



Barristers & Solicitors

Bay Adelaide Centre  
333 Bay Street, Suite 3400  
Toronto, Ontario M5H 2S7

Telephone: 416.979.2211  
Facsimile: 416.979.1234  
goodmans.ca

Direct Line: 416.597.4299  
dbronskill@goodmans.ca

March 8, 2023

Our File No.: 212184

**WITHOUT PREJUDICE**

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

**Attention: Ultra Gautam**

Dear Sirs/Mesdames:

**Re: Case No. OLT-22-003758 – 580 The East Mall**

We are solicitors for GF 580 The East Mall Ltd. in respect of the lands known municipally known as 580 The East Mall (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 8, 2023.

As you know, our client engaged in without prejudice discussions with City staff over the last several months regarding the redevelopment proposal for the Property. These discussions have resulted in revised plans, prepared by WZMH Architects and dated February 9, 2023, which are attached to this letter as Schedule “A” (the “**Revised Plans**”). Our client greatly appreciates the efforts of City staff in achieving this proposed settlement.

The settlement offer is based on the Revised Plans, which would be implemented through the resulting zoning by-law amendment(s). As further background detail to explain the Revised Plans:

1. The proposed height has been reduced to 22 storeys (72 metres, Canadian Geodetic Datum elevation of 219 metres, inclusive of MPH). No part of the building, including but not limited to mechanical penthouse, antennae, vents, flag poles and window-washing equipment shall project about the Canadian Geodetic Datum elevation of 219 metres.
2. The Revised Plans include upper level setbacks to minimize shadow impacts on Capri Park, with a floor plate of 782 square metres for floors 7 to 21, reducing to 581 square metres for the 22<sup>nd</sup> floor.

3. The proposed podium has been revised to a height of 5-storeys, which will frame Capri Park, the proposed landscaped open space, outdoor amenity area, and driveway at a good proportion. The proposed podium has been revised to provide a minimum 5-metre setback from Capri Park to the north and a 5.5-metre setback from the western property line, inclusive of any balcony encroachments.
4. The site organization has been revised to include a 2.1-metre wide pedestrian connection along the north side of the driveway as an enhanced visual and physical connection across the Property to both the existing and proposed buildings.
5. The Revised Plans provide a privately-owned public space (or POPS) of approximately 174 square metres at the northwest corner of the Property.
6. The existing waste collection will be consolidated at-grade within a wholly-enclosed garbage containment and sorting room located internally in the proposed building, with one (1) Type-G loading space to serve both the existing and proposed buildings. The proposed surface parking has been reduced to four (4) parallel parking spaces located along the southern portion of the existing driveway, while the remainder of the area has been enhanced through the addition of trees and soft landscaping features. The proposed pick-up/drop-off area between the existing and proposed building, as well as the existing lay-by parking area just south of the existing building, have been designed to accommodate passenger vehicles, moving trucks (LSU and MSU), and TTC Wheel Transit vehicles.
7. The proposed at-grade indoor and outdoor amenities will be available to meet the programming needs of existing and future residents and visitors, without pass through of the costs to tenants occupying the existing rental units, such as through rent increases. The Revised Plans show 341 square metres of at-grade indoor amenity space on the eastern side of the proposed building to be connected directly with the lobby and 123 square metres of indoor amenity area on the 6<sup>th</sup> floor, with both areas contiguously linked with a total of at least 464 square metres of outdoor amenity space, as well as other landscaped areas. Post-renovation indoor and outdoor amenity space in the existing building will also be the subject of tenant survey to inform the programming of this space. All of the above-noted matters would be secured through the site plan control process, to the satisfaction of the Chief Planner.
8. The zoning by-law amendment would secure a minimum of 10% of the units as 3-bedroom units and 15% of the units as 2-bedroom units.
9. The owner will construct and maintain the development in accordance with Tier 1, Toronto Green Standards applicable at the time of the site plan application for the development.

10. The owner agrees to provide a Construction Mitigation Plan and Tenant Communication Strategy to the satisfaction of the Chief Planner as a Notice of Approval Condition through the site plan control process.
11. The owner acknowledges that the use of the Property as temporary parking for the property known municipally as 555 The West Mall will not be required by the time redevelopment of the Property proceeds. Further, the owner will make best efforts during construction to maintain parking for existing tenants on the Property to minimize disruption but, in the event that some or all parking is required to be removed, the owner will accommodate temporary parking in close proximity to the Property, with the details to be secured in a parking plan to be prepared and secured as part of the site plan control process, to the satisfaction of the Chief Planner.

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;
- confirmation from the City of a positive peer review of the noise study and air quality study; and,
- the owner has submitted any updated engineering reports, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

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/