CONFIDENTIAL ATTACHMENT 2 - made public on June 5, 2023

Goodmans

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April 25, 2023

Our File No.: 221556

WITHOUT PREJUDICE

City of Toronto City Hall, 13th Floor West 100 Queen Street West Toronto, ON M5H 2N2

Attention: Mark Piel/Cameron McKeich

Dear Sirs/Mesdames:

Re: Case Nos. OLT-22-004283 and OLT-22-004284 - 45The Esplanade City of Toronto File No. 21 251957 STE 10 OZ Appeal of Official Plan Amendment and Rezoning Application pursuant to subsection 22(7) and subsection 34(11) of the *Planning Act*

We are solicitors for Silver Hotels (Vancouver) Ltd., who are the owners of the property known municipally in the City of Toronto as 45 The Esplanade (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 May 10, 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 IBI Group and dated April 3, 2023, which are attached to this letter (the "**Revised Plans**"). Please also find attached a Transportation Impact Study Addendum dated April 20, 2023 and a Functional Servicing and Stormwater Management Implementation Report dated April 18, 2023.

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. A single 39 storey tower built upon a podium with an overall height of 124.9 metres to the top of the roof excluding the mechanical penthouse.

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- b. The podium has been redesigned to be 7 storeys with ground floor retail uses, hotel uses, and residential uses above, with stepbacks as shown on the Revised Plans.
- c. The Revised Plans provide for 141 hotel units and 726 residential units in total, of which 72 are 3 bedroom units and 116 are 2 bedroom units.
- d. Total amenity space of 1,948 square metres is provided with 1,222 being indoor amenity space.
- e. There is a proposed privately-owned publicly accessible open space of 231.2 square metres located at the east of the proposed building within the site which our client is committed to working with City staff to secure through use and performance standards in the zoning by-law amendment.

Although the built form of the proposal has changed on account of negotiations with City staff leading up to this settlement offer, the development shown on the Revised Plans will provide no less than the same number of parking spaces on-site as the last iteration of the previously filed proposal and will also provide between 3 to 5 care share parking spaces on-site which is confirmed in the Transportation Impact Study Addendum for the Revised Plans.

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:

- the form and content of the Official Plan and Zoning By-law Amendments are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;
- submission of a revised traffic impact study to the satisfaction of the General Manger of Transportation Services;
- submission of a revised Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services; and
- the owner of the development lands will financially and legally secure any improvements to the municipal infrastructure in connection with the Functional Servicing and Stormwater Management Report, should it be determined by the report that improvements to such infrastructure are required to support development, to the satisfaction of the Chief Engineer & Executive Director of 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 May 10, 2023, at which point it should be considered as withdrawn if not accepted by City Council.

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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/ encl.

7371268

45 THE ESPLANADE REZONING & SITE PLAN APPLICATION



	Sheet List		
Sheet Number	Sheet Name	Scale	
A000	COVER	_	
A100	CONTEXT AND SITE STATISTICS	1:1000	
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A103	PARKING LEVEL 1	1:200	
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A351	1 TO 50 NORTH ELEVATION	1:50	
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A354	1 TO 50 SOUTH ELEVATION	1:50	
A355	1 TO 50 WEST ELEVATION	1:50	
A401	BUILDING SECTIONS	1:300	
A402	BUILDING SECTIONS 1:300		
A501	PERSPECTIVES		
A502	PERSPECTIVES		
A504	PERSPECTIVES		

Consultant List

Architects:
Landscape:
Civil:
Planning:
Wind, Noise, Vibration:
Heritage:
Environtmental/Geotech:
Energy:
Traffic:
Surveyors:

IBI Group Inc.
Strybos Barron King Ltd.
Counterpoint Engineering
IBI Group Inc.
Gradient Wind
GBCA Architects
Toronto Inspection Ltd.
EQ Building Performance Inc.
WSP
JD Barnes Ltd.

CLIENT

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ISSUES			
NO.	ISSUANCE	STATUS	DATE
01	ISSUED FOR ZBA-SPA 2021-12		2021-12-20
02	P. REISSUED FOR ZBA-SPA 2023-03-31		

01	ISSUED FOR ZBA-SPA	2021-12-20	
02	REISSUED FOR ZBA-SPA	2023-03-31	

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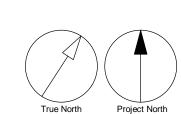


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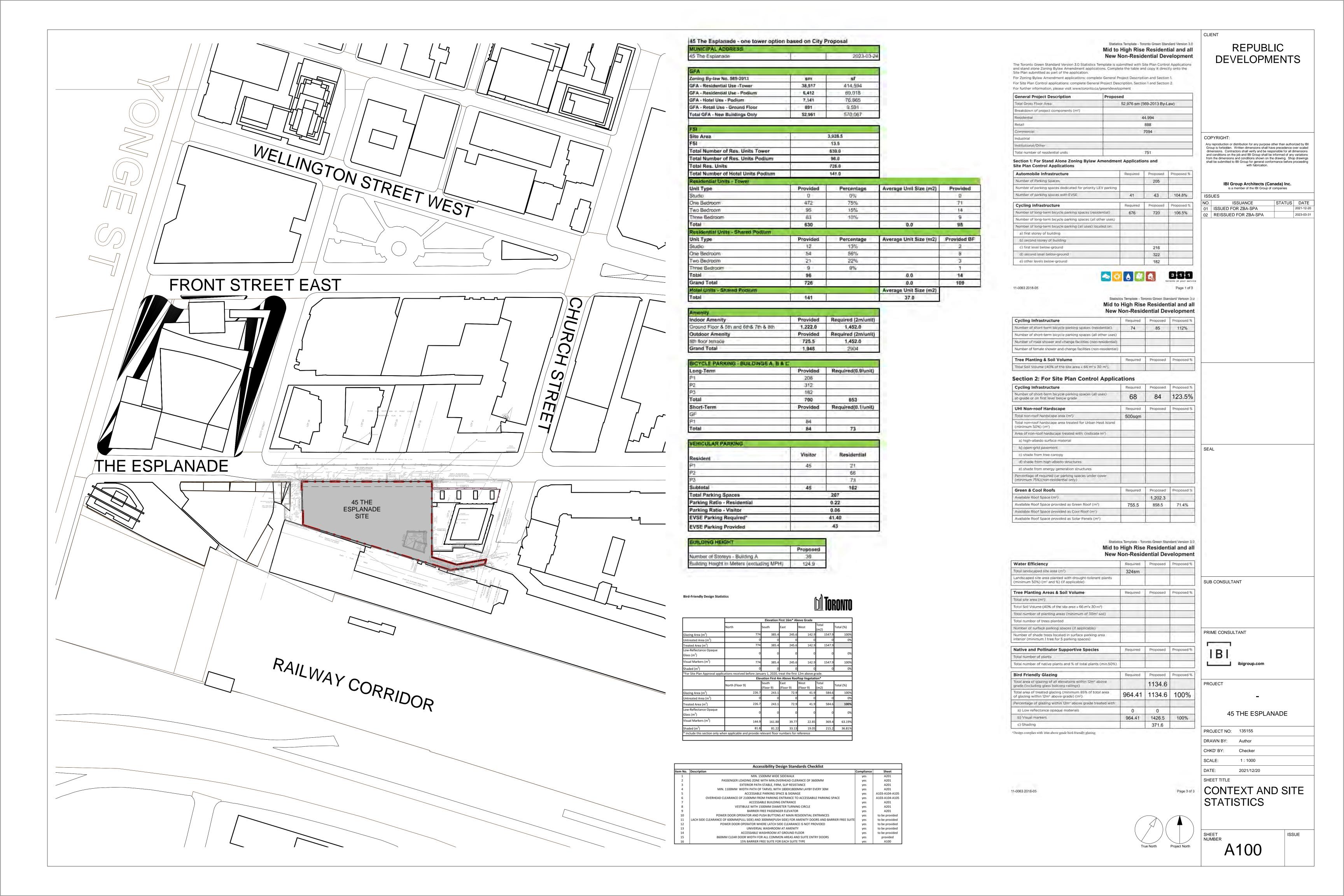
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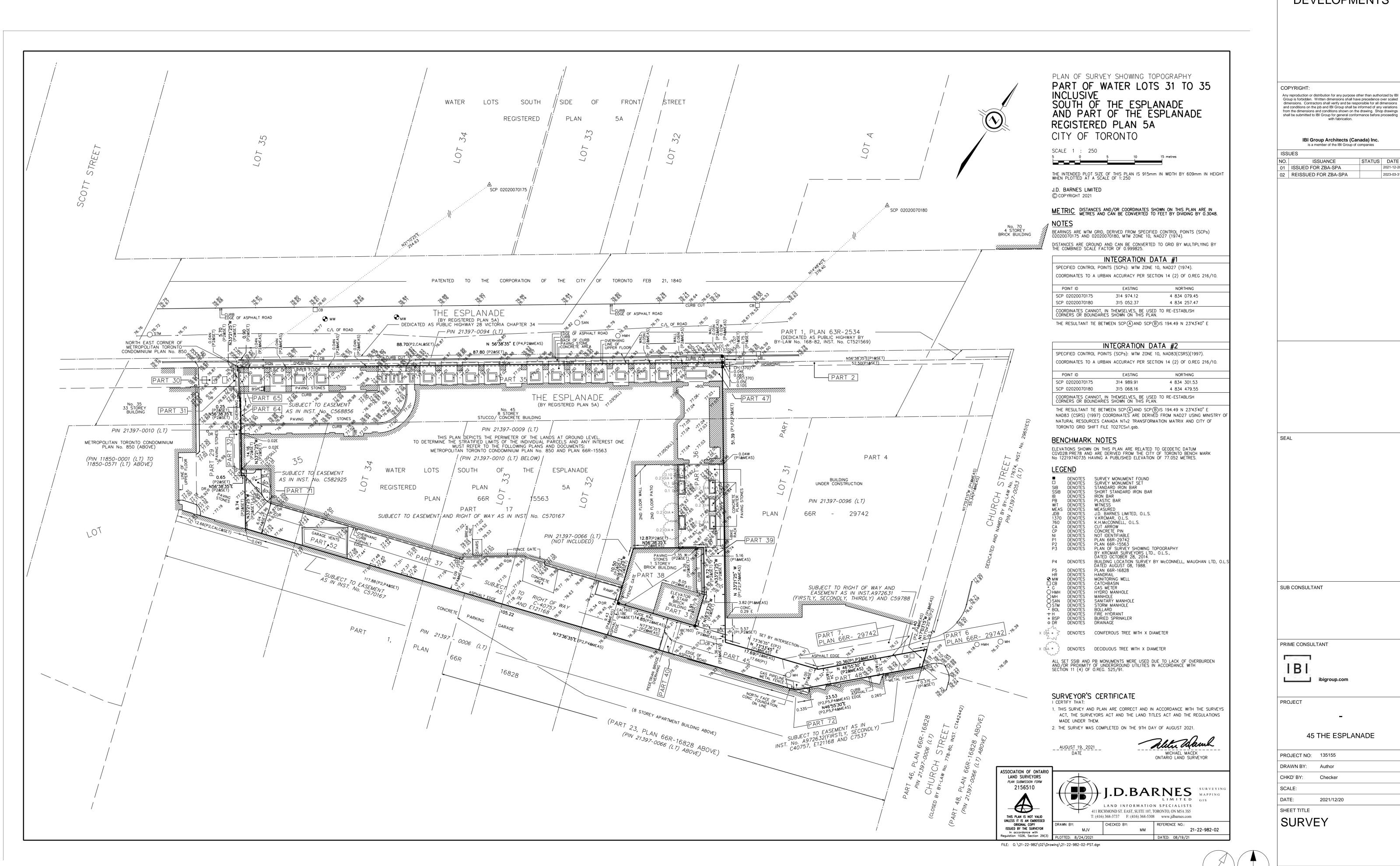
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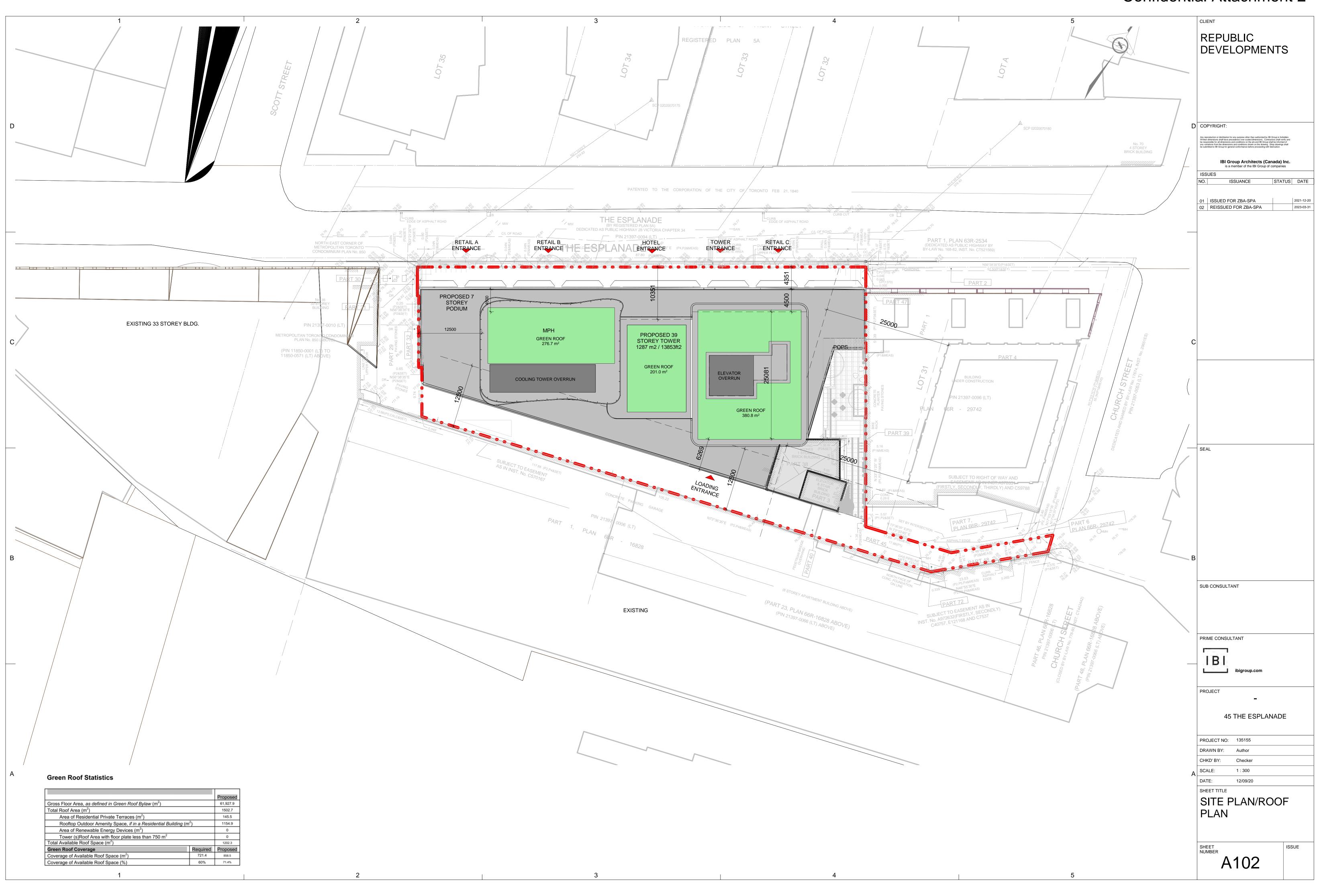


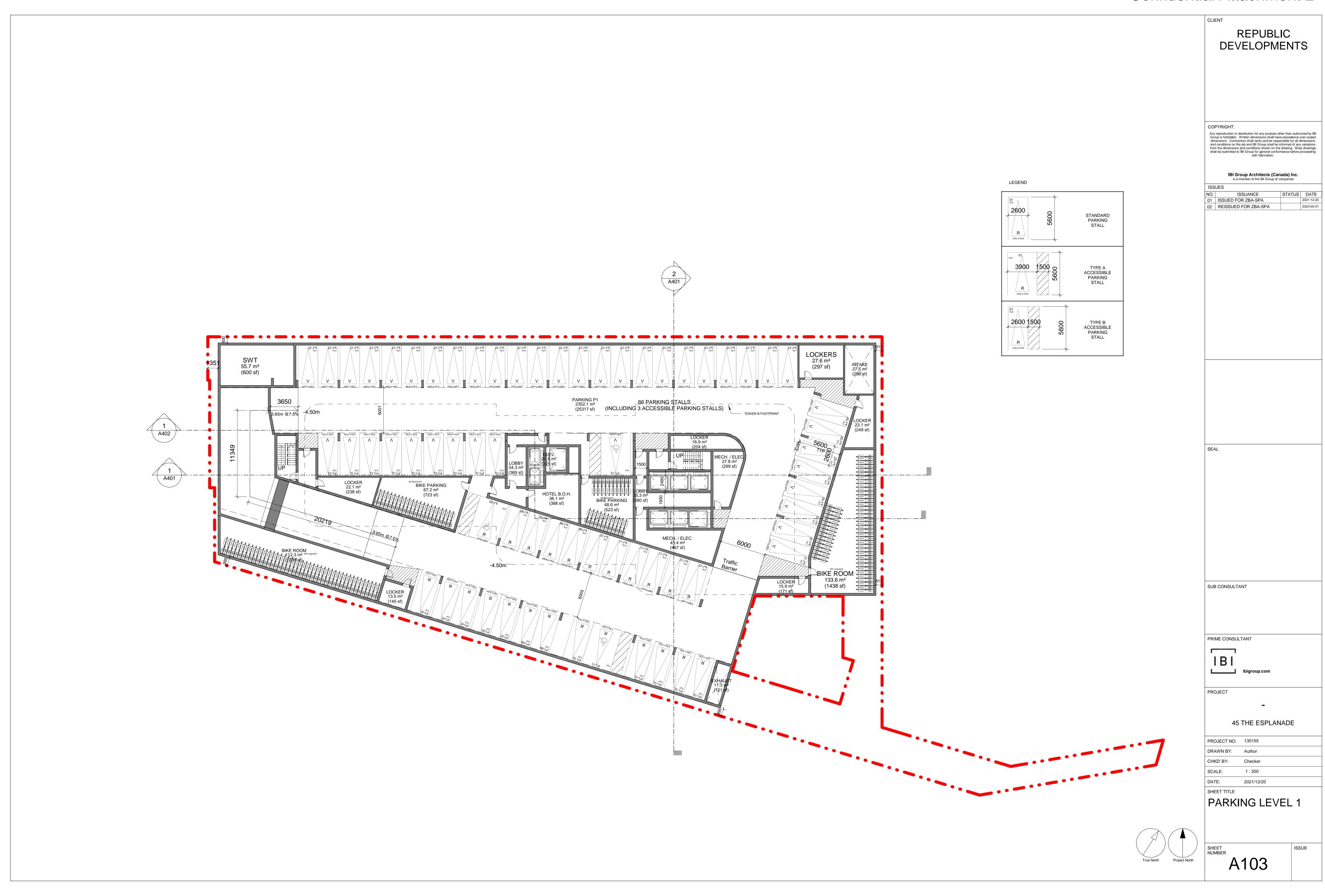


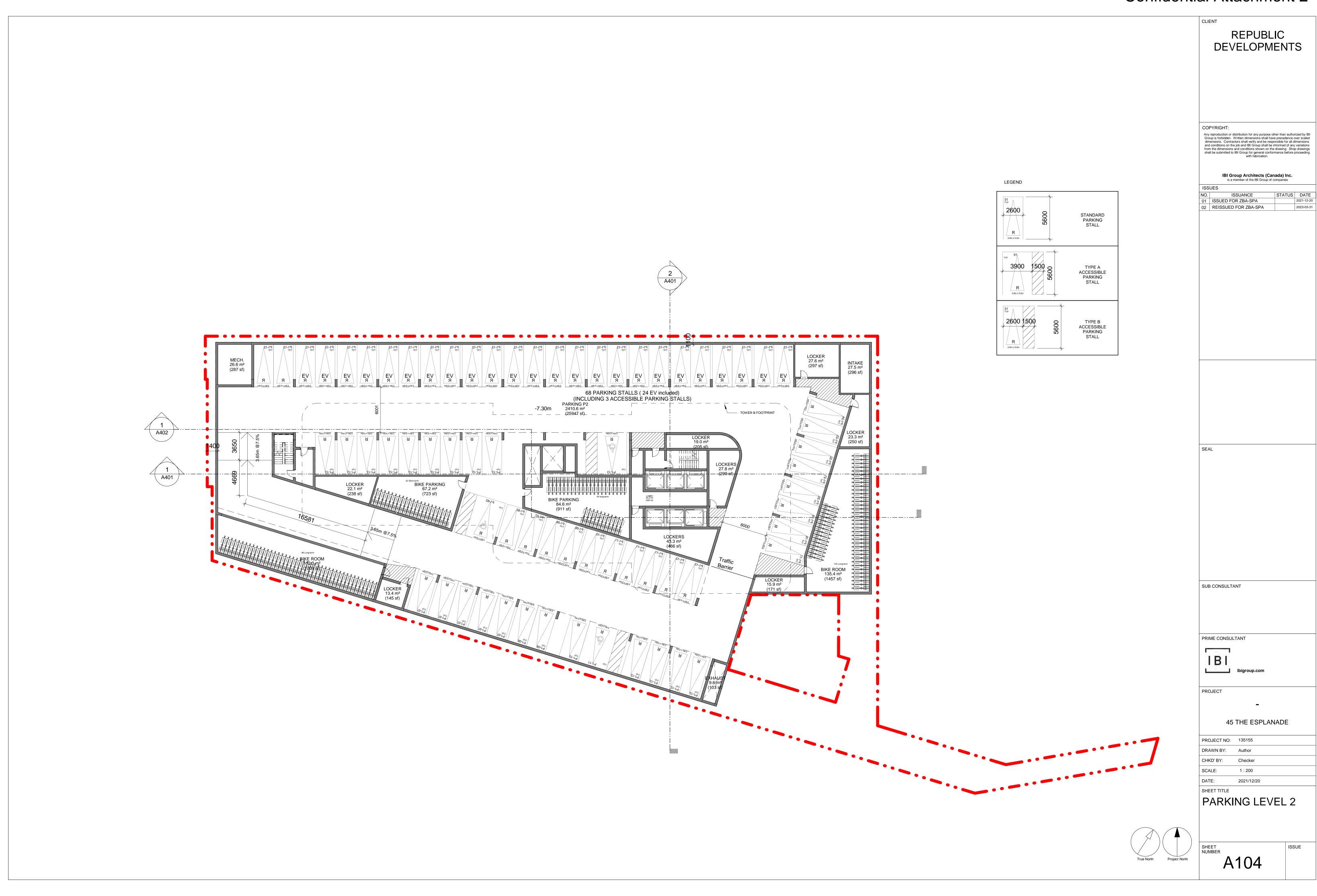
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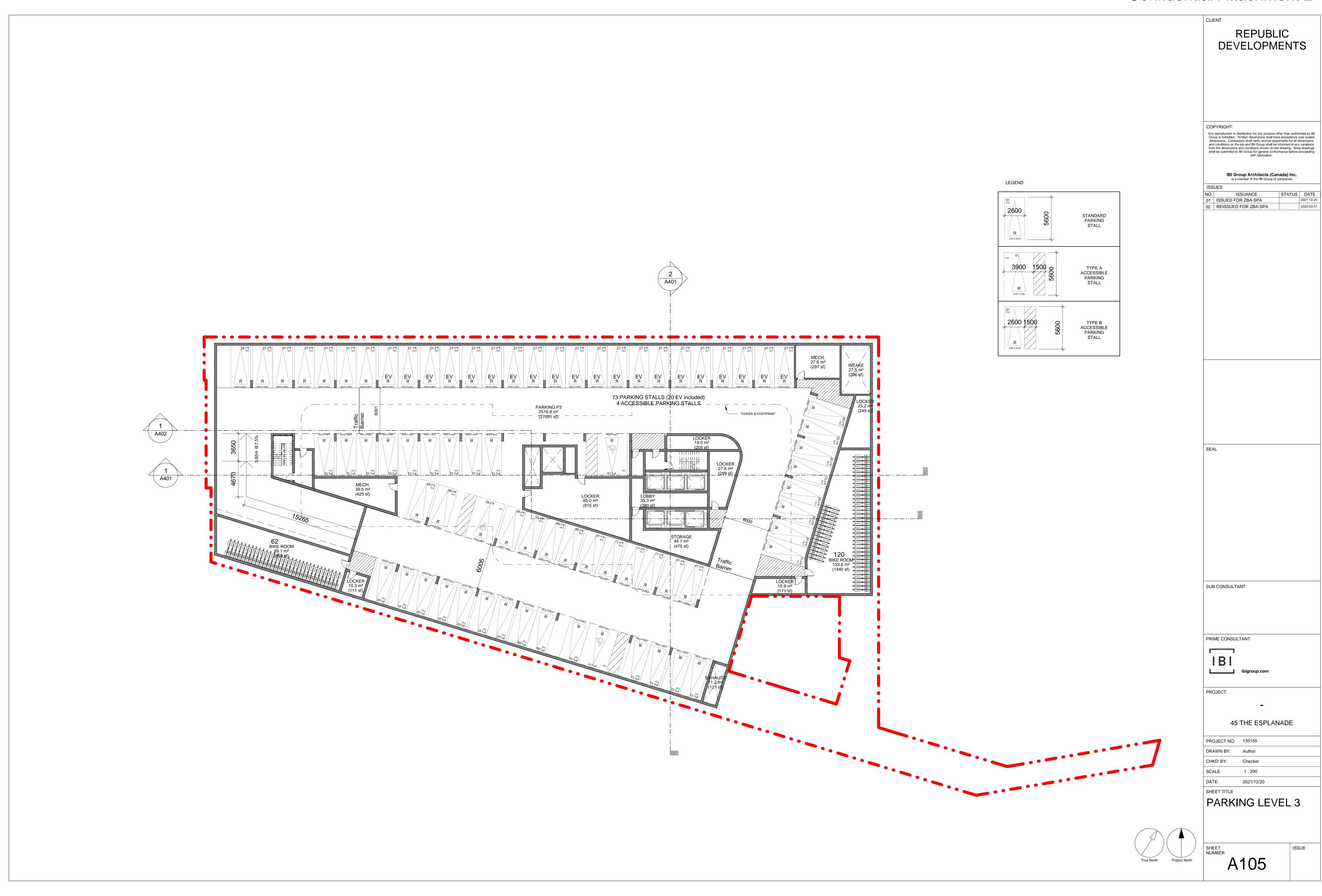
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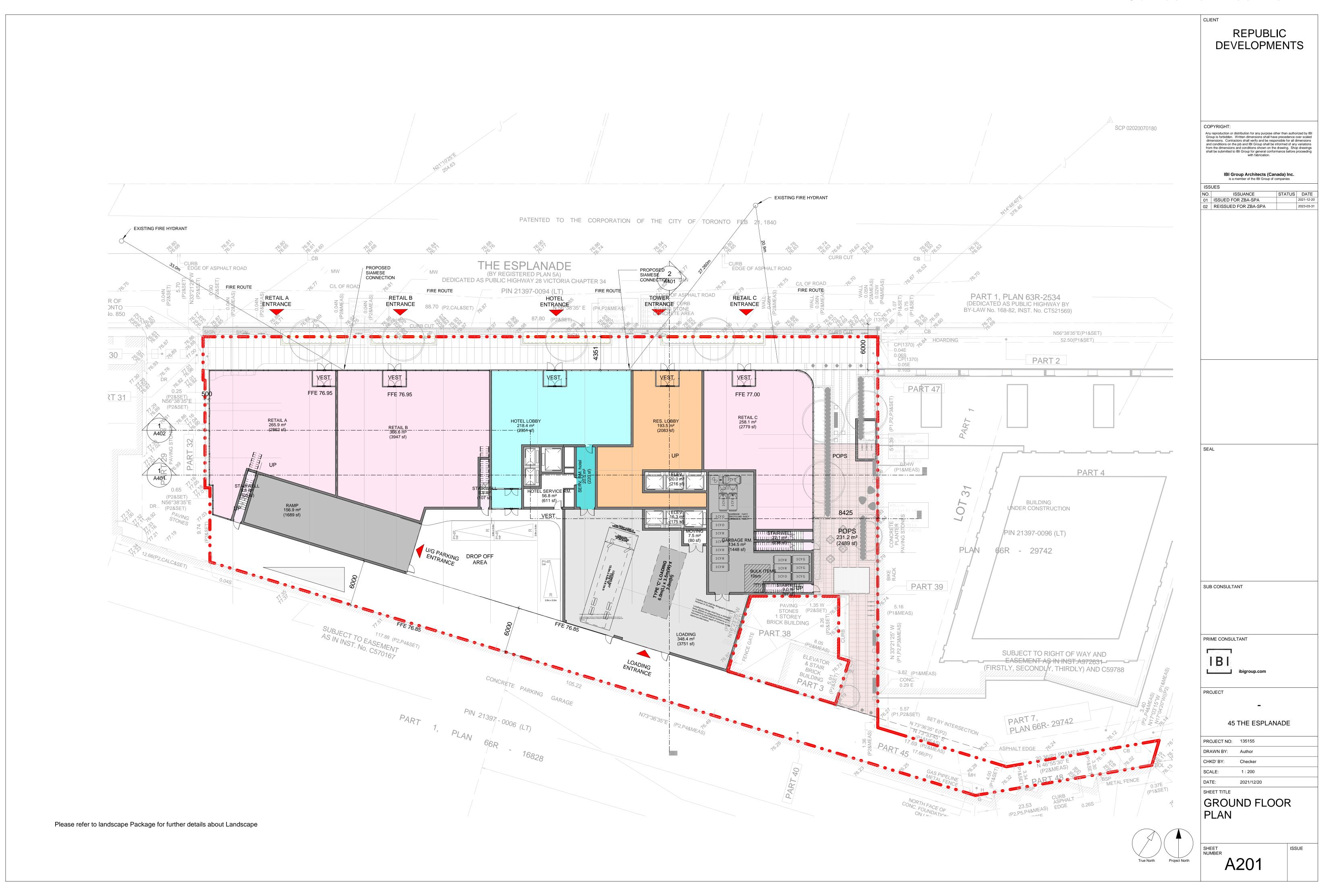
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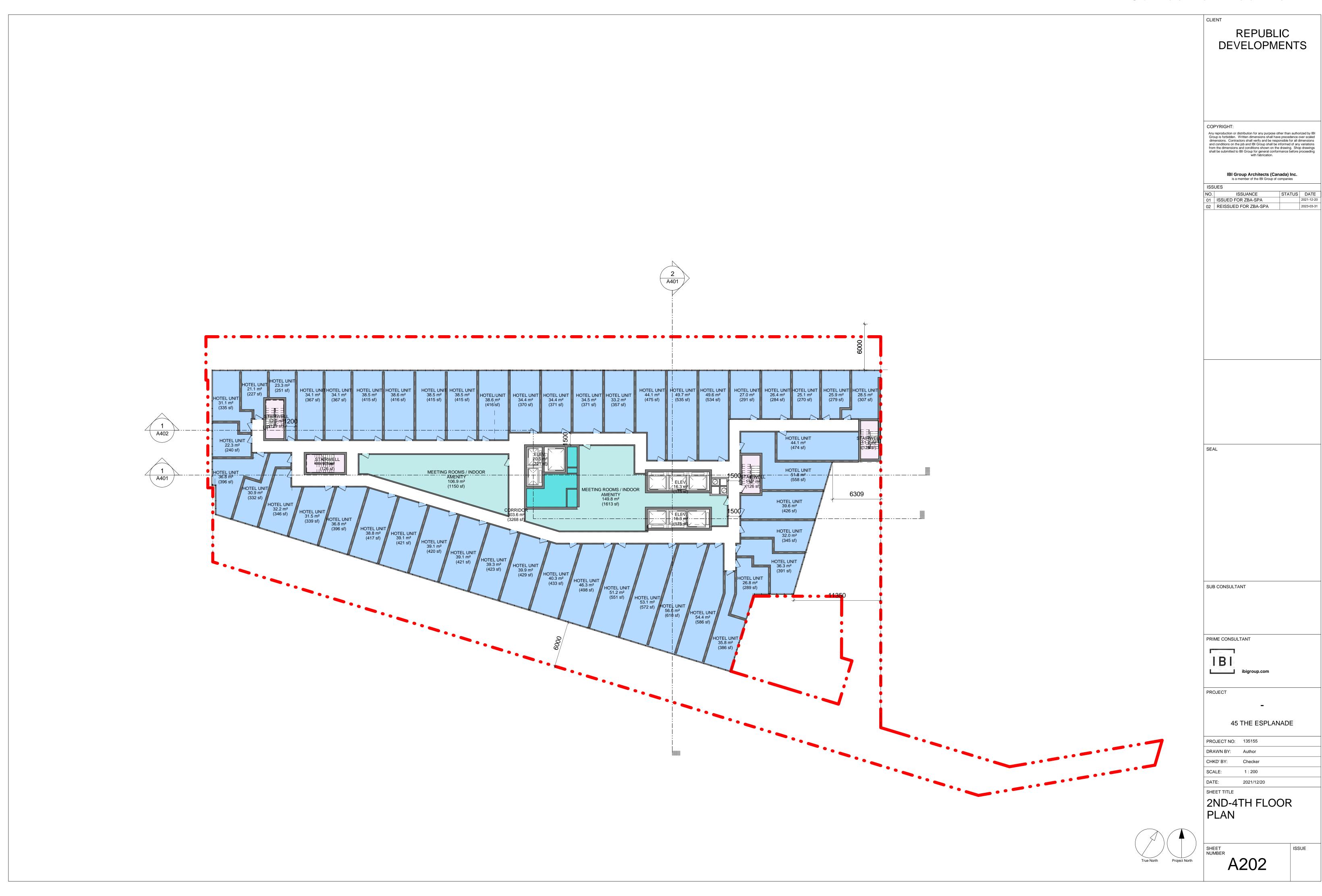


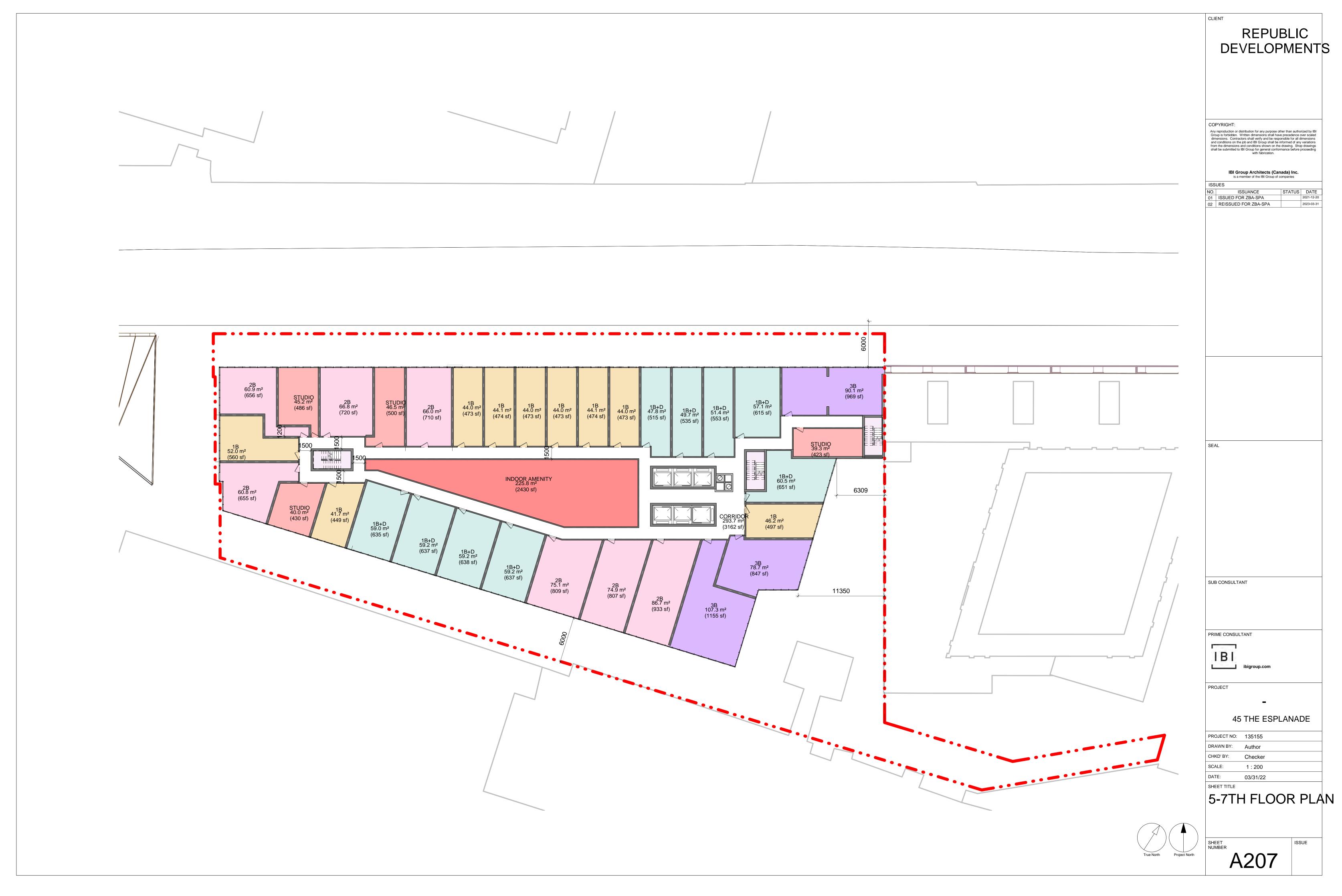


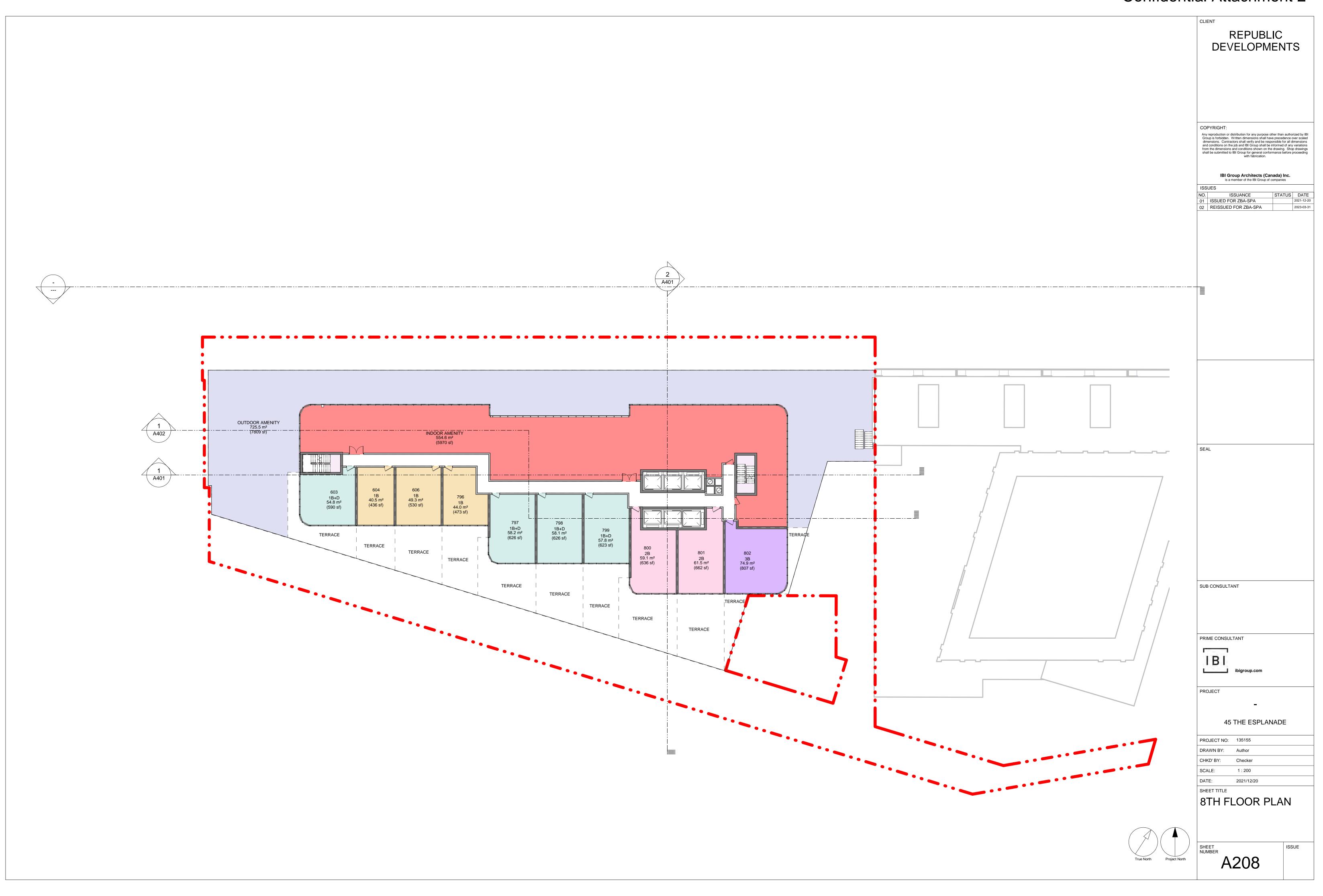


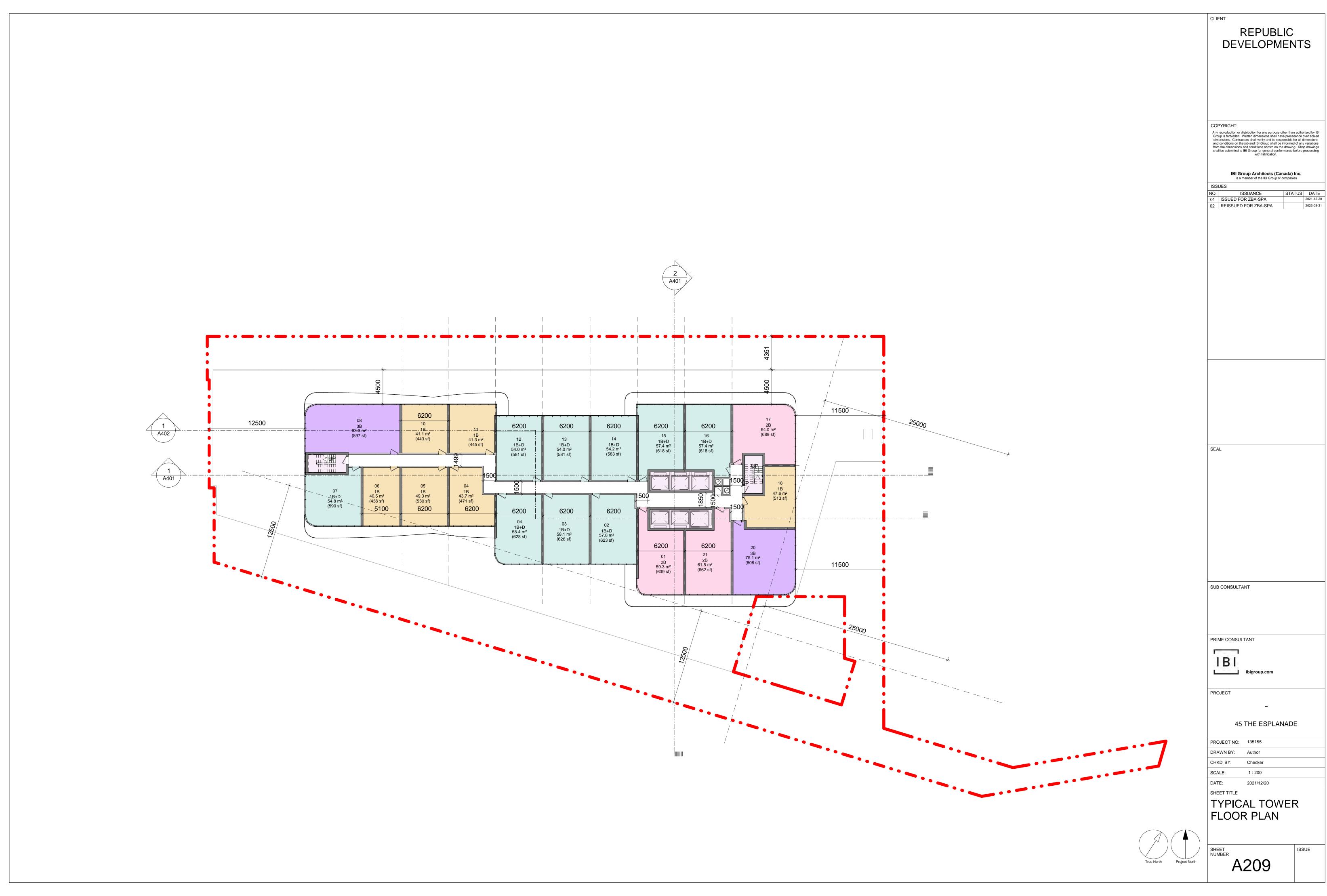


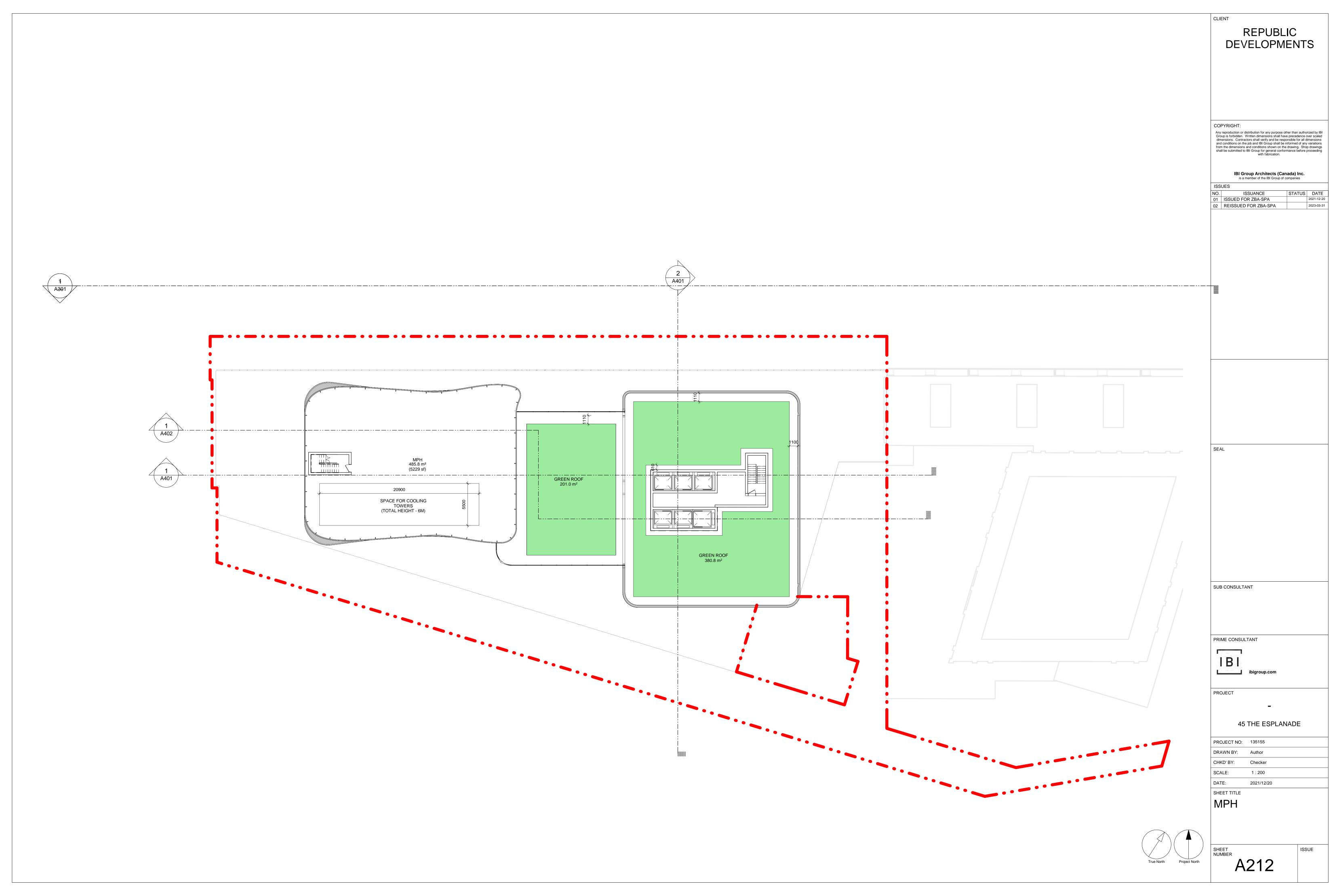








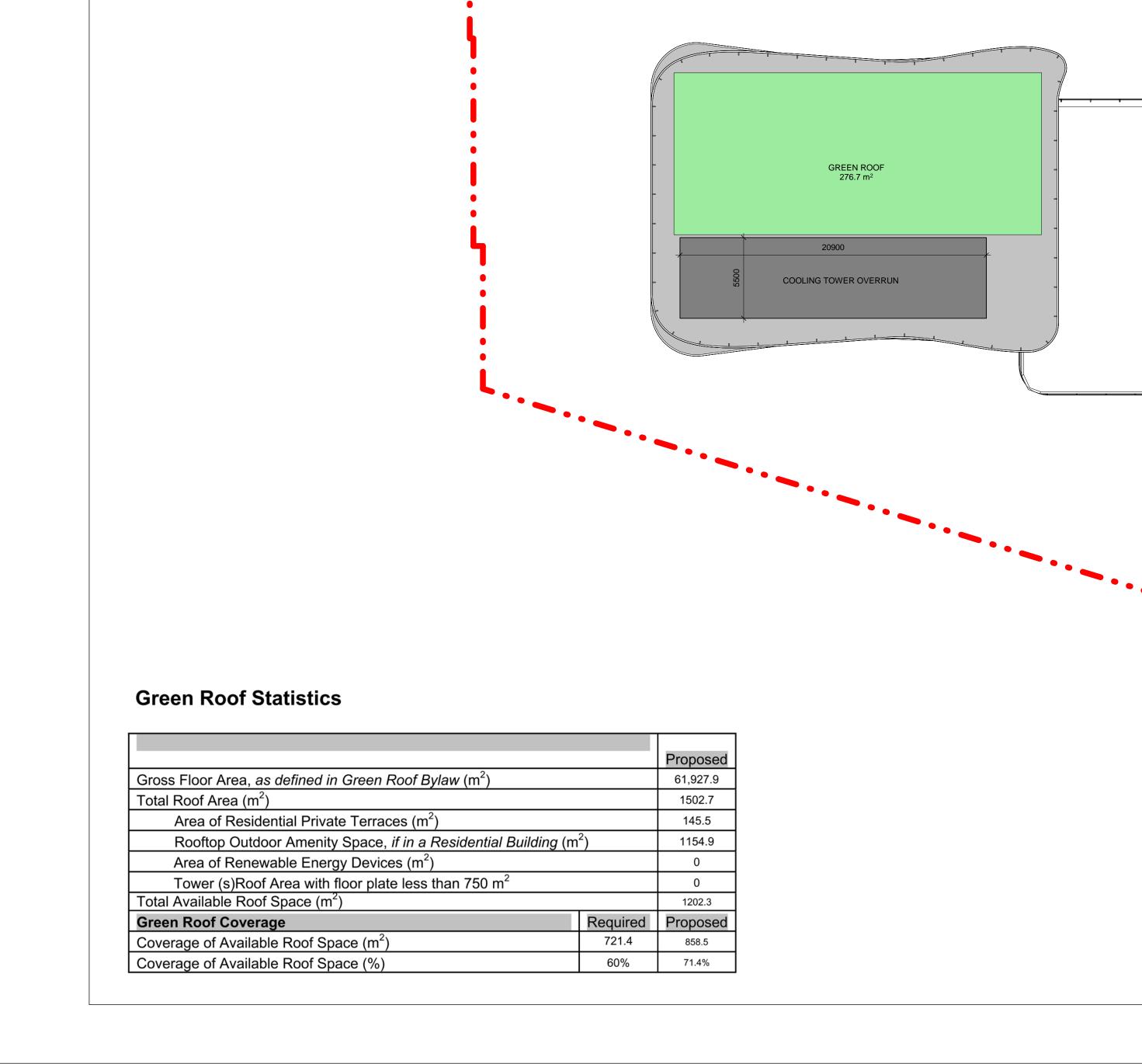




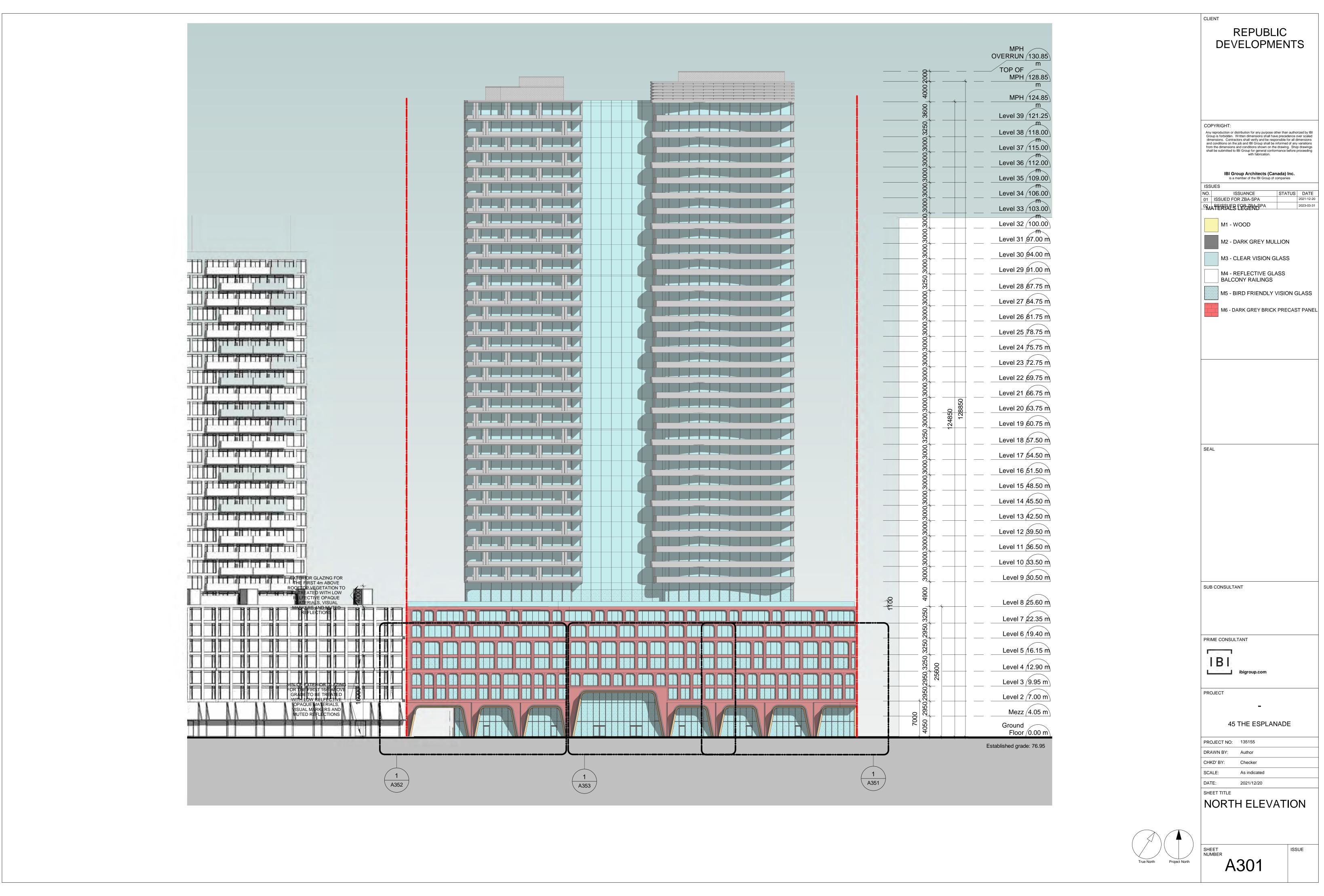
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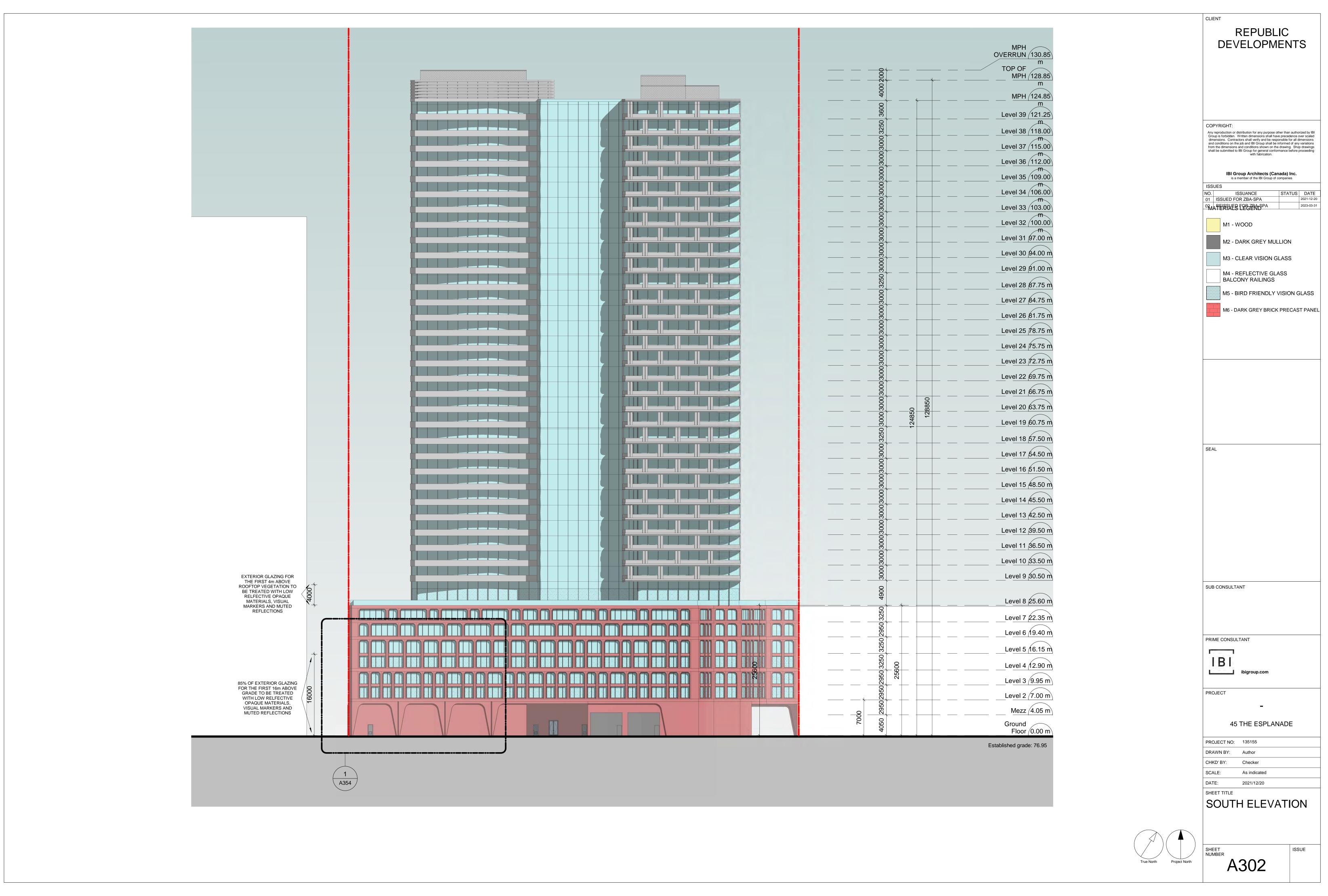
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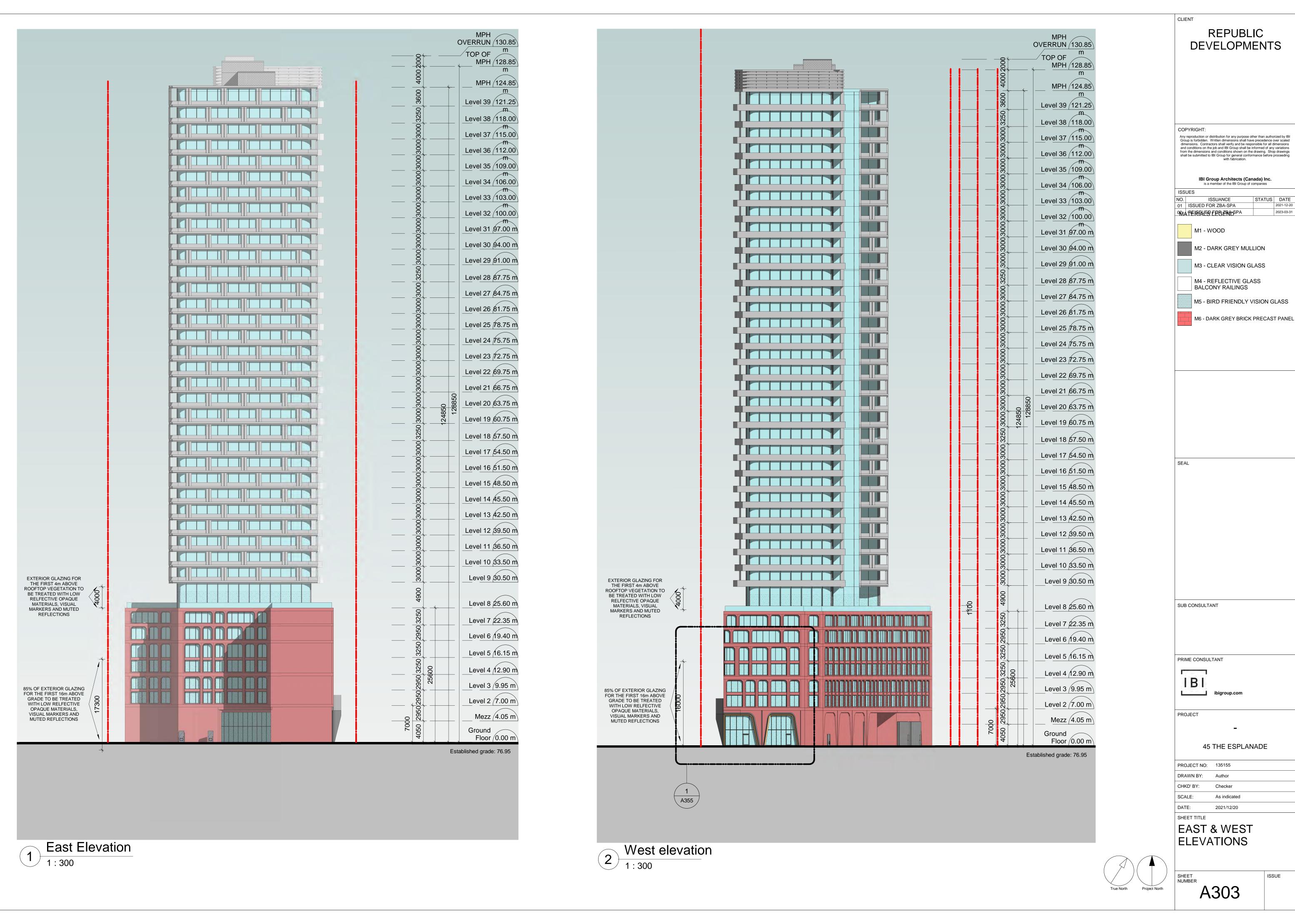
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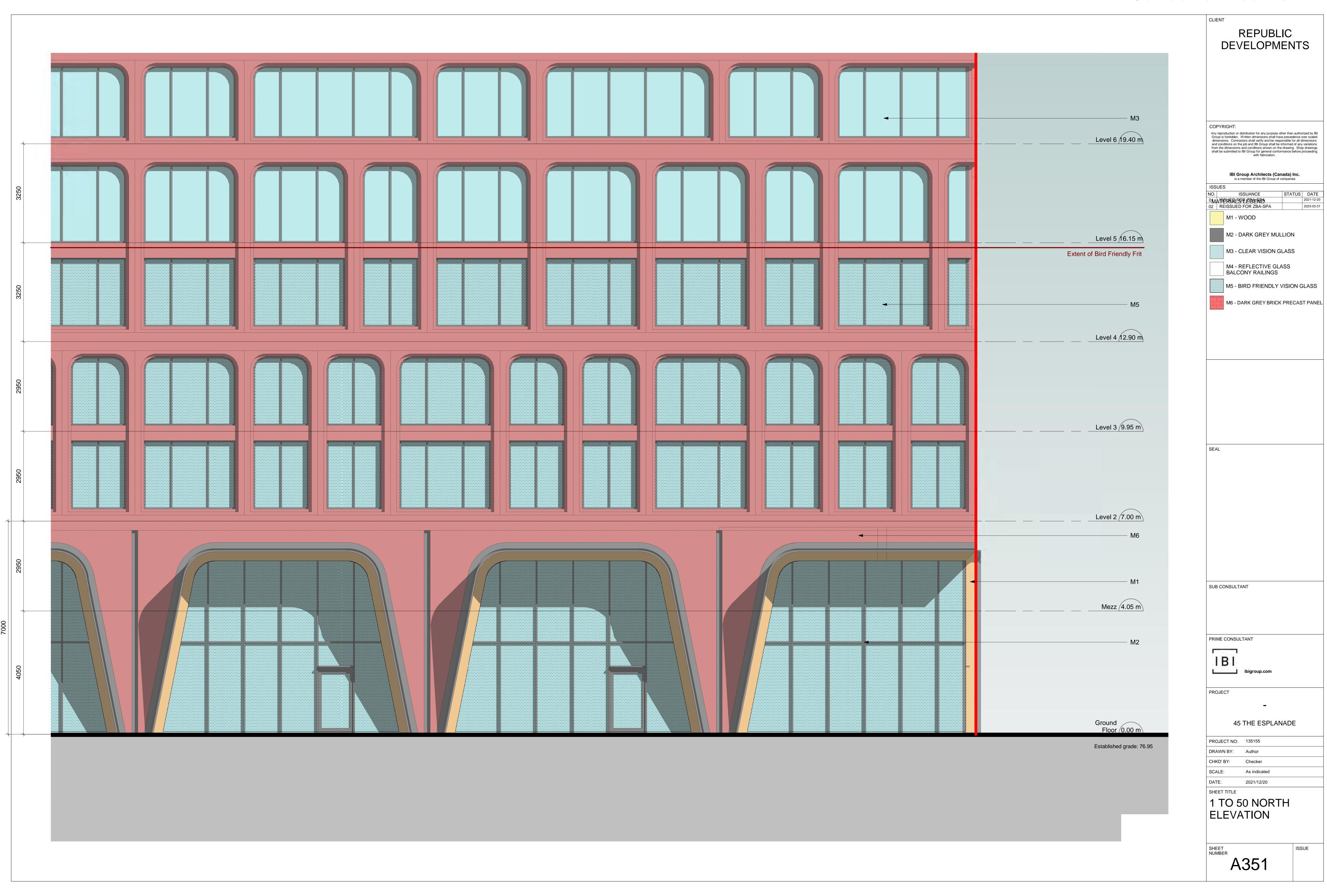


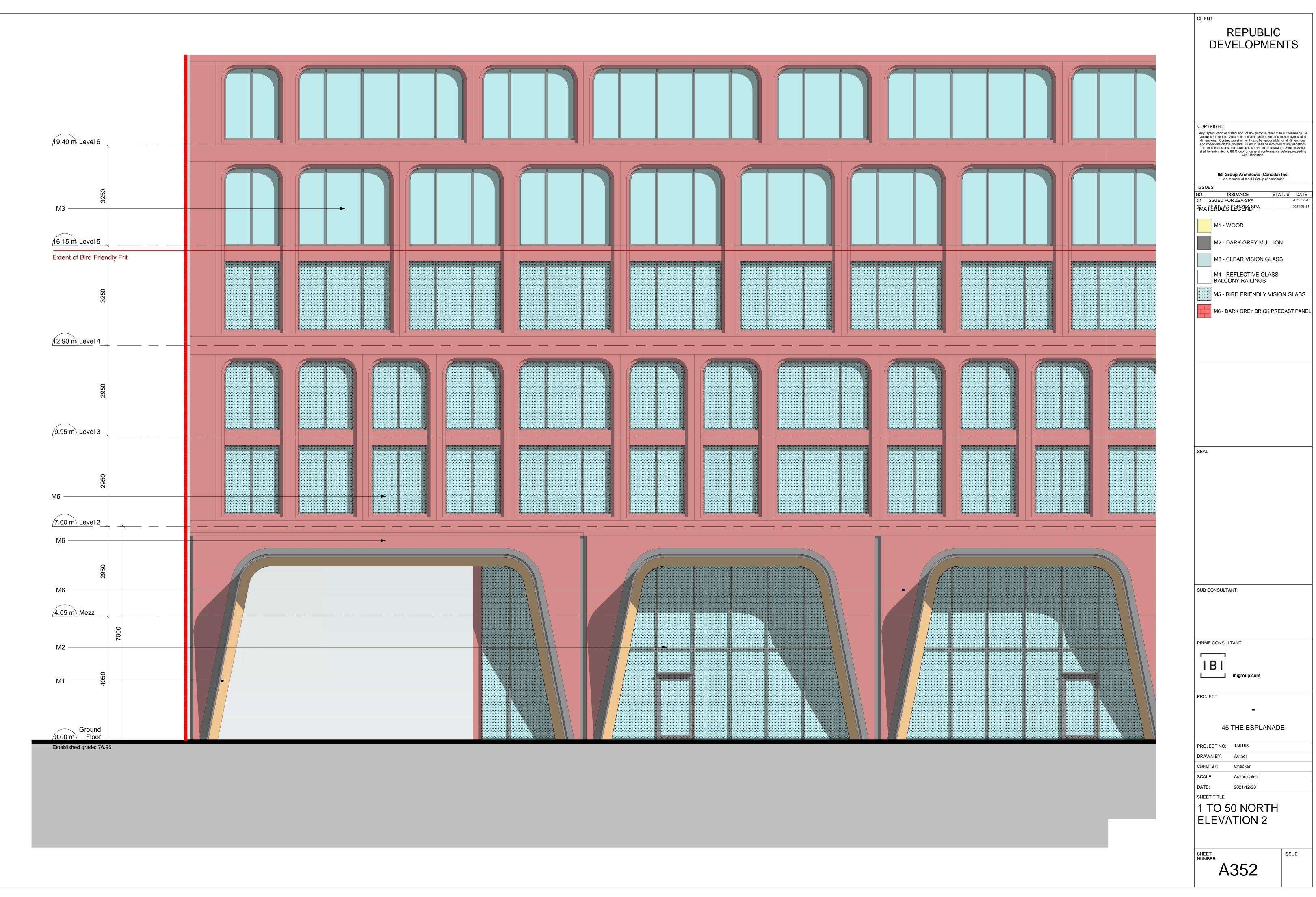
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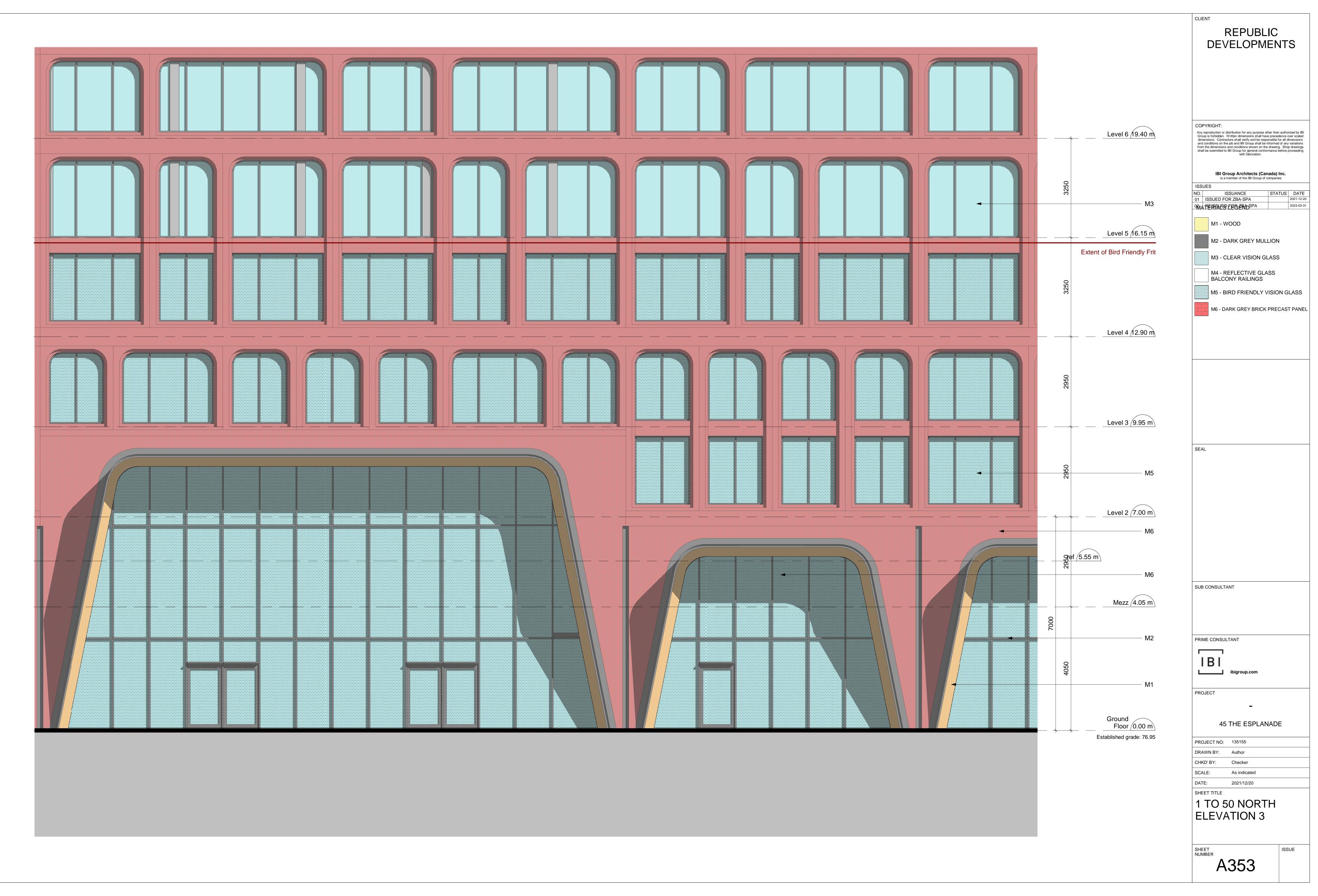


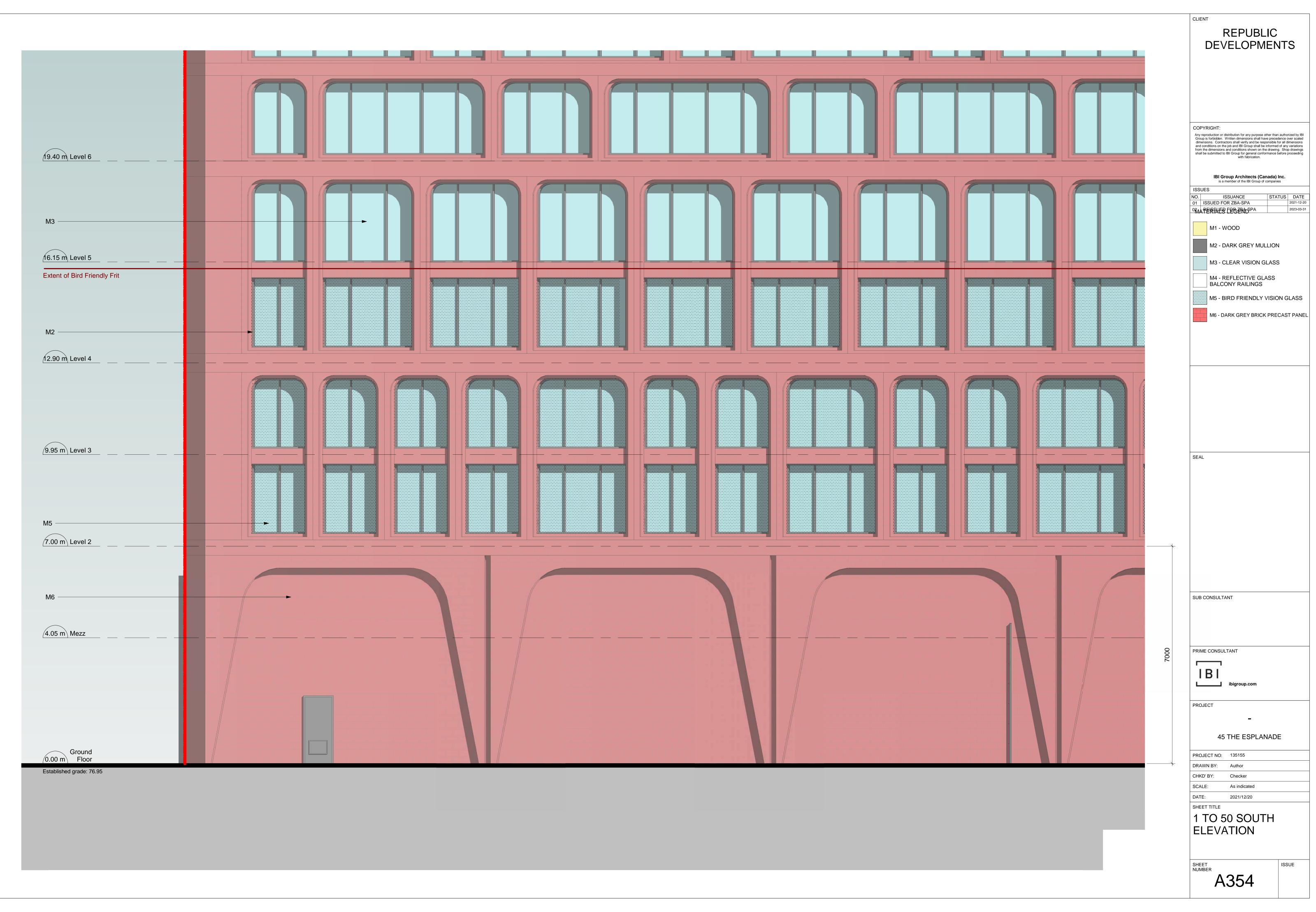


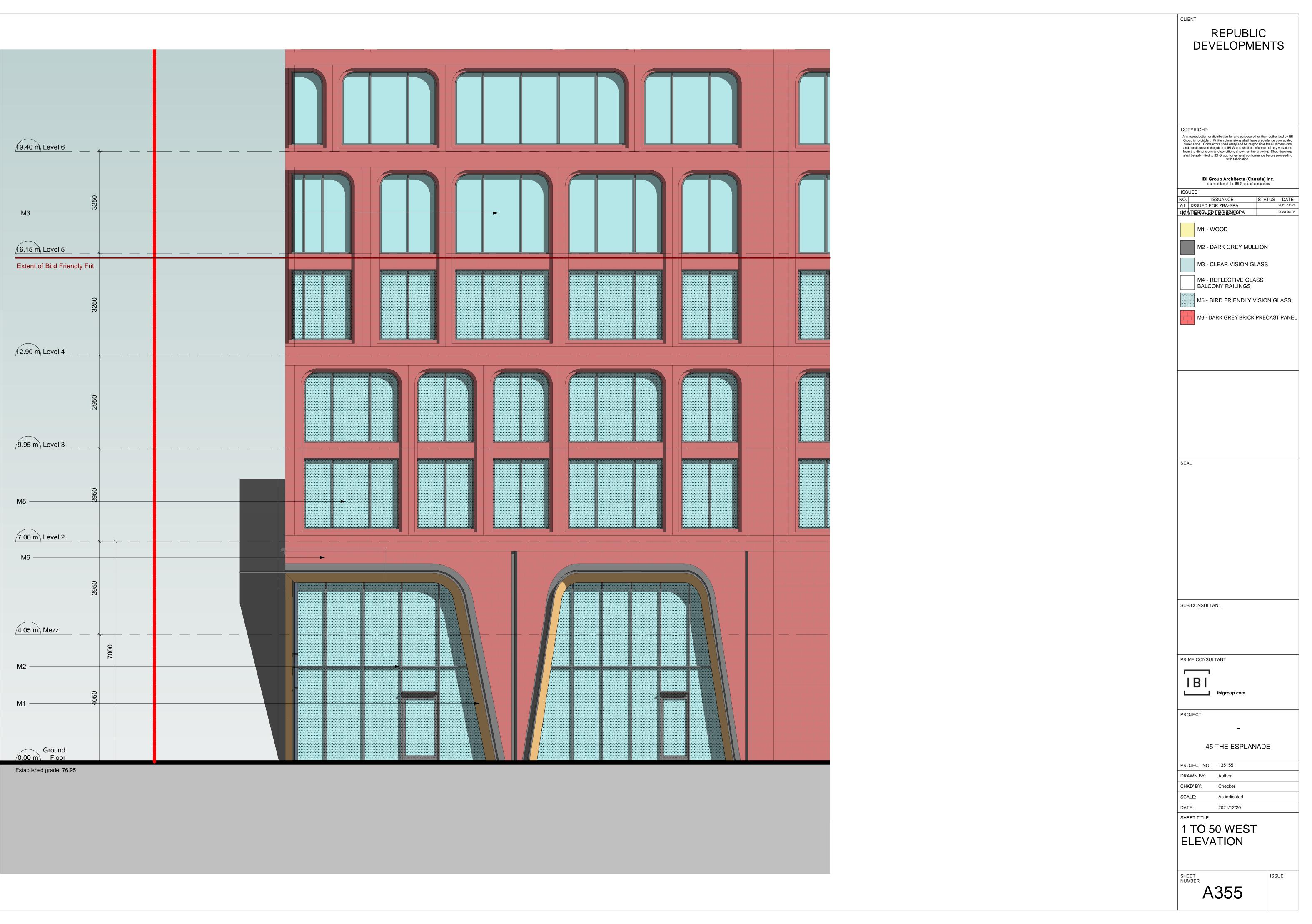


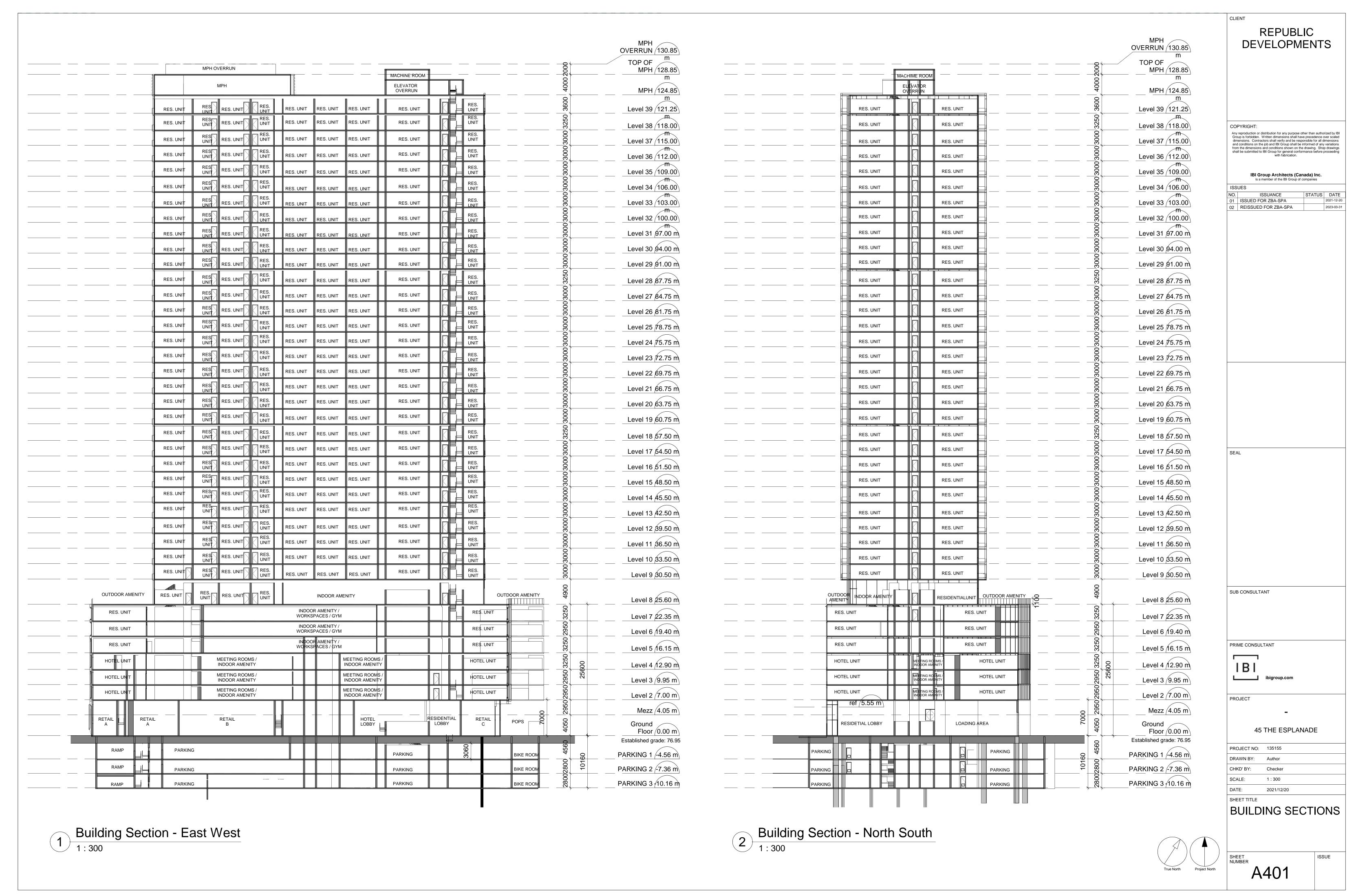


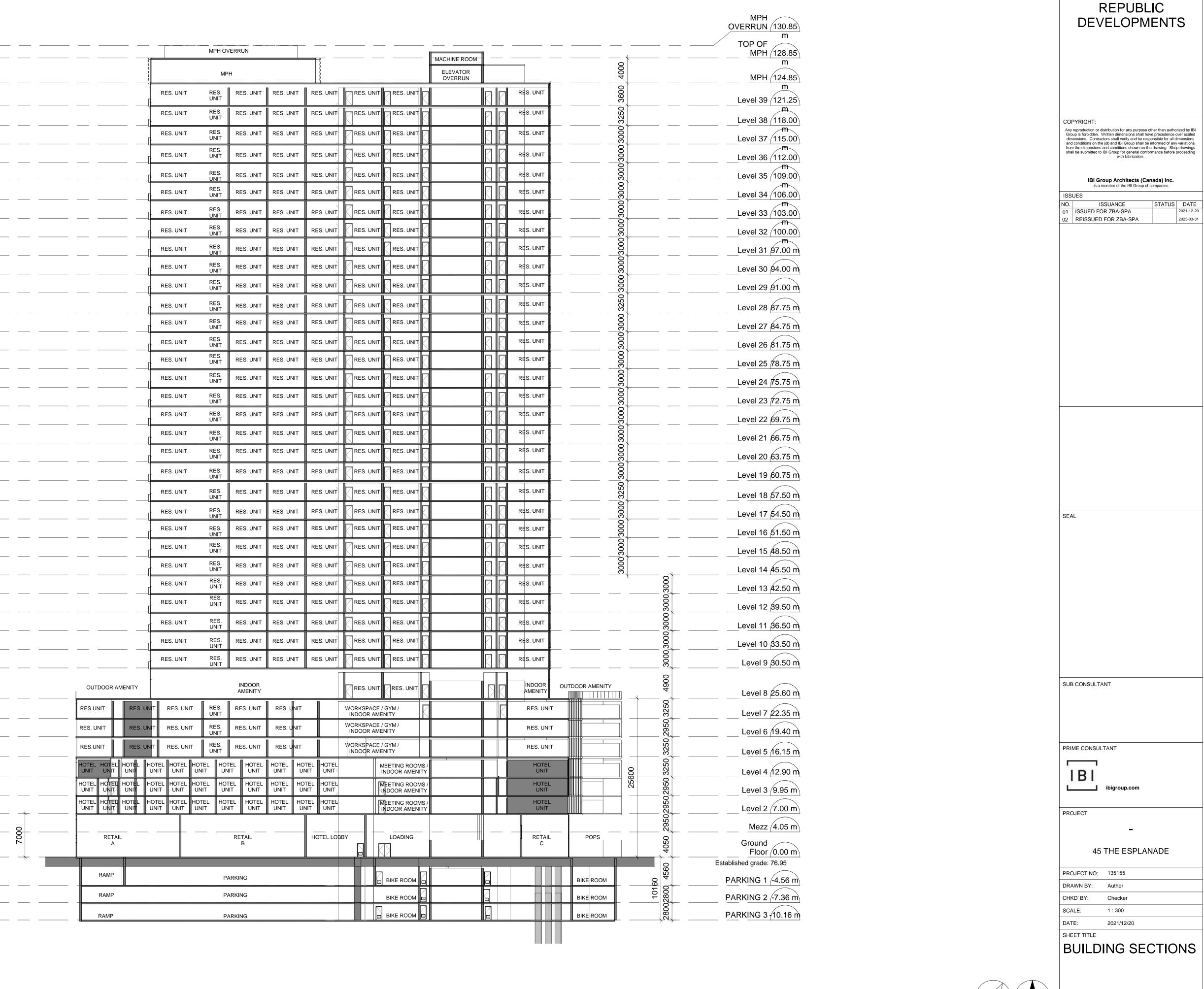


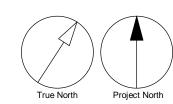














Streetview from The North side of The Esplanade REPUBLIC DEVELOPMENTS

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Aerial View from the North-East



Aerial View from the South-East

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View looking up from The Esplanade

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