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December 1, 2022

VIA EMAIL

City of Toronto
Community Planning
Scarborough Civic Centre
150 Borough Drive
Toronto, Ontario M1P 4N7

**Attention: Amanda Hill, Daniel Elmadany,
Solicitors City of Toronto**

Confidential and Without Prejudice

Dear Ms. Hill and Mr. Elmadany:

**Re: Official Plan Amendment for 1960 Eglinton Avenue East, Toronto
Cosmetica Investments Inc.
Official Plan Amendment Application: 20 112107 ESC 21 OZ**

We are writing to you on behalf of our client, Cosmetica Investments Inc. ("**Cosmetica**"). As you are aware, it is owner of the lands and employment facility located at the above-noted site (the "**Property**").

This letter forms part of our client's "without prejudice" submission of revised development concept plan that we are providing to you in order to revise our client's Official Plan Amendment ("**OPA**") application. The draft Site and Area Specific Policy (the "**Draft SASP**") is attached as Attachment 1 and the "**Settlement Plan**", is attached as Attachment 2. The purpose of the Settlement Plan is to refine our client's redevelopment concept plan. The Draft SASP is intended to implement the Settlement Plan and the Draft SASP may be further revised, as required, in order to implement the terms of this settlement offer. Cosmetica also agrees that should there be any changes to Official Plan Amendment 499 ("**OPA 499**"), including the Golden Mile Secondary Plan that would eliminate the repetition of the policies in the Draft SASP that any such policies may be deleted from the Draft SASP in a manner satisfactory to the City and Cosmetica.

BACKGROUND

Cosmetica operates the highly successful cosmetic facility that is located on the Property. As detailed in our client's initial Official Plan Amendment submission from February 2020, Cosmetica is seeking approval to significantly expand the size (upwards of doubling the size) of the facility through a

redesign of the Property, as well as to add residential and retail and other non-residential uses to the Property. This aforementioned goal of our client's initial OPA submission remains the same (as expressed through the "**Settlement Plan**" submitted on a without prejudice basis).

The following revisions to the original redevelopment concept as expressed through the Settlement Plan in Attachment 2 are as follows:

- A maximum of 144,818 square metres (previously 183,800 square metres) of residential gross floor area;
- a minimum of 47,500 square metres (previously 32,500 square metres) of non-residential gross floor area in order for our client to achieve the maximum residential gross floor area set out above;
- approximately 2,470 square metres of on-site non-stratified parkland dedication to the City (remains the same as previously);
- improvements to the public realm;
- revision to 4 tall buildings ranging from 18 to a maximum of 48 storeys and the introduction of a mid-rise building of 10 storeys;
- base building and street wall heights that align with the Golden Mile Secondary Plan;
- increased publicly accessible linkages throughout the Property;
- provision of two public streets (a new east-west street ("Street A") and the new north/south street ("Street B")); and
- our client has also added new Privately Owned Publicly Accessible Space ("POPS") space at the north-east corner of Eglinton Avenue East and Warden Avenue, a north/south pedestrian walkway POPS abutting the new public park that is located between Ashtonbee Road and the new east-west Street A and connections to both Warden Avenue and the Street A.

SETTLEMENT PROPOSAL SUPPORT

We are pleased to note our client's Settlement Proposal is in compliance with the sun/shadow polices on new parks and on the sidewalk on the north side of proposed east-west Street A. We also highlight the many beneficial public realm features that are to be introduced at the Property through this Settlement Proposal, especially in relation to the existing situation.

The Settlement Proposal includes public realm improvements such as pedestrian connections and POPS.

In support of the Settlement Proposal, we have enclosed the following items:

- a) Updated Proposed Site and Area Specific Policy (Attachment 1); and
- b) Settlement Plan from IBI Group (Attachment 2).

SETTLEMENT PROPOSAL TERMS

Cosmetica's Settlement Proposal is made on the terms that follow. In the event that the City accepts the Settlement Proposal:

- Cosmetica agrees that should the Ontario Land Tribunal ("OLT") allow the appeal in part pursuant to the terms of this settlement, it would request the OLT to withhold the issuance of any Order(s) on the OPA until such time as the OLT has been advised by the City Solicitor that the final content and form of the Official Plan Amendment (including any revisions to the maps and schedules to the Draft SASP to implement the settlement offer) is to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.
- Cosmetica further agrees that prior to attending the OLT with this settlement, it will, for the purpose of aligning the application with the Settlement Offer, submit to the City a complete resubmission on the Official Plan Amendment application including updated reports, plans, drawings and materials satisfactory to the Chief Planner and Executive Director, City Planning and the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the appropriate divisions.
- Cosmetica agrees to resolve its appeal of OPA 499, including the Golden Mile Secondary Plan, in a manner that is consistent with this settlement. In this regard, Cosmetica would support provisions of the Golden Mile Secondary Plan that may be required to implement this Settlement Offer for this Site, including, but not limited to, minimizing duplicative/repetitive policies, maps or references and, if deemed appropriate, incorporating the proposed Site and Area-Specific Policy into Section 14 of the Golden Mile Secondary Plan, instead of Chapter 7, Site and Area Specific Policies of the Official Plan. In addition, Cosmetica will only otherwise participate in OPA 499 where there are provisions proposed that could interfere with the implementation of this Settlement Offer.

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- Cosmetica agrees to request that the OLT withhold the issuance of any Orders on this OPA until the OLT is advised by the City Solicitor that the Owner has provided satisfactory materials to address servicing capacity matters and infrastructure improvements, either through a Master Servicing Study for the Golden Mile Area or through a Functional Servicing and Stormwater Management Report for the Property in coordinating with the Master Servicing Study to support the proposed density in this Settlement Offer satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services.

In the event that there are any disputes between the parties in respect to the matters set out above, the final order will reserve the right to of either party to speak to the OLT with respect to the same. In addition, should the City not accept the terms of this settlement offer then Cosmetica specifically reserves its right to revert its application back to the application presently before the OLT.

Please feel free to contact the undersigned if there are any questions or concerns. We look forward to continuing to work with City staff to move this exciting Settlement Proposal forward to development.

Yours truly,

BENNETT JONES LLP



Andrew L. Jeanrie

cc: Client

Attachments