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March 13, 2023

Our File No.: 202396

**WITHOUT PREJUDICE**

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

**Attention: Amanda Hill/Jason Davidson**

Dear Sirs/Mesdames:

**Re: Case No. OLT-22-002418 – 500 Duplex Avenue**

We are solicitors for Streamliner Properties in respect of the lands known municipally known as 500 Duplex Avenue (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 March 29, 2023.

As you know, our client engaged in without prejudice mediation with City staff and representatives of various resident groups, including tenants of the existing building, over the last several months regarding the redevelopment proposal for the Property. These discussions have resulted in revised plans, prepared by IBI Group and dated March 13, 2023, which are attached to this letter as Schedule "A" (the "**Revised Plans**"). Our client greatly appreciates the efforts of City staff and the various resident groups in achieving this proposed settlement. We understand that the Revised Plans, and the other items listed below, have addressed the issues of these resident groups.

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 implement the following matters:
  - a. Building A has been reduced to a height of 12-storeys, with a 6.0 metre setback at-grade along Montgomery Avenue, a 5.185 metre setback along Duplex Avenue, a 5.0 metre setback at-grade to the new public parkland, 1.5 metre setbacks above

- the 3<sup>rd</sup> storey and 6<sup>th</sup> storeys, and improved separation from the existing building at 118 Montgomery Avenue, all as shown on the Revised Plans;
- b. Building B has a height of 11-storeys, with a 4.695 metre setback at-grade along Roselawn Avenue, a 5.2 metre setback at-grade along Duplex Avenue, a 6.515 metre setback from the west property line, a series of stepbacks, and improved separation from the existing building at 118 Montgomery Avenue, all as shown on the Revised Plans;
  - c. the proposed connections between the new buildings and the existing building (which will be maintained) have been reduced to one-storey, with the southern connection intended as an indoor pedestrian connection only, both of which are intended to facilitate access to all of the proposed indoor and outdoor amenity space for residents of Building A, Building B and the existing building;
  - d. the main vehicular access is from Roselawn Avenue only, but an additional surface vehicular access has been provided from Duplex Avenue to enable short-term parking, resident pick-up/drop-off, and a Type-C load space as part of Building A;
  - e. the proposed landscape plan demonstrates generous tree planting on all street frontages, with an intention to integrate existing mature trees where possible;
  - f. the zoning by-law amendment will secure a minimum of 10% of the units as 3-bedroom units and a minimum of 20% of the units as 2-bedroom units; and,
  - g. indoor amenity space and outdoor amenity space will be provided in accordance with the minimum requirements of Zoning By-law 569-2013.
3. The Revised Plans include a proposed conveyance of a new public park (approximately 929.1 square metres or 10% of the area of the Property) for nominal consideration, in a condition satisfactory to the General Manager, Parks, Forestry & Recreation, free and clear of all physical encroachments and obstructions above and below grade and not encumbered by any easements or interests in land above and below grade, in accordance with all City policies in respect of the environmental condition of lands conveyed to the City, all in full satisfaction of any parkland requirement for the Property pursuant to Section 42 of the *Planning Act*.
  4. The existing rental tenure of the existing building on the Property will be secured for a minimum of twenty (20) years. Further, the owner acknowledges that certain improvements and/or renovations to the hallways and corridors, lobby, office and elevator vestibule, which have already been provided, shall not be subject to pass-through costs to tenants in accordance with Policy 3.2.1.5(b) of the Official Plan. The above-noted indoor amenity space, as well as the proposed outdoor amenity space, will be fully accessible by tenants of the existing building with no pass-through costs to tenants.

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 Chief Planner and Executive Director, City Planning has approved the Rental Housing Demolition Application, which would include demolition of the nine (9) existing townhouse units (which have rents that exceed mid-range rents at the time of the application), demolition of the existing at-grade superintendent's unit in the lobby (subject to the provision of a new superintendent unit in Building A or Building B), and maintenance of the existing at-grade bachelor unit in the lobby, as well as a tenant relocation and assistance plan for existing eligible tenants and a plan to mitigate impacts of construction on the tenant in the existing at-grade bachelor unit in the lobby; and,
- the owner has submitted any updated engineering reports, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

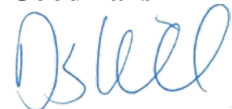
If City Council accepts this settlement offer, the parties will advise the Ontario Land Tribunal that the hearing dates can be released, with one-day retained for the purposes of a settlement hearing, and that the parties have agreed to waive the various exchange dates listed in the procedural order.

As noted above, this without prejudice settlement offer will remain open until the end of the City Council meeting scheduled to commence on March 29, 2023, at which point it should be considered as withdrawn if not accepted by City Council.

Our client greatly appreciates the hard work of City staff that has enabled the presentation of this without prejudice settlement offer to City Council.

Yours truly,

**Goodmans LLP**



David Bronskill  
DJB/