



135 Queens Plate Drive  
Suite 600, Toronto, Ontario  
Canada M9W 6V7

416.746.4710  
loopstranixon.com



**Aaron Platt\***  
**\*Aaron Platt Professional Corporation**  
Direct Line: (289) 904-2370  
e-mail address: aplatt@loonix.com

**CONFIDENTIAL & WITHOUT PREJUDICE**

November 15, 2023

**VIA EMAIL (Ray.Kallio@toronto.ca)**

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

**Attention: Ray Kallio, Lawyer**

Dear Sir:

**RE: Confidential & Without Prejudice Settlement Offer**  
**OLT File No.: OLT-22-004312**  
**Subject Lands: 2157 Lakeshore Boulevard West (the "Subject Lands")**  
**Applicant/Appellant: 2599302 Ontario Ltd. Toronto**  
**Combined City File No.: 20 126617 WET 03 OZ**

As you are aware, we are counsel to 2599302 Ontario Ltd. ("**Stay Inn Hospitality**" or "**Owner**"), the registered owner of 2157 Lakeshore Boulevard West and the Applicant/Appellant in respect of the above-noted applications for Official Plan and Zoning By-law amendments (collectively, the "**Applications**").

After considerable effort, and a productive Tribunal-led mediation held on July 25 and September 7, 2023, we are pleased to transmit this letter outlining the terms of Stay Inn Hospitality's offer to settle its appeal before the Ontario Land Tribunal (the "**Tribunal**") of the Applications (collectively, the "**Appeals**").

As a result of the mediation process, our client made several revisions to the proposed hotel and restaurant development contemplated by the Applications (the "**Proposal**"), and summarized in Schedule "A" to this letter.

The proposed revisions include significant changes to the built form design of the Proposal including the addition of cantilever designs at levels 3 and 4 which has the effect of increasing the podium to tower setback from 1 metre to 2.5 metres. The inclusion of notched design elements at levels 11-13, approximately 3.8 metres long by 1.5 metres deep at the northern extent, and 1.3 metres deep at the southern extent, allows for the reshaping of the mechanical penthouse to reduce shadow impact, and adds 129 square metres of outdoor amenity space at penthouse level. The design element of the notched design is shown in the Architectural plans prepared by Arcadis Architects (Canada) Inc. dated August 25, 2023, attached herein. Additionally, Stay Inn Hospitality agrees to construct the wall on the east elevation with a high level of articulation and expression that integrates the design of the wall with the rest of the Proposal's exterior design. The materiality and expression of the windowless east wall will be an extension of the rest of the elevations and reinforce the building's dimensionality such that it will not appear as a flat and dimensionless surface.



While the Proposal may ultimately utilize forty-six (46) spaces, ten (10) of those spaces will be located in the adjacent condominium building. As the City is aware, when that building was approved, constructed and, ultimately, registered, it provided for ten (10) parking spaces to be utilized by the Subject Lands when those lands were developed. Access is provided through the adjoining wall through the use of a “knock-out panel”. The aforementioned parking spaces are already owned by Stay Inn Hospitality. When this proposal proceeds through the site planning process, the total number of vehicle parking spaces available for guests of the hotel may be reduced to twenty-six (26). The aforementioned ten (10) spaces on the adjacent lands would still be utilized – with access available at all times for the hotel use – the other sixteen (16) spaces would be “traditional” (i.e. stackers would not be employed). Such determination will be made at the time of site plan application. Any reduction in parking is supported by the comprehensive parking standards applicable in most parts of the City. The reduction in the number of spaces is also justified based on the intended use of a hotel that is expected to rely less on drive-in traffic and more on the use of traditional taxis, limousines and ride-share services. While the number of spaces may ultimately be reduced, the functionality would be improved with the elimination of the previously-proposed parking stackers in favour of a traditional parking layout. We note that the Subject Lands are also well serviced by local transit.

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:
  - a. Approve the proposed 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 based on the Architectural plans prepared by Arcadis Architects (Canada) Inc. dated August 25, 2023, originally transmitted to the City’s Counsel on August 28<sup>th</sup>, and enclosed herewith (the “Revised Plans”);
  - b. Withhold its final Order approving the Official Plan Amendment until the Tribunal receives confirmation from the City Solicitor that the final form and content of the draft Official Plan is to the satisfaction of the of the City Solicitor and the Chief Planner and Executive Director, City Planning; and
  - c. Withhold its final Order approving the Zoning By-law Amendment until the Tribunal receives confirmation from the City Solicitor that:
    - i. the final form and content of the Zoning By-law Amendment is to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;
    - ii. the Owner has submitted a revised Functional Servicing and Stormwater Management Report, which includes the determination of storm water runoff, sanitary flow and water supply demand resulting from the Proposal, and whether there is adequate capacity in the existing municipal infrastructure to accommodate the Proposal, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and
    - iii. the Owner has submitted a revised Hydrological Review Assessment, Hydrological Review Summary Form and Servicing Report Groundwater Summary Form to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.



For ease of reference, a summary table outlining key differences between our 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 Wednesday, December 13, 2023.**

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

Yours truly,

**LOOPSTRA NIXON LLP**

Aaron Platt  
AP/ras

Enclosures as above



**SCHEDULE "A"**

	<b>Original Submission*</b>	<b>Without Prejudice Revised Proposal</b>
<b>Number of Residential Storeys</b>	13	13
<b>Height</b>	41.9 m + 6.0 m mech PH	43.35 m + 6.0 m mech PH 9.0 m mech PH where elevator overrun occurs
<b>Number of Units</b>	154	156
<b>GFA (Hotel)</b>	7, 632 m <sup>2</sup>	7, 744 m <sup>2</sup>
<b>Amenity Area Provided</b>	Indoor: 347.9 m <sup>2</sup> Outdoor: 0 m <sup>2</sup> Total: 347.9 m <sup>2</sup>	Indoor: 347.9 m <sup>2</sup> Outdoor: 129.3 m <sup>2</sup> Total: 477.2 m <sup>2</sup>
<b>Guest Parking Spaces</b>	46* *using parking stackers	26
<b>Bicycle Parking Spaces</b>	5	5
<b>Stepback at Level 5</b>	North: 1.0 m	North: 2.5 m
<b>Setback** Ground Floor Level 2</b>	North: 2.0 m East: 0 m South: 0 m West: 2.0 m	North: 2.0 m East: 0 m West: 0 m North: 2.0 m
<b>Setback** Levels 3-4</b>	North: 2.0 m East: 0 m South: 0 m West: 2.0 m	North: 0.5 m East: 0 m West: 0 m North: 0.5 m
<b>Setback* * Levels 5 -13</b>	North: 3.0 m East: 0 m South: 0 m West: 3.0 m	North: 3.0 m East: 0 m West: 0 m North: 3.0 m

\*Submission dated 2021-12-23

\*\*Setbacks relate to principle facades and do not reflect the condition at the NW corner rounding.

