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CONFIDENTIAL & WITHOUT PREJUDICE

September 25, 2023

VIA EMAIL (Kasia.Czajkowski@toronto.ca & Uttra.Gautam@toronto.ca)

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

Attention: Kasia Czajkowski and Uttra Gautam, Solicitors

Dear Mesdames:

RE: Confidential & Without Prejudice Settlement Offer
OLT File No.: OLT-22-004161
Subject Lands: 1141 Roselawn Avenue (the "Subject Lands")
Applicant/Appellant: Rosegold Developments Inc.
Combined City File No.: 21 251175 NNY 08 OZ

As you are aware, we are counsel to Rosegold Developments Inc. ("**Rosegold**", or "**Owner**"), the registered owner of 1141 Roselawn Avenue and the applicant/appellant in respect the above-noted applications for Official Plan and Zoning By-law amendments (collectively, the "**Applications**").

After considerable effort, a productive Tribunal-led mediation held on July 24, 28, and August 10, 2023, I am pleased to transmit this letter to you outlining the terms of Rosegold's confidential and without prejudice offer to settle its appeal before the Ontario Land Tribunal (the "**Tribunal**") of the Applications for the Subject Lands (collectively, the "**Appeals**").

As a result of the mediation process, our client made several revisions to the residential development contemplated by the Applications (the "**Proposal**") as more particularly identified in Schedule "A" to this letter. For the sake of convenience, the Proposal, as now revised, reduced the height from 11 to 9 residential storeys, with indoor and outdoor amenity space located above, and includes a total of 135 units divided as follows:

Studio:	34 (25%);
1-bedroom:	67 (50%);
2-bedroom:	20 (15%); and
3-bedroom:	14 (10%).

{L0627758.1}



This ratio meets the requirements of the City's "Growing Up Guidelines". The Proposal also contains 71 resident parking spaces (including 6 accessible parking spaces) and 8 visitor parking spaces. It will also be serviced by 128 long-term bicycle parking spaces and 27 short-term bicycle parking spaces. Lastly, the Proposal would exceed the amount of both indoor and outdoor amenity space required by By-law 569-2013.

On the basis of the revised form of the Proposal, we are pleased to confirm that our client is prepared to settle its Appeals in accordance with the following terms:

1. The parties will agree to jointly request that the Tribunal approve Official Plan and Zoning By-law amendments, in a form that is satisfactory to the City (as more particularly noted below), to permit the Proposal substantially in accordance with the Architectural plans prepared by RAW Design Inc. dated August 14, 2023.
2. As part of the proposed settlement, Rosegold will agree to jointly request that the Tribunal's final Order approving the Official Plan and Zoning By-law Amendments to permit the Proposal be withheld until the Tribunal receives confirmation from the City Solicitor that:
 - a. the final form and content of the draft Official Plan and Zoning By-laws are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;
 - b. the Owner has submitted a revised Functional Servicing Report, which includes the determination of storm water runoff, sanitary flow and water supply demand resulting from this development, and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
 - c. the Owner has made satisfactory arrangements with Engineering and Construction Services and entered into the appropriate agreement with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the Functional Servicing Report accepted by the Chief Engineer and Executive Director, Engineering and Construction Services;
 - d. the Owner has provided space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681.10;
 - e. the Owner has submitted a revised Traffic Impact Study, including a Transportation Demand Management Plan, and a Vehicle Maneuvering Diagram, to the satisfaction of the Chief Planner and Executive Director, City Planning, and the General Manager, Transportation Services;



- f. the Owner has submitted a Wind Study addressing the rooftop outdoor amenity space to the satisfaction of the Chief Planner and Executive Director, City Planning, with any mitigation measures, if required, to be satisfied through the Site Plan approval process; and
- g. the Owner has submitted a revised Electromagnetic Field Study and Electromagnetic Field Management Plan in accordance with the letter from Toronto Public Health dated January 30, 2023, to the satisfaction of the Chief Medical Officer, with any mitigation measures, if required, to be satisfied through the Site Plan approval process.

For ease of reference, a summary table outlining key differences between my client's settlement proposal and the plans that were originally submitted in support of its application is attached hereto as Schedule "A".

This offer to settle will expire upon the conclusion of the meeting of Council for the City of Toronto scheduled to commence on October 11, 2023

I trust this is satisfactory, however, should you have any questions please don't hesitate to contact me.

Yours truly,

LOOPSTRA NIXON LLP

Per: Aaron Platt

Encl.

AP/br



SCHEDULE "A"

	Original Submission	Without Prejudice Revised Proposal
Number of Residential Storeys	11	9
Height	34.02 m + 3.0 m mech PH	28.72 m + 5.0 m mech PH
Number of Units	133	135
Unit Mix	Studio: 27 (20%) 1-bed: 58 (44%) 2-bed: 37 (28%) 3-bed: 11 (8%)	Studio: 34 (25%) 1-bed: 67 (50%) 2-bed: 20 (15%) 3-bed: 14 (10%)
GFA	8,783 m ²	8,435 m ²
Amenity Area Provided*	Indoor: 330 m ² (266 m ²) Outdoor: 223 m ² (266 m ²) Total: 553 m ² (532 m ²)	Indoor: 276 m ² (270 m ²) Outdoor: 276 m ² (270 m ²) Total: 552 m ² (540 m ²)
<i>*By-law standard in parenthesis</i>		
Parking Spaces	Resident: 84 Visitor: 10	Resident: 71 Visitor: 8
Bicycle Parking Spaces	Long-term: 144 Short-term: 19	Long-term: 128 Short-term: 27
Setbacks At Grade	North: 2.5 m East: 0.577 m South: 7.588 m West: 3.5 m	North: 3.5 m East: 0.584 m South: 5.5 m West: 3.0 m
Stepbacks	North: 4.3 m @ 4 th 6.1 m @ 5 th 8.6 m @ 8 th 12.6 m @ 9 th 14.45 m @ 10 th East: 5.6 m @ 6 th 7.45 m @ 11 th West: 1.5 m @ 2 nd 5.6 m @ 6 th 9.65 m @ 11 th	North: 5.3 m @ 4 th 7.1 m @ 5 th 9.6 m @ 9 th East: 5.584 m @ 6 th West: 5.59 m @ 5 th