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June 3, 2022

Our File No.: 172048

WITHOUT PREJUDICE

Via Email

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

Attention: Alexander Suriano

Dear Sirs/Mesdames:

**Re: OLT Case No. OLT-21-001034
717 Church Street & 85, 89, 93 and 97 Collier Street
Confidential and Without Prejudice Offer to Settle**

We are solicitors for C & P Development Limited Partnership in respect of the properties known municipally in the City of Toronto as 717 Church Street & 85, 89, 93 and 97 Collier Street (the "**Property**"). We are writing on behalf of our client with a without prejudice settlement offer in respect of the above-noted matter, which should be considered as open until the conclusion of the City Council meeting scheduled to commence on June 15, 2022.

As you know, our client engaged in without prejudice discussions with City staff and area residents over the last several months regarding the redevelopment proposal for the Property. These discussions have resulted in revised plans, prepared by Diamond Schmitt Architects and are attached to this letter as Schedule "A" (the "**Revised Plans**"). Our client greatly appreciates the efforts of all parties in achieving this settlement.

The terms of this without 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 amendment(s).

2. The Revised Plans incorporate the following revisions:
 - (i) the height of the tower has been reduced from 29-storeys (105.25 metres) to 27 storeys (95.3 metres), with the metric reduction in height equivalent to approximately 4 storeys;
 - (ii) the height of the podium streetwall along Park Road has been reduced from 5 storeys to 3 storeys with increased setbacks at-grade;
 - (iii) the proposed gross floor area is approximately 17,423 square metres;
 - (iv) balconies on the east façade from floor 5 to 14 have been eliminated;
 - (v) a minimum of 0.4 square metres of exterior amenity space and a minimum of 1.9 square metres of indoor amenity space per unit will be provided
 - (vi) the Revised Plans provide a minimum of 10% as 3-bedroom units and 20% as 2-bedroom units, and the zoning by-law will secure a further minimum of 10% of the dwelling units as dwelling units that allow for future conversion to 2-bedroom or 3-bedroom units through accessible or adaptable design measures such as knock-out panels; and,
 - (vii) up to five parking spaces that can be provided as car-share parking spaces, parking for short-term pick-up and drop-off activities, or visitor parking, depending on resolution of the at-grade option plans for revised access in accordance with paragraph 4 below.

3. Our client would agree to a Section 37 contribution of \$3.8-million, to be allocated as follows:
 - (i) \$500,000 for on-site public art;
 - (ii) \$500,000 in enhanced streetscape improvements adjacent to the Property, including improvements to Collier Street that enhance the urban design of Collier Street;
 - (iii) an indexed cash contribution of \$1-million to the City for affordable housing initiatives; and,
 - (iv) an indexed cash contribution of \$1.8-million to the City for social services, community facilities and road safety and streetscaping improvements in the immediate area of Bloor Street East, Yonge Street, Rosedale Valley Road and St. Paul's Square.

The above-noted Section 37 Agreement would also secure the following as a means of legal convenience:

1. As part of implementing the settlement, our client agrees to a further revision to the Revised Plans to achieve one of the four at-grade option plans for revised access, as attached hereto (Options A, B, C & D), with the final option to be determined through consultation with area residents and to the satisfaction of Transportation Services. As part of this process, to be secured in the Section 37 Agreement, and in an effort to secure the open space generally shown on the Revised Plans as a full or partial dedication of parkland pursuant to Section 42 of the *Planning Act*, our client and the City would review the opportunity for a full or partial parkland dedication on condition that the City would accept the above-grade encumbrances shown above the open space on the Revised Plans. If the City does not agree to a full or partial parkland dedication, the owner and the City agree that the open space, as generally shown on the Revised Plans, would be secured as a privately-owned public space (POPS).
2. Prior to the issuance of Site Plan Approval, a Construction Management Plan and Neighbourhood Community Strategy must be submitted to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the Executive Director, Engineering and Construction Services and the ward Councillor.

Our client agrees that, in the event City Council accepts this without prejudice settlement offer, the final order of the Ontario Land Tribunal would be withheld, pending completion of the following:

- confirmation 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;
- the owner has submitted an updated Functional Servicing and Stormwater Management Report, Groundwater Report and Hydrogeological Report (the “**Engineering Reports**”), to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- 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.

Our client acknowledges that, in the event the Engineering Reports are not satisfactory prior to a request to the Ontario Land Tribunal to issue the final order, the City may request that the Ontario Land Tribunal approve a zoning by-law amendment for the Property inclusive of a holding symbol under Section 36 of the *Planning Act*, the condition for its removal being the satisfactory

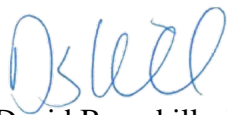
submission of the Engineering Reports, so the Tribunal may issue its final order prior to City Council's pending passage of a community benefit charge by-law.

As noted above, this without prejudice settlement offer will remain open until the end of the City Council meeting scheduled to commence on June 15, 2022, at which point it should be considered as withdrawn if not accepted by City Council. Please note that the Ontario Land Tribunal has scheduled a case management conference on July 7, 2022, which may be converted to a settlement hearing, to enable final approval of the zoning by-law amendment(s) and secure the above-noted Section 37 matters in advance of the pending community benefit charge by-law.

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



David Bronskill

DJB/

cc: Client

SCHEDULE “A” – REVISED PLANS

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