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October 18, 2022

Our File No.: 201086

**WITH PREJUDICE**

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

**Attention: Marc Hardiejowski and Michelle LaFortune**

Dear Sirs/Mesdames:

**Re: 2-24 Temple Avenue – With Prejudice Settlement Offer  
OLT-21-001749**

We are solicitors for Temple Avenue Partners Inc. in respect of the lands known municipally in the City of Toronto as 2-24 Temple Avenue (the “**Property**”). We are writing on behalf of our client on a with prejudice basis to propose a settlement of our clients appeal in respect of the above-noted matter based on a revised proposal depicted in the architectural plans, massings, and statistics prepared by RAW Design attached to this letter (the “**Revised Proposal**”).

Please note that our client intends to present the Revised Proposal to the Ontario Land Tribunal for approval.

**Background and With Prejudice Settlement Offer**

As you know, our client engaged in without prejudice mediation with City staff over the last several months regarding the redevelopment proposal for the Property in an attempt to resolve their concerns. These discussions have been fruitful on many fronts, and our client greatly appreciates the efforts of City staff in working with our client to resolve the outstanding issues in this proceeding.

As you know, a “with prejudice” settlement offer was sent to your attention on July 21, 2022. Following additional discussions with City staff subsequent to the July 21, 2022 settlement offer, our client prepared the Revised Proposal in an effort to reach a comprehensive settlement of the appeal. The Revised Proposal includes a number of significant revisions, including the following:

- **Height**: Our client reduced the height from 16 storeys (56.45 metres as measured from established grade and a geodetic elevation of 147.55 metres) to 14 storeys (46 metres as measured from established grade and a geodetic elevation of 137.7).
- **Setbacks and Stepbacks**: Our client has increased the setbacks and stepbacks as follows:
  - West setback has been increased from 0.5 metres to 7.14 metres on the first two floors and to 5.5 metres until floor 12, with additional stepbacks of 1.5 metres on floors 13-14. The amenity penthouse level is setback 16.4 metres and the mechanical penthouse level is setback 25.5 metres.
  - East setback from the building face to the curb has been increased to 6 metres from Dufferin Street, with additional stepbacks of 2 metres on the 7<sup>th</sup> floor, 1.5 metres on the 13<sup>th</sup> floor, and 9.05 metres on the amenity and mechanical penthouse levels.
  - North setback has been increased from 5 metres to 5.5 metres, with the exception of the portion of the building fronting onto Dufferin Street, which remains as a 0-metre setback.
  - South setback has been increased from 2.5 metres to 3.5 metres, with additional stepbacks of 3 metres on the 5<sup>th</sup> floor, 1.5 metres on the 13<sup>th</sup> floor, and 5.5 metres on the amenity and mechanical penthouse levels.
- **Tree Preservation**: The revised landscape plans depict retention of the mature trees fronting onto Temple Avenue in addition to future root exploration analysis to determine whether any design adjustments are necessary to adequately protect those trees.

Our client would also agree that implementation of the settlement will be conditional on the preparation of a zoning by-law amendment in a form and content, to the satisfaction of the Chief Planner and Executive Director, City Planning, prior to the issuance of any final order from the Ontario Land Tribunal.

Our client believes the Revised Proposal represents good planning and is an appropriate resolution to our client's appeal. Accordingly, it is hopeful that this with prejudice proposal will be accepted by the City.

Please let us know if any additional information is required.

Yours truly,

**Goodmans LLP**



David Bronskill  
DJB/