



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

June 30, 2023

Our File No.: 213089

WITHOUT PREJUDICE

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

Attention: Sarah O'Connor & Jessica Amey

Dear Sirs/Mesdames:

**Re: Case No. OLT-21-001606 – Settlement Offer
537-547 Eglinton Avenue East & 59-61 Hoyle Avenue**

We are solicitors for 545 Eglinton LP Inc. in respect of the properties known municipally as 537-547 Eglinton Avenue East and 59-61 Hoyle Avenue (the “**Lands**”). We are writing on behalf of our client to provide 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 July 19, 2023, unless otherwise indicated.

As you know, our client engaged in without prejudice mediation with City staff, the owner of the adjacent property at 551 Eglinton Avenue East, and representatives from the Hoyle Residents Group over the last several months regarding the redevelopment proposal for the Lands. These discussions resulted in a revised set of plans, prepared by Turner Fleischer 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 Official Plan and zoning by-law amendments. Key aspects of the Revised Plans include:
 - a. a reduction in the height to twenty (20) storeys and an approximate metric height of 68.0 metres above established grade. The mechanical penthouse will be 6.0

metres high and will be smaller in footprint size than the floors below, with efforts made to minimize the footprint through the site plan process;

- b. tower setbacks would be as shown on the Revised Plans, including 20.0 metres to the south lot line and 10.0 metres to the east lot line, 2.0 metres to the west lot line, and 2.0 to 3.5 metres to the north lot line;
- c. at the northwest corner of the building, the tower will extend down to the 2nd storey, to act as a focal point for the corner of Hoyle Avenue and Eglinton Avenue East;
- d. the ground floor and 2nd floor plans have been revised to provide greater setbacks along Eglinton Avenue East and Hoyle Avenue, including but not limited to the 3.0 metre wide landscaped setback along Hoyle Avenue to provide public-private transition in front of the grade-related units, the 3.0 metre setback to Eglinton Avenue East and at the ground level, and the recessing of the northwest corner to create an expanded pedestrian streetscape;
- e. the 7-storey podium has been sculpted to step down to 5-storeys, with setbacks and stepbacks as shown on the Revised Plans;
- f. no projecting balconies would be permitted to the south on the 2nd-5th storeys, the 7th storey, or on the east façade of the tower, but projecting balconies with depth not more than 1.5 metres, would be permitted on the other facades of the tower although limited on the north and west tower facades to 60% of the length of the façade that is stepped back 2.0 metres from the podium, and limited to 45% of the south tower façade;
- g. the proposed 6.0 metres wide driveway has been shifted north, as shown on the Revised Plans, to align for a future driveway connection and landscaped buffer on the east-adjacent property at 551 Eglinton Avenue East. The shifting of the proposed driveway also allows an increased landscape buffer at the rear of the site for tree plantings with silver maple, red oak or eastern cottonwood trees, as well as two eastern white pine trees with a height of approximately 6.1 metres (as compensation for the existing tree to be removed). The landscaped buffer will include a new solid wood sound fence along the southern property line;
- h. the provision of an outdoor seating area within the landscape buffer, although in closer proximity to Hoyle Avenue than as shown on the Revised Plans;
- i. the underground garage has been designed to provide increased soil volumes along the southern portion of the Property, as shown on the Revised Plans;
- j. amenity space will be provided at a ratio of 3.5 square metres per unit, of which 1.5 square metres per unit is outdoor amenity space and at least 30.0 square metres of

the outdoor amenity space will be on the same floor and adjacent to indoor amenity space. A pet relief area will be provided at grade, in addition to and separate from the above mentioned amenity space rate, as generally shown on the Revised Plans;

- k. the south facing terraces at the 6th and 8th storeys for any residential units and/or any outdoor amenity space facing south would include a privacy planter along the southern edge to mitigate overlook concerns;
 - l. Provision of a substantial portion of the required long-term bicycle parking and all of the required short-term bicycle parking, on the ground level and/or mezzanine with a direct access to the public realm for ease of use and movement;
 - m. A retail space along Eglinton Avenue East;
 - n. Conveyances of a 6.0 metre wide corner rounding at the northwest site corner and 0.4 metres wide along the entire north site boundary to widen Eglinton Avenue East.
2. The implementing zoning by-law will require a minimum 10% of the units as 3-bedroom units, 15% of the units as 2-bedroom units, and an additional 15% of the units as a combination of 2-bedroom and 3-bedroom units or that can be converted to 2-bedroom and 3-bedroom units through the use of adaptable design measures, in accordance with the Yonge-Eglinton Secondary Plan;
 3. The minimum 6.0 metres wide driveway will be constructed to a standard, to the satisfaction of Transportation Services, during site plan control process, and be subject to a surface easement to allow vehicular and pedestrian public access and use, in order to contribute to the planned laneway network of the Yonge-Eglinton Secondary Plan; and
 4. As part of the settlement, and to be implemented through the site plan control process, our client agrees to establish a working committee with up to five (5) community representatives to provide input on the construction management plan, including but not limited to securing appropriate measures regrading dust suppression, site cleaning and timely removal of debris.

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 and official plan amendment 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 an updated Computational Fluid Dynamics pedestrian level wind study, including the identification of any required mitigation measures to be secured in the zoning by-law amendment and through the site plan process, all to the satisfaction of the Chief Planner and Executive Director, City Planning;
- The owner has submitted a satisfactory Hydrogeological Report, and Functional Servicing and Stormwater Management Report, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- The owner has satisfactorily addressed any outstanding issues raised by Engineering and Construction Services, arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Zoning By-law Amendment application, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- The owner has designed and provided financial securities for any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Engineering Reports, to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water, should it be determined that improvements or upgrades are required to support the development, according to the accepted Engineering Reports, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water;
- The owner has submitted an updated complete Toronto Green Standards (TGS) Checklist and Statistics Template;
- The owner has submitted a satisfactory Transportation Impact Study including an acceptable Parking and Loading Study and Transportation Demand Management Strategy satisfactory and the General Manager, Transportation Services;
- If it is determined that there are affected rental housing units and/or dwelling rooms with existing tenants, the owner has submitted a tenant relocation and assistance plan to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;
- If it is determined that a Rental Housing Demolition Application is necessary, that City Council, or the Chief Planner and Executive Director, City Planning where authorized to do so, has authorized the Rental Housing Demolition Application under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006, as applicable.

As noted above, this without prejudice settlement offer will remain open until the end of the City Council meeting scheduled to commence on July 19, 2023, unless otherwise indicated, at which point it should be considered as withdrawn if not accepted by City Council.

Yours truly,

Goodmans LLP



David Bronskill

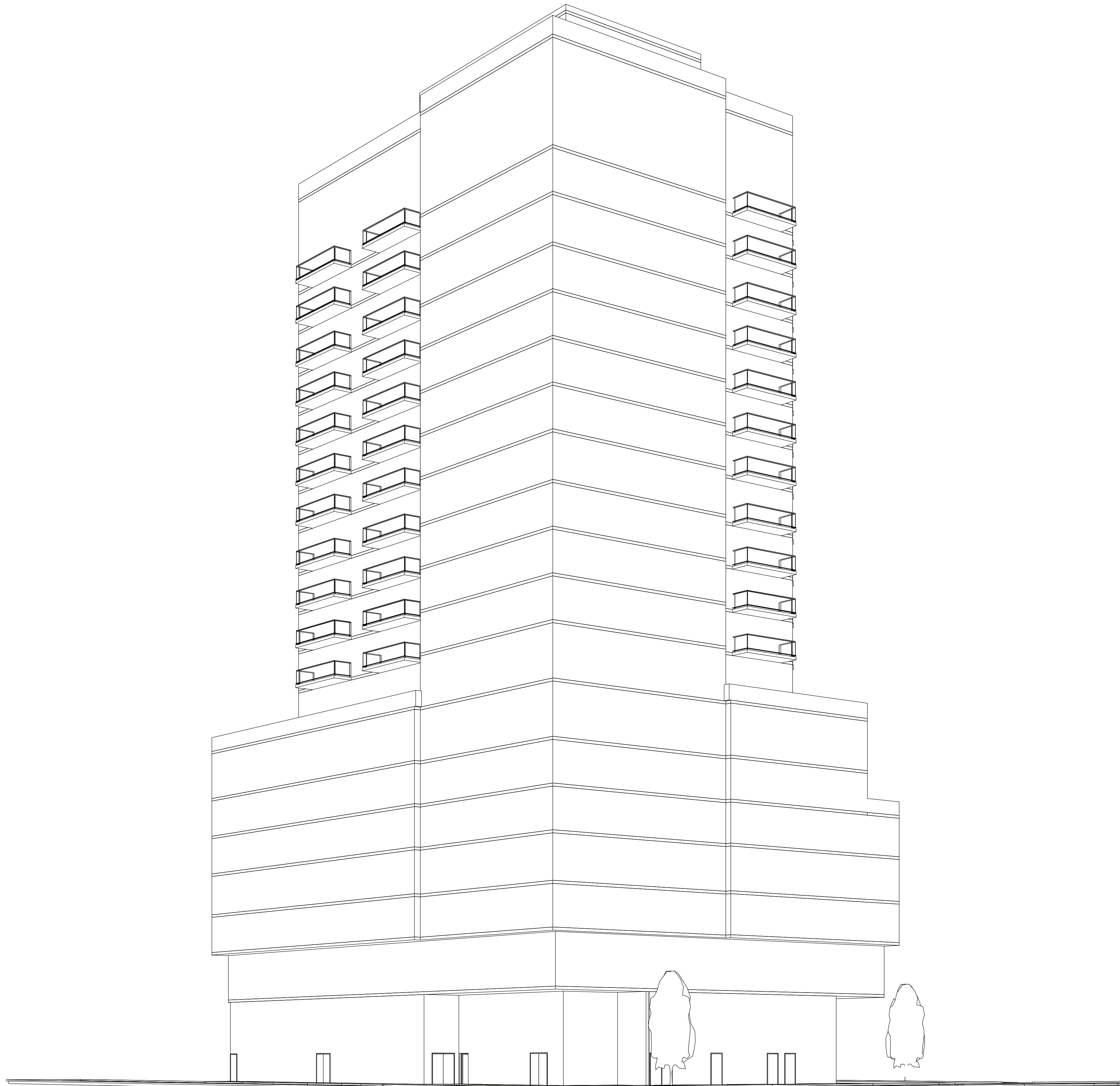
DJB/

7388979

TURNER FLEISCHER

TurnerFleischerArchitectInc.
67 Lesmill Road
Toronto, ON, M3B 2T9
T 416 425 2242
turnerfleischer.com

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#	DATE	DESCRIPTION	BY
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PROJECT
**PROPOSED MIXED-USE
DEVELOPMENT**
537-547 Eglinton Avenue E. and 59 & 61 Hoyle Ave
Toronto, ON

DRAWING
STREET VIEW

PROJECT NO. 22_184P01
PROJECT DATE
DRAWN BY Author
CHECKED BY Checker
SCALE

DRAWING NO. SPA0002	REV.
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GROSS FLOOR AREA SUMMARY

PARCEL	GFA		FSI	
	m ²	ft ²		
20 STOREY RESIDENTIAL BUILDING	RESIDENTIAL	17,713.1	190,663	8.66
	INDOOR AMENITY	601.6	6,476	0.29
	RETAIL	288.6	3,107	0.14
	TOTAL	18,603.3	200,246	9.10
TOTAL SITE AREA	2,044.7	21,217		

PROJECT SUMMARY

PARCEL	FLOOR	RETAIL GFA		RESIDENTIAL				TOTAL GROSS FLOOR AREA (GFA) (TFA - EXCLUSIONS)		RESIDENTIAL OUTDOOR AMENITY				
		m ²	ft ²	m ²	ft ²	m ²	ft ²	m ²	ft ²	m ²	ft ²			
20 STOREY MIXED-USE RESIDENTIAL BUILDING	UG 2							28.9	311	28.9	311			
	UG 1							28.9	311	28.9	311			
	1	289	3,081	14.2	153.1	104.7	1,127	215.7	232	1,102.7	1187.0	173.3		
	2			439.5	4,731	738.4	7,948	63.6	685	1,300.9	1400.2			
	3			1,261.4	13,578	76.8	827	1,397.5	1504.3					
	4			1,261.4	13,578	76.8	827	1,397.5	1504.3					
	5			1,261.4	13,578	76.8	827	1,397.5	1504.3					
	6			1,131.3	12,177	61.6	663	1,252.2	1347.9					
	7			1,131.3	12,177	61.6	663	1,252.2	1347.9					
	8			147.9	1,592	497.6	5,356	43.9	472	726.5	782.0	288.9	3,110	
	9					632.2	6,805	57.2	615	726.5	782.0			
	10					632.2	6,805	57.2	615	726.5	782.0			
	11					632.2	6,805	57.2	615	726.5	782.0			
	12					632.2	6,805	57.2	615	726.5	782.0			
	13					632.2	6,805	57.2	615	726.5	782.0			
	14					632.2	6,805	57.2	615	726.5	782.0			
	15					632.2	6,805	57.2	615	726.5	782.0			
	16					632.2	6,805	57.2	615	726.5	782.0			
	17					632.2	6,805	57.2	615	726.5	782.0			
	18					632.2	6,805	57.2	615	726.5	782.0			
19					632.2	6,805	57.2	615	726.5	782.0				
20					632.2	6,805	57.2	615	726.5	782.0				
TOTAL			288.6	3,107	601.6	6,476	14,973.6	161,176	1,420.8	15,293	18,603.3	200,246	462.2	4,975

*TFA Definition - equal to the sum of the area bound by the outside face of the exterior walls on each floor with no exclusions.

UNIT TYPE MIX.

UNIT TYPE	COUNT	%	TOTAL COUNT
1B	113	37.7%	225
1B+D	112	37.3%	
2B	22	7.3%	45
2B+D	23	7.7%	
3B	30	10.0%	30
Total Number of Units			300

*15% OF 1B & 1B+D ARE TO BE CONVERTIBLE.

AMENITY AREAS - REQUIRED & PROVIDED

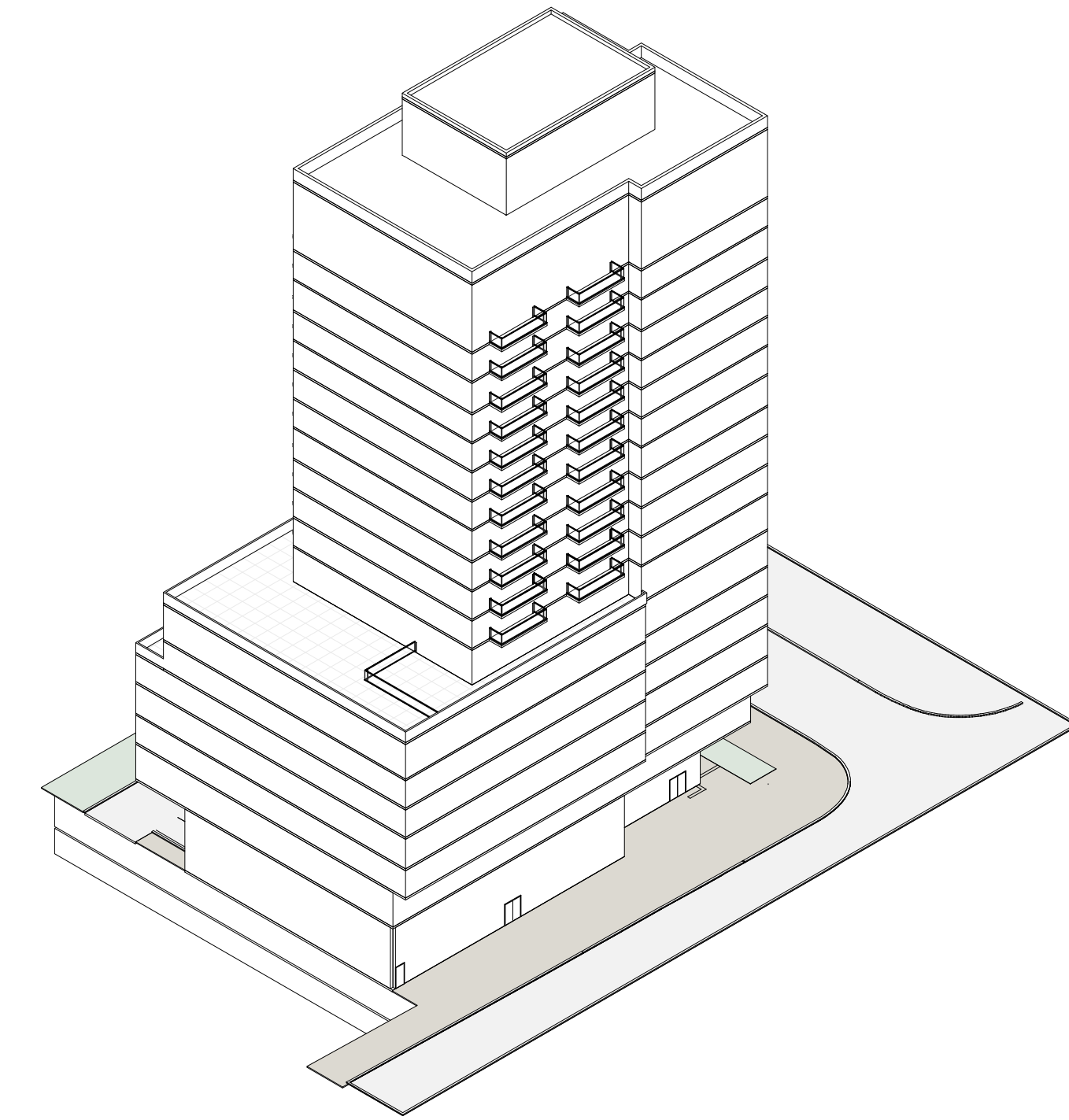
* AS PER CITY OF TORONTO ZONING BY-LAW NO. 569-2013

TYPE	REQUIRED			PROVIDED		
	RATIO	m ²	ft ²	RATIO	m ²	ft ²
INDOOR AMENITY	2.0 m ² / UNIT	600.0	6,458	2.0	601.6	6,476
OUTDOOR AMENITY	TOTAL AMENITY REQUIRED MINUS THE INDOOR AMENITY PROVIDED (NO LESS THAN 40m ²)			1.5	462.2	4,975
TOTAL AMENITY	3.5 m² / UNIT	1,050.0	11,302	3.5	1,063.8	11,451

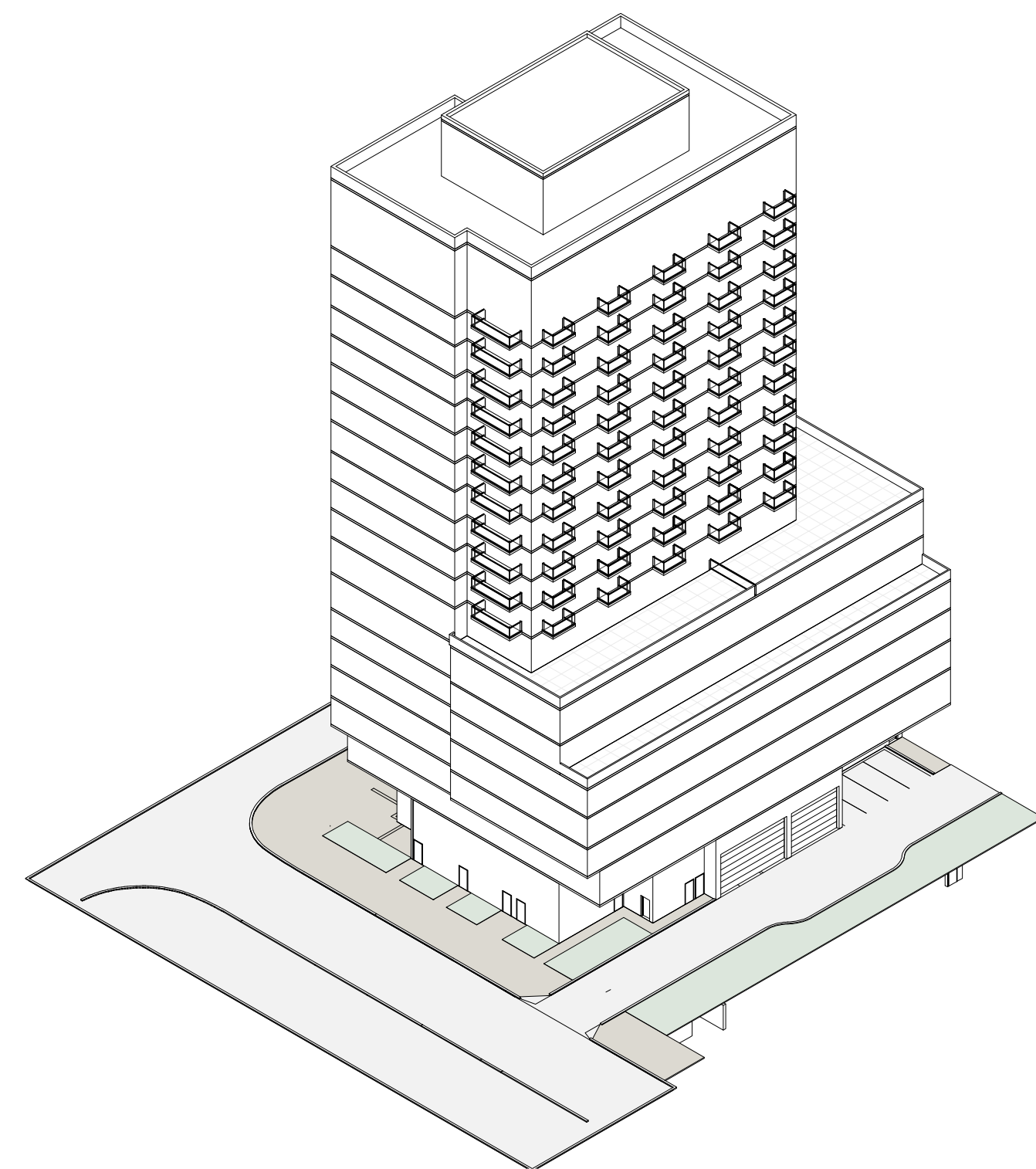
BICYCLE PARKING - REQUIRED & PROVIDED

* AS PER TORONTO GREEN STANDARDS V3 AND PER CITY OF TORONTO ZONING BY-LAW NO. 569-2013, BICYCLE ZONE 1

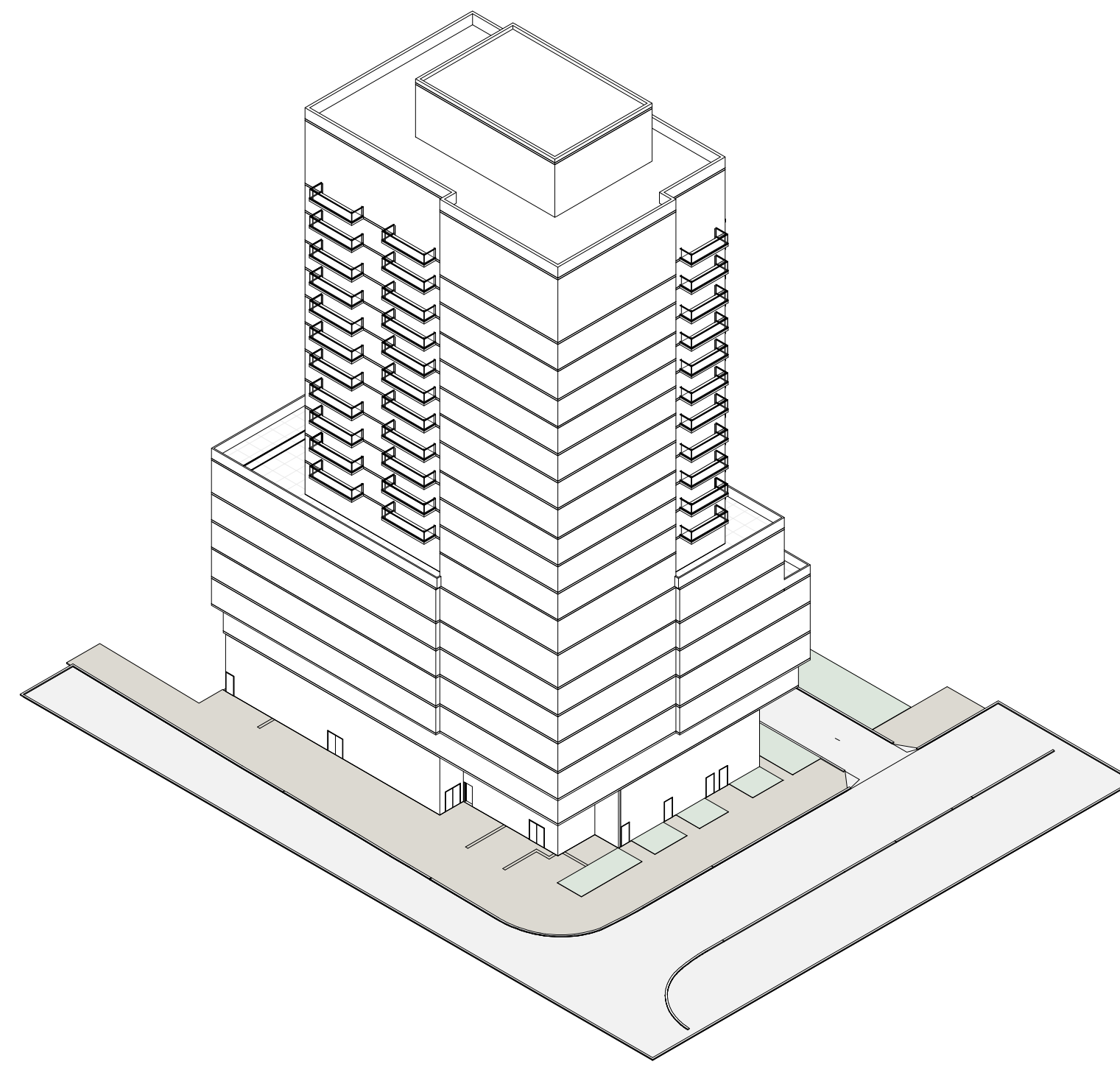
USE	RESIDENTIAL BIKE PARKING REQUIRED			RESIDENTIAL BIKE PARKING PROVIDED
	RATIO (MIN.)	UNITS / GFA (m ²)	SPACES	
SHORT TERM	0.10 / UNIT		30	32
LONG TERM	0.90 / UNIT	300	270	296
TOTAL BIKE PARKING			300	328



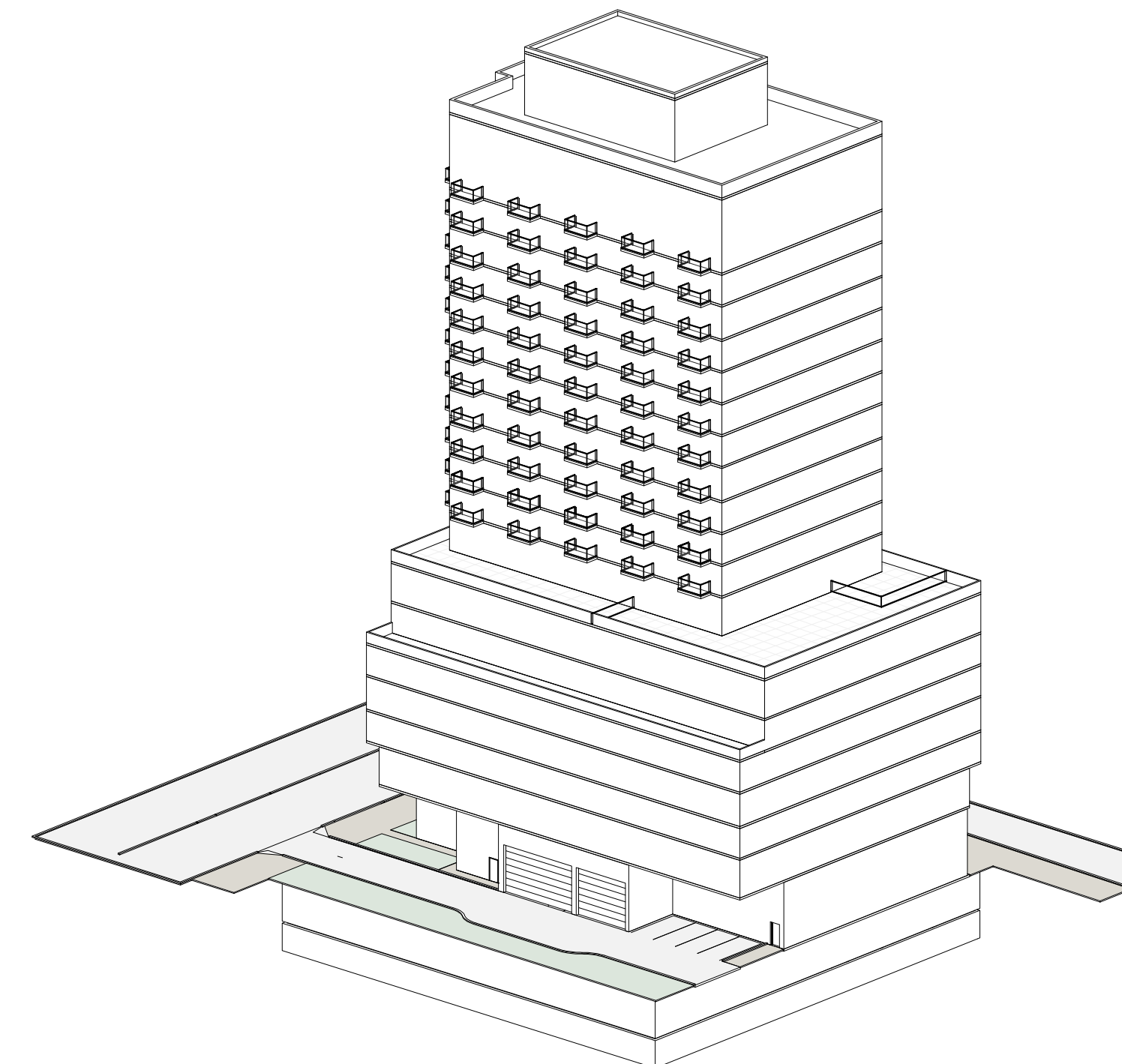
4 LOOKING SOUTH WEST



3 LOOKING NORTH EAST



2 LOOKING SOUTH EAST



1 LOOKING NORTH WEST

#	DATE	ISSUED FOR RZ AND SPA DESCRIPTION	HRK	BY
1	2022-09-02	ISSUED FOR RZ AND SPA	HRK	



PROJECT
PROPOSED MIXED-USE DEVELOPMENT
537-547 linton Avenue E and **9 & 8** hyle Ave
Toronto, ON

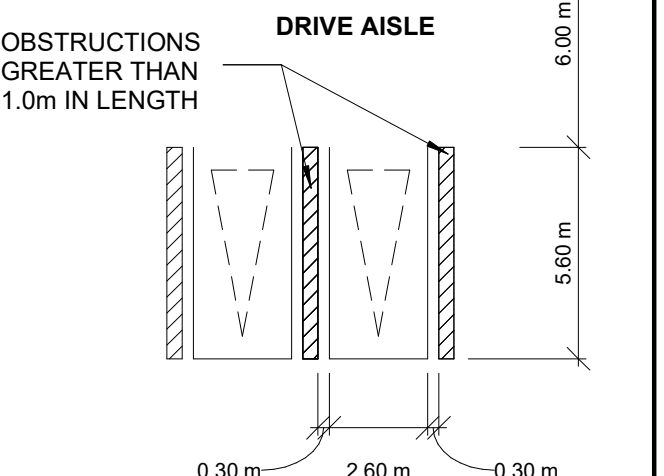
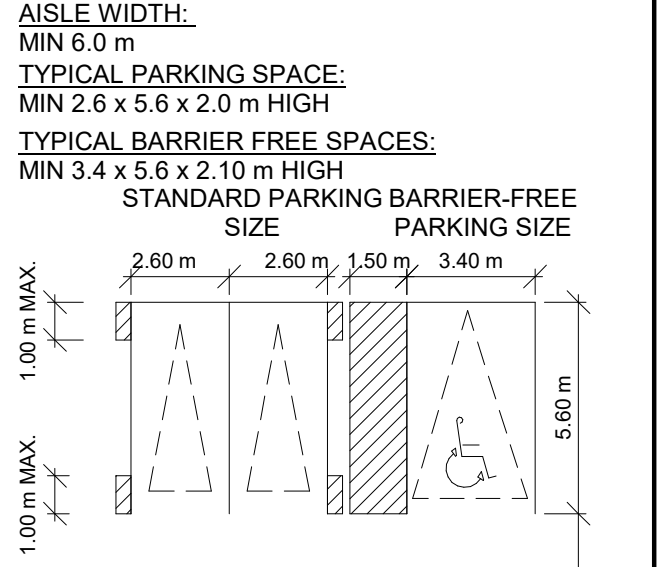
DRAWING
STATISTICS

PROJECT NO. 22.184P01	
PROJECT DATE	
DRAWN BY HHK	
CHECKED BY RMM	
SCALE	

DRAWING NO. SPA002 REV. 1

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VEHICULAR PARKING MINIMUM PERMITTED DIMENSIONS AS PER BY-LAW 569-2013



NOTE: ALL PARKING SPACES ARE TYPICAL (2.6 x 5.6 x 2.0) UNLESS OTHERWISE NOTED

AS PER TORONTO GREEN STANDARD (T.G.S) V3, E.V. S.E. INSTALLED TO DESIGNATED 20% PARKING SPACES ROUGHED-IN CONDUITS TO BE PROVIDED FOR THE REMAINING 80%

LEGEND

CONVEX MIRROR

#	DATE	ISSUED FOR RZ AND SPA DESCRIPTION	HR#K	BY
1	2022-09-02	ISSUED FOR RZ AND SPA	HR#K	

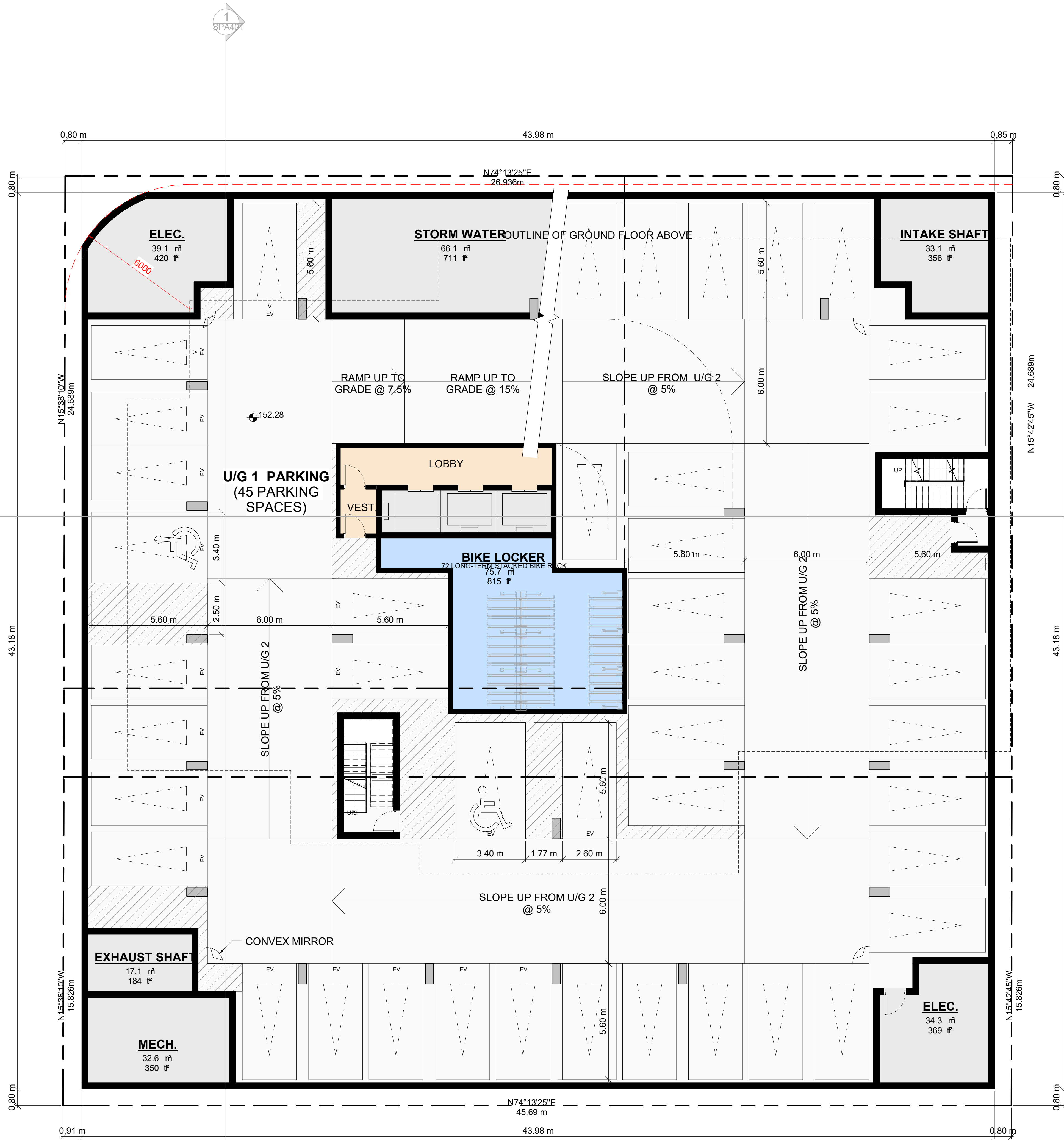


PROJECT
PROPOSED MIXED-USE DEVELOPMENT
537-547 Eglinton Avenue E. and 59 & 61 Hoyle Ave
Toronto, ON

DRAWING
UNDERGROUND LEVEL 01

PROJECT NO. 22.184P01	PROJECT DATE
DRAWN BY HHK	CHECKED BY RMM
SCALE As indicated	

DRAWING NO. SPA102	REV. 1
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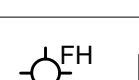
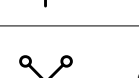



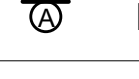



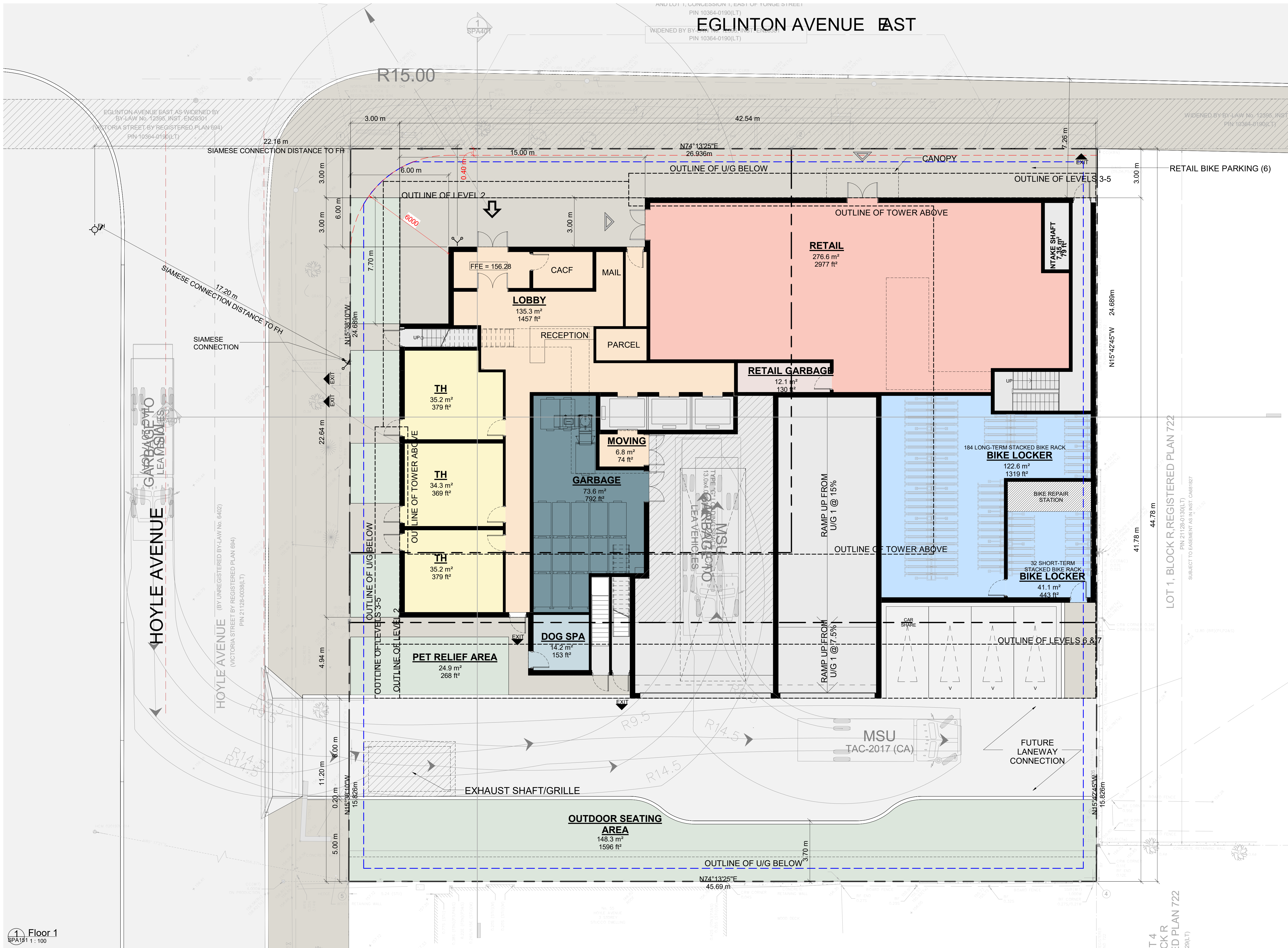
2 SPA401

1 SPA401

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LEGEND

-  PRIMARY RESIDENTIAL ENTRANCE
-  SECONDARY RESIDENTIAL ENTRANCE
-  RETAIL ENTRANCE
-  EXIT
-  FIRE HYDRANT
-  SIAMESE CONNECTION
-  CONVEX MIRROR
-  TRANSFORMER WITH CLEARANCES
-  FIRE ROUTE SIGN
-  SPOT ELEVATION
-  GAS/HYDRO METER



#	DATE	ISSUED FOR RZ AND SPA	DESCRIPTION	HRK	BY
1	2022-09-02				



PROJECT
PROPOSED MIXED-USE DEVELOPMENT
537-547 Eglinton Avenue E. and 59 & 61 Hoyle Avenue
Toronto, ON

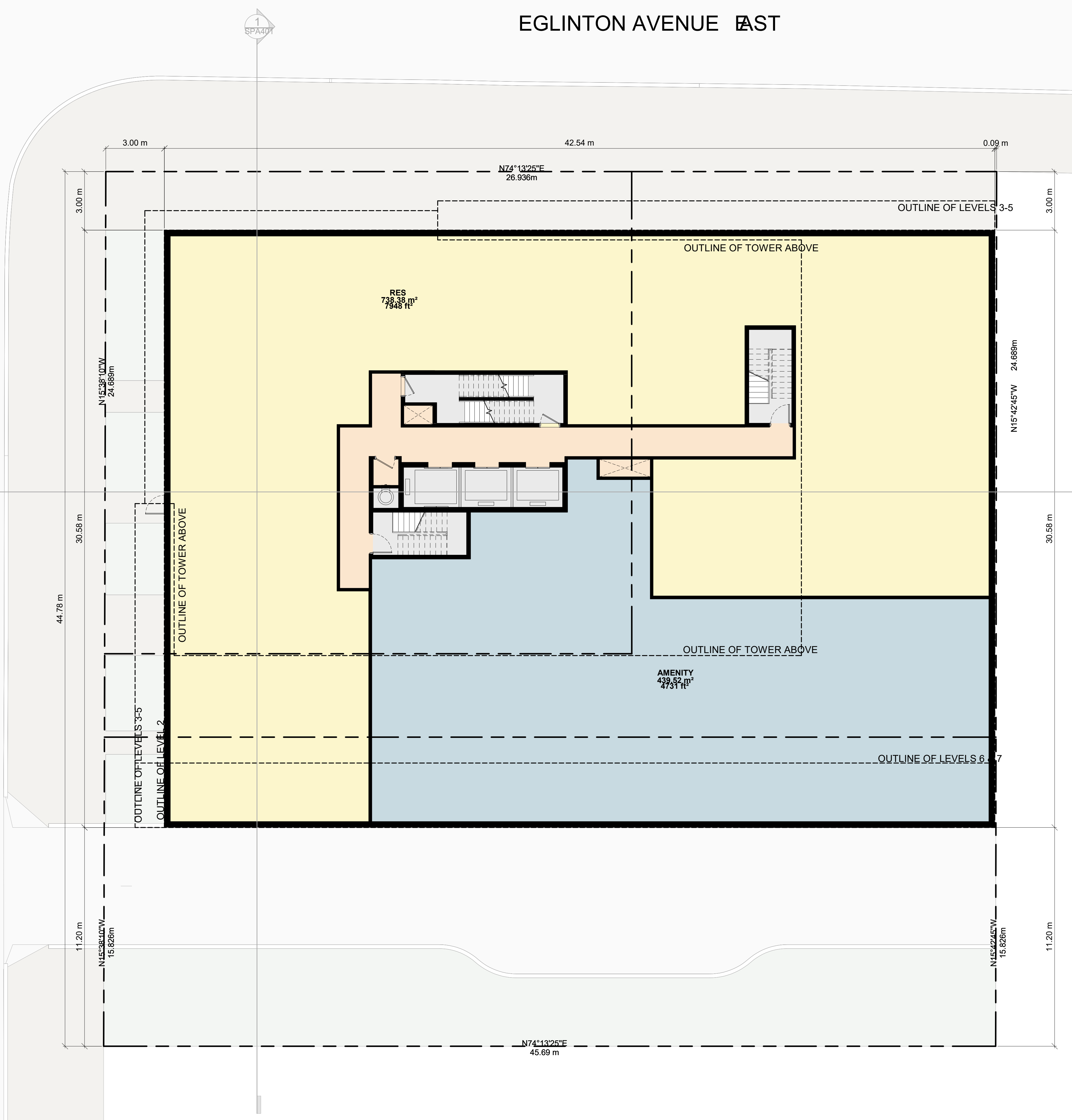
DRAWING
FLOOR 1

PROJECT NO. 22.184P01
PROJECT DATE
DRAWN BY HHK
CHECKED BY RMM
SCALE As indicated

DRAWING NO. SPA151	REV. 1
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EGLINTON AVENUE EAST

HOYLE AVENUE



2 SPA401

1 SPA401

#	DATE	ISSUED FOR RZ AND SPA	DESCRIPTION	BY
1	2022-09-02	ISSUED FOR RZ AND SPA		HHK



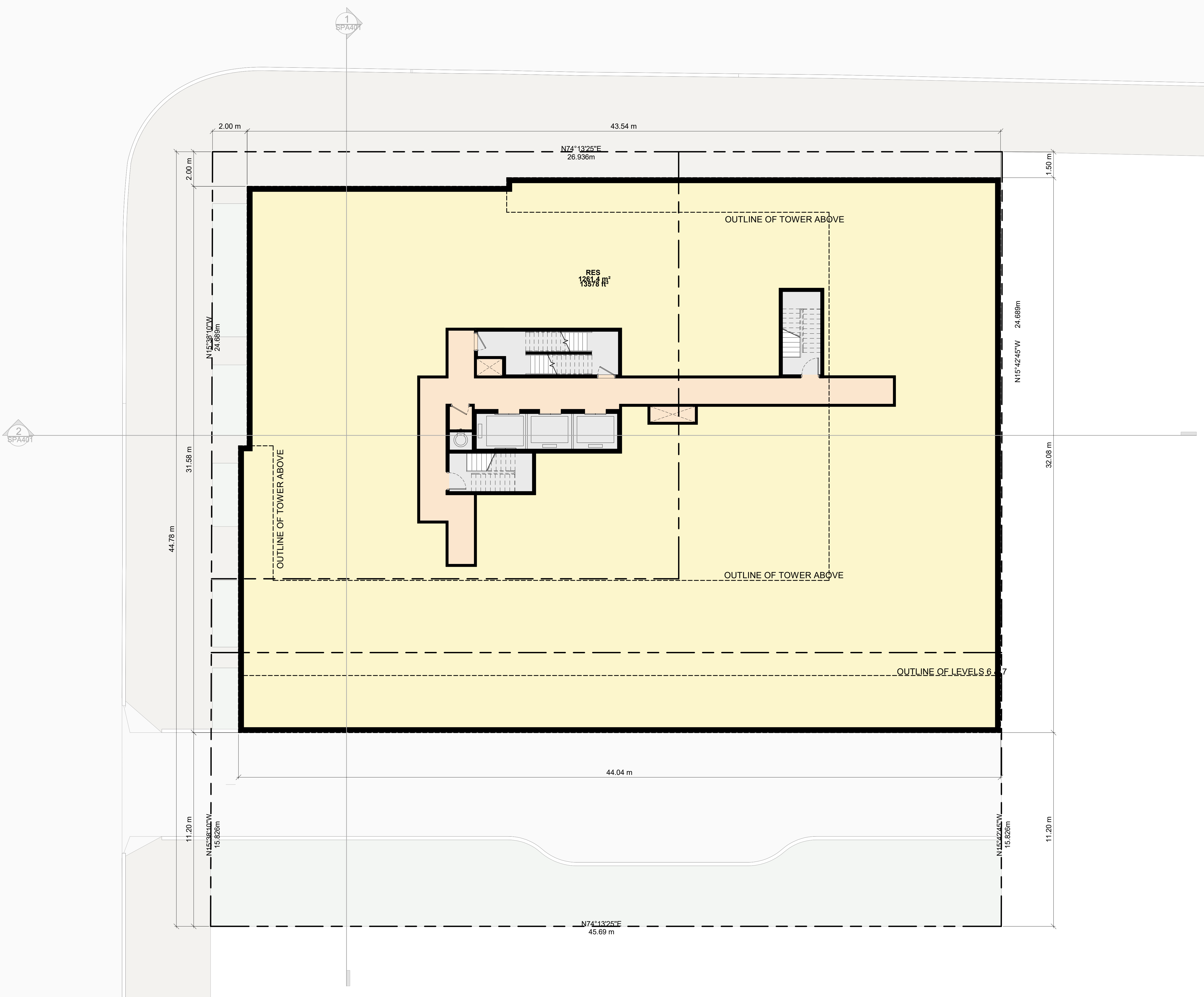
PROJECT
PROPOSED MIXED-USE DEVELOPMENT
537-547 Eglinton Avenue East and 9 & 8 Hoyle Avenue
Toronto, ON

DRAWING
FLOOR 2

PROJECT NO. 22.184P01
PROJECT DATE
DRAWN BY HHK
CHECKED BY RMM
SCALE 1 : 00

DRAWING NO. SPA153	REV. 1
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#	DATE	ISSUED FOR RZ AND SPA DESCRIPTION	BY
1	2022-09-02	ISSUED FOR RZ AND SPA	HHK



PROJECT
PROPOSED MIXED-USE DEVELOPMENT
537-547 Eglinton Avenue E and 9 & 8 Hyle Avenue
Toronto, ON

DRAWING
FLOOR 3-5

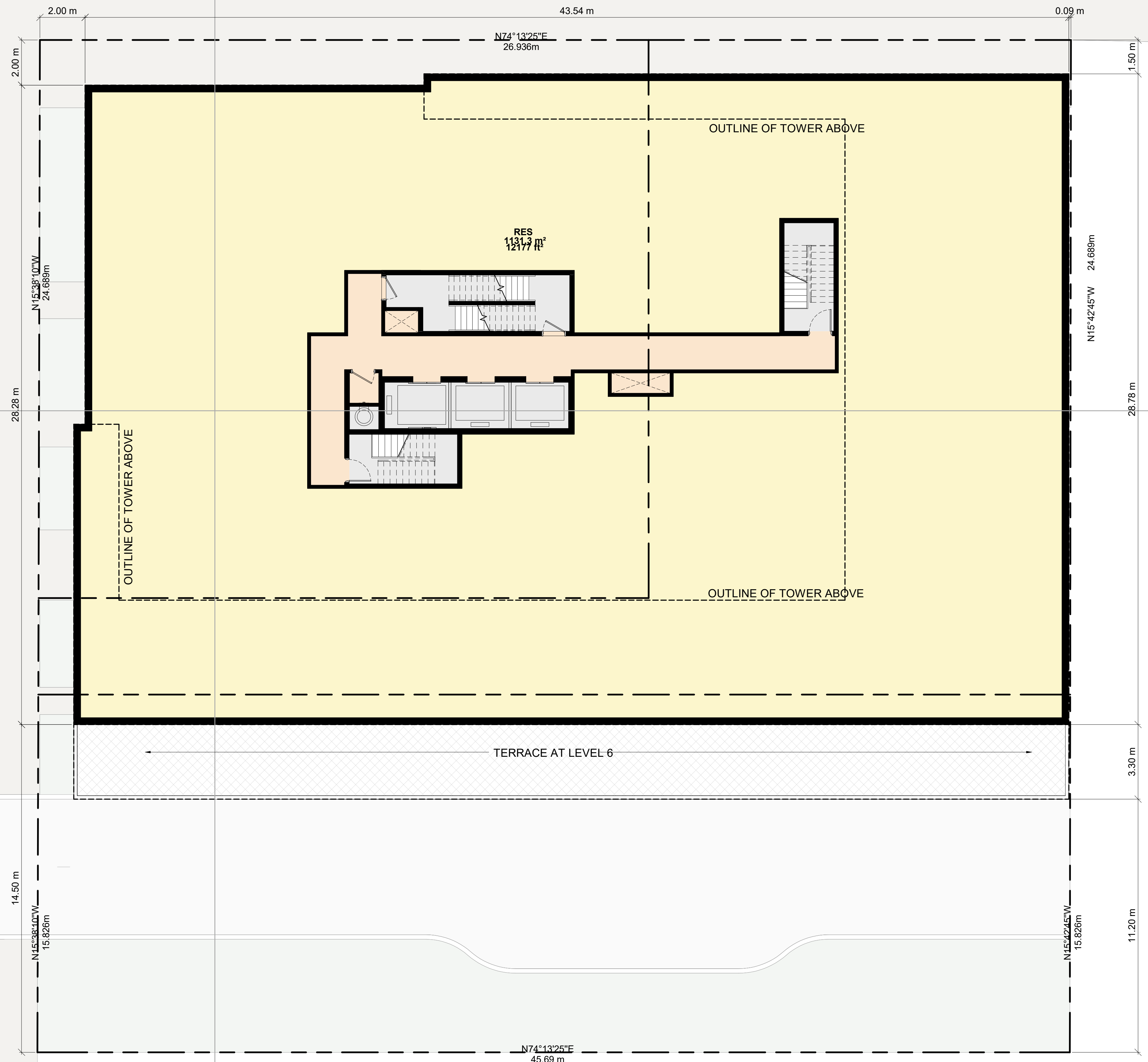
PROJECT NO. 22_184P01
PROJECT DATE
DRAWN BY HHK
CHECKED BY RMM
SCALE 1 : 00

DRAWING NO. SPA154	REV. 1
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2
SPA401

1
SPA401



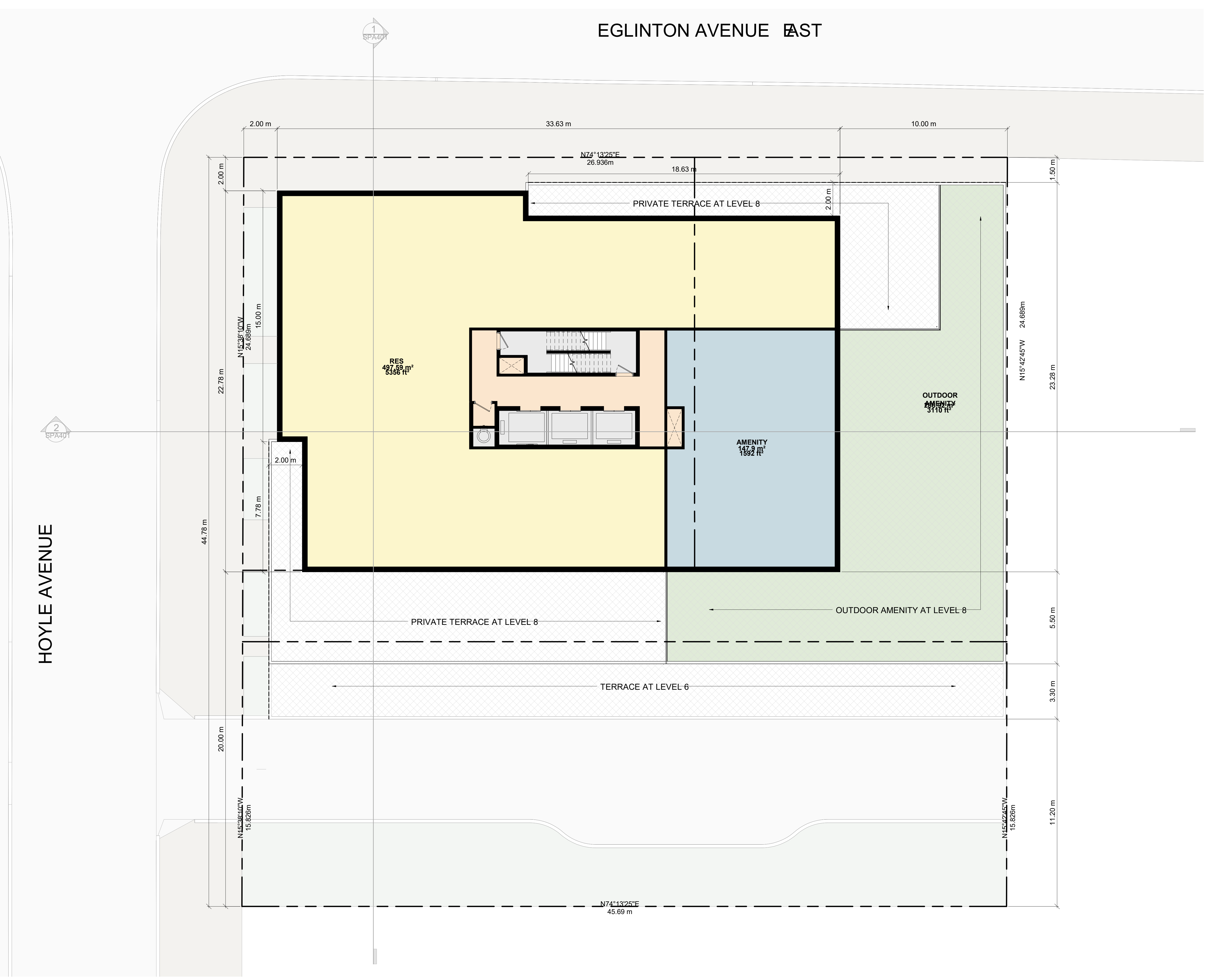
#	DATE	DESCRIPTION	BY
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PROJECT
PROPOSED MIXED-USE DEVELOPMENT
537-547 Eglinton Avenue E and 9 & 8 Hyle Avenue
Toronto, ON

DRAWING
FLOOR 6 & 7

PROJECT NO.
22_184P01
PROJECT DATE
DRAWN BY
Author
CHECKED BY
Checker
SCALE
1 : 00

DRAWING NO. SPA155 REV.



#	DATE	DESCRIPTION	BY
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PROJECT
PROPOSED MIXED-USE DEVELOPMENT
537-547 Eglinton Avenue East & 9 & 8 Hoyle Avenue
Toronto, ON

DRAWING
FLOOR 8 - OUTDOOR AMENITY

PROJECT NO. 22_184P01	DRAWING NO. SPA156
PROJECT DATE	
DRAWN BY Author	
CHECKED BY Checker	
SCALE 1 : 00	REV.

