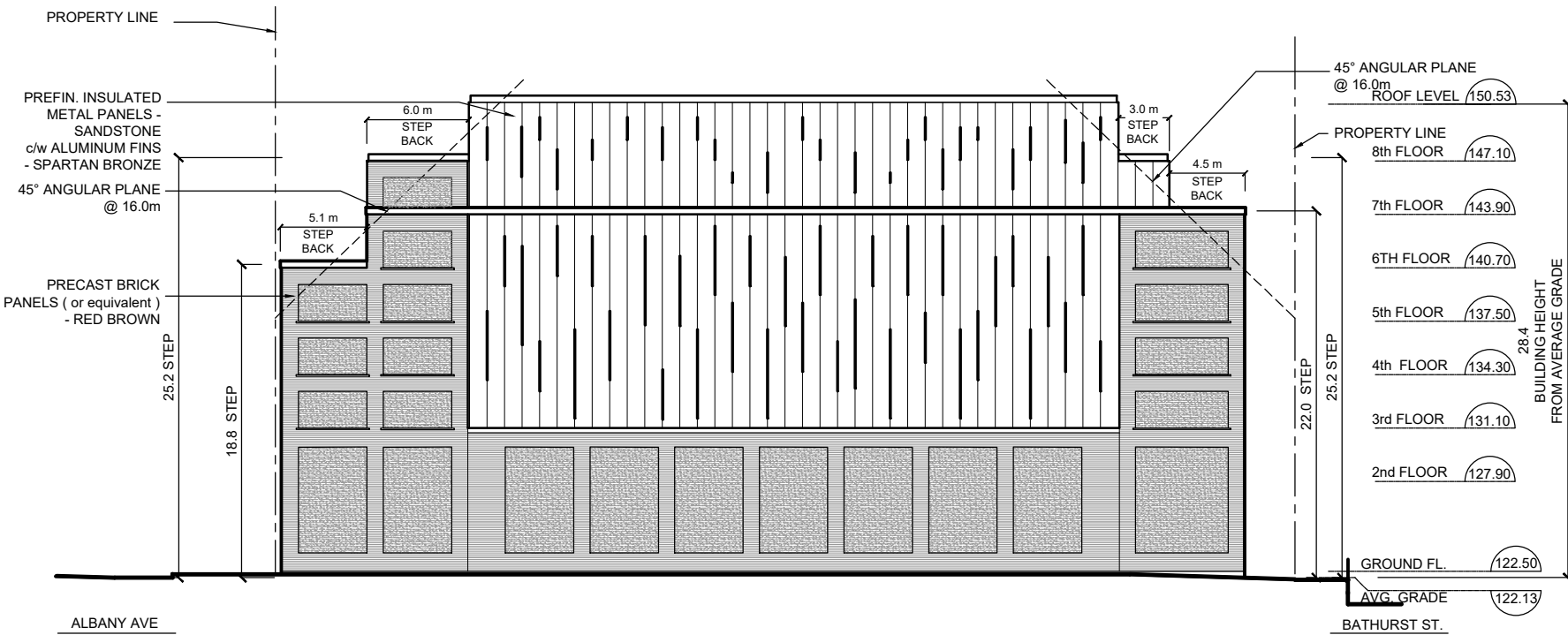
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**SK-04**

JOB NO.  
**201942**



NORTH ELEVATION



**PAUL HASTINGS**  
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**RICK BROWN & ASSOCIATES INC.**  
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C: 905 510-2579  
rick@RBAdesign.ca

PROJECT NAME & ADDRESS:  
**PROPOSED SELF STORAGE BUILDING**  
1109 Bathurst Street & 246 and 248 Albany Ave., Toronto, ON.

DRAWING TITLE:  
**SIMPLIFIED NORTH ELEVATION**

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FEB 28, 2022

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**SK-05**

JOB NO.  
**201942**