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May 25, 2023

Our File No.: 201090

WITHOUT PREJUDICE

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

Attention: Marc Hardiejowski/Jessica Amey

Dear Sirs/Mesdames:

**Re: Case No. OLT-22-004501 – Settlement Offer
4-10 Beamish Drive**

We are solicitors for Amdev (Beamish) LP in respect of the properties known municipally as 4-10 Beamish Drive (the “**Lands**”). 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 June 14, 2023.

As you know, our client engaged in without prejudice mediation with City staff and representatives from the South Eatonville Residents Association over the last several months regarding the redevelopment proposal for the Lands. These discussions resulted in a revised set of plans, prepared by Graziani+Corazza and attached to this without prejudice settlement offer, 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 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). Key aspects of the Revised Plans include:
 - a. a reduced height from 52-storeys (167.5 metres, excluding 6.0 metre high mechanical penthouse) to 44-storeys (137.7 metres, excluding 6.0 metre high mechanical penthouse and an outdoor amenity terrace);
 - b. tower setbacks of 12.5 metres to the west and south property lines;

- c. a tiered 5-storey and 8-storey podium, with increased setbacks to the various podium elements;
 - d. maximum tower floor plates (gross construction area) of 825 square metres for storeys 9-28 and 785 square metres for storeys 29-44; and,
 - e. a public landscape walkway along the southern portion of the Lands, to be secured as a privately-owned public space, which is adjacent to a commercial patio area, bicycle parking spaces, a resident amenity patio, and a pet spa/relief area.
2. The implementing zoning by-law will require a minimum 10% of the units as 3-bedroom units and 15% of the units as 2-bedroom units.
 3. The proposed amenity space ratio would meet the requirement in Zoning By-law No. 569-2013, as shown on the Revised Plans.
 4. The proposed vehicle parking ratio would meet or exceed the parking standards for Zone A in By-law No. 89-2022, as shown on 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:

- confirmation that the zoning by-law amendment(s) are in final form and content, to the satisfaction of the City Solicitor and Chief Planner and Executive Director, City Planning;
- the owner has submitted a revised Functional Servicing Report and Stormwater Management Report, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, with such report to determine the stormwater run-off, sanitary flow and water supply demand resulting from the development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development and/or any upgrades that may be required;
- the owner has made arrangements to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, for the construction of any improvements to the municipal infrastructure, including the use of a Holding provision in the site-specific zoning by-law amendment, if necessary, should it be determined that upgrades are required to the infrastructure to support the development as identified in the accepted Functional Servicing and Stormwater Management Reports accepted by the Chief Engineer and Executive Director of Engineering & Construction Services;

- The owner has addressed all outstanding issues raised by Urban Forestry, Tree Protection and Plan Review, as they relate to the Zoning By-law Amendment application, to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- The owner has submitted a revised a Transportation Impact Study, to the satisfaction of the General Manager, Transportation Services; and,
- The owner has submitted a revised Pedestrian (updated) Wind Study, to the satisfaction of the Chief Planner and Executive Director, City Planning, with recommendations implemented as part of the amending Zoning By-laws to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

As noted above, this without prejudice settlement offer will remain open until the end of the City Council meeting scheduled to commence on June 14, 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 and the feedback and contribution of SERA representatives that has enabled the presentation of this without prejudice settlement offer to City Council.

Yours truly,

Goodmans LLP



David Bronskill

DJB/

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