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May 30, 2023

Our File No.: 221555

**WITHOUT PREJUDICE**

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

**Attention: Gabe Szobel, Solicitor, Legal Service Division**

Dear Sirs/Mesdames:

**Re: 15 Charles Street East  
City of Toronto File No. 21 251414 STE 13 OZ  
Appeal of Rezoning Application pursuant to subsection 34(11) of the *Planning Act***

We are solicitors for Northampton Inns (Whitby) Inc., who are the owners of the properties known municipally in the City of Toronto as 15 Charles Street East and 16 Isabella Street (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 June 14, 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 May 19, 2023, which are attached to this letter (the “**Revised Plans**”).

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 66 storey tower plus mechanical penthouse with ground floor retail uses, and residential uses above, with stepbacks as shown on the Revised Plans.

- b. The Revised Plans provide for 610 residential units in total, comprised of 64 3 bedroom units, 124 2 bedroom units, 291 1bedroom plus den units, 125 1bedroom units, and one studio unit, 165 square metres of retail space, 62 underground parking spaces for cars, and 210 bicycle parking spaces.
  - c. Total amenity space of 1598 square metres is provided with 1218 square metres being indoor amenity space.
  - d. There is a proposed public park of approximately 150 square metres.
  - e. The Revised Plans provide a revised and improved base building setback to George Hislop Park. The east elevation of the podium has been narrowed by 1.8 metres so as not to encroach into the 3 metre setback to George Hislop Park with the exception of balconies.
3. A limiting distance agreement has been entered into between our client and the owner of the property municipally known as 661 Yonge Street, Toronto (“**661 Yonge**”) to address the impact of the Revised Plans on the property rights associated with 661 Yonge.

This proposal delivers much needed housing in an area that is well served by existing public infrastructure, including higher order transit, and delivers public parkland for the community. We hope that City staff and City Council receive this proposal well.

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 Zoning By-law Amendments are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;
- That in accordance with Section 42 of the Planning Act prior to the first above grade building permit, the Owner convey to the City, an on-site parkland dedication, having a size of 150 square metres, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor;
- The owner has submitted an addendum to the Pedestrian Wind Study or a revised Pedestrian Wind Study, including the identification of any required mitigation measures to be secured in the zoning by-law amendment and through the site plan control process, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- That the on-site parkland dedication be subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, other than a construction staging license reserved by the owner for a term to end upon the first occupancy of the building, and in an acceptable environmental condition.

- the owner has addressed all outstanding issues raised by Urban Forestry as they relate to tree planting, soil volume, utility conflicts, tree protection, and Toronto Green Standards, to the satisfaction of the Supervisor, Tree Protection and Plan Review; and
- the owner has resolved matters related to roadway widenings and conveyances, as well as matters related to functional servicing and stormwater management, 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 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 that has enabled the presentation of this without prejudice settlement offer to City Council.

Yours truly,

**Goodmans LLP**



David Bronskill  
DJB/  
Encl.

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