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January 23, 2024

Our File No.: 231556

**WITHOUT PREJUDICE**

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

**Attention: Kasia Czajkowski and Uttra Gautam**

Dear Sirs/Mesdames:

**Re: Case No. OLT-23-000669 – Settlement Offer  
1265 Wilson Avenue, City of Toronto**

We are solicitors for MR-V 1265 Wilson Avenue Inc. in respect of the properties known municipally in the City of Toronto (the “City”) as 1265 Wilson 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 **February 6, 2024**, unless otherwise indicated.

As you know, our client engaged in without prejudice discussions with City staff over the last several months regarding the redevelopment proposal for the Lands. These discussions resulted in a revised set of plans, prepared by Diamond Schmitt Architects and attached to this Without Prejudice settlement offer 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 are summarized in the Settlement Proposal Planning Letter prepared by Bousfields Inc., and include:
  - a. a proposal that frames Wilson Avenue with an 11-storey mid-rise building element that steps up to a pair of 12-storey horizontally offset building elements, before stepping down in height to a 5-storey building element, and a proposed tower;

- b. the tower height has increased from 27-storeys to 31-storeys (97.5 metres);
- c. increased separation between the 31-storey tower and the 12-storey element from 10.9 metres to 22.7 metres;
- d. a stepback of 1.8 metres is provided on the north façade of the tower at the 7<sup>th</sup> storey;
- e. re-introducing eight (8) at-grade units along Wilson Avenue wrapped around the east façade of the mid-rise building element, which will animate Wilson Avenue;
- f. removing at-grade dwelling units on the south façade of the tower podium, and instead using the space for indoor amenity area;
- g. reconfiguring the loading spaces and underground parking access ramp on the west side of the mid-rise building element to re-introduce the grade related dwelling units along Wilson Avenue;
- h. providing a loading area that will be further refined through site plan approval;
- i. locating short-term bicycle parking immediately adjacent to the pick-up and drop off area;
- j. minor increases in the Gross Floor Area from 41,921 square metres to 43,591 square metres, resulting in a FSI of 6.01;
- k. the full replacement of the sixty-one (61) existing rental units currently located on the Lands in the Revised Plans with fifty (50) affordable units and eleven (11) mid-range units with a unit mix of one (1) studio unit, thirty (30) one bedroom units and thirty (30) two bedroom units. All replacement rental units are proposed to have balconies or terraces, the same unit type, and at least the same total gross floor area as the existing total gross floor area. The replacement rental units will be secured as rental housing for a period of 20 years;
- l. a Tenant Relocation and Assistance Plan; and
- m. the Revised Plans meet the minimum required number of 2-bedroom and 3-bedroom units as per the City's Growing Up Guidelines.

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 until such time as the City Solicitor advises that:

1. the final form and content of the Zoning By-law Amendments is finalized to the satisfaction of the Chief Planner and Executive Director, City Planning, and the City Solicitor;
2. the owner has submitted a revised Functional Servicing Report, including a Stormwater Management Report and Hydrogeological Report, to determine whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development, and to address the matters raised in the Engineering and Construction Services Memorandum dated January 16, 2023, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Transportation Services;
3. 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 to support this development, should it be determined that upgrades are required, as determined in the revised Functional Servicing Report accepted by the Chief Engineer and Executive Director, Engineer and Construction Services;
4. the owner has submitted a revised Transportation Demand Management Plan to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Transportation Services, and that such matters arising from this Transportation Demand Management Plan be secured, if required;
5. the owner has addressed matters from the Strategic Initiatives, Policy and Analysis Section of the City Planning Memorandum dated February 8, 2023, to the satisfaction of the Chief Planner and Executive Director, City Planning;
6. the owner has addressed matters from the Urban Forestry Memorandum dated January 9, 2023, to the satisfaction of the General Manager, Parks, Forestry and Recreation;
7. the owner has submitted an updated complete Toronto Green Standards Checklist and Statistics Template, to the satisfaction of the Chief Planner and Executive Director, City Planning;
8. the Revised Plans show a number and configuration of loading spaces in the loading area that is to the satisfaction of the General Manager, Transportation Services;
9. the Revised Plans show that space is provided within the development for the installation of maintenance access holes and sampling ports on the private side as close to the property line as possible for both the sanitary and storm connections, in accordance with Chapter 681.10.b of the Toronto Municipal Code;

10. City Council has approved Rental Housing Demolition Application Number 21 219 452 NNY 06 RH, in accordance with Chapter 667 of the Toronto Municipal Code, which shall provide for the following:
- (a) securing the replacement of the existing rental housing, including the same number of units, bedroom types and sizes with similar rents;
  - (b) the demolition and replacement of the 61 existing rental dwelling units;
  - (c) the provision by the owner of an acceptable Tenant Relocation and Assistance Plan addressing the right for existing tenants to return to a replacement rental unit on the lands at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardship, all to the satisfaction of the Chief Planner and Executive Director, City Planning; and
  - (d) entering into and registering on title to the Lands an agreement(s) pursuant to Section 111 of the *City of Toronto Act, 2006*, 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 February 6, 2024, unless otherwise indicated, at which point it should be considered as withdrawn if not accepted by City Council. Should City Council accept the Without Prejudice settlement offer, this letter, the Revised Plans, and the Bousfields letter can be made public.

Thank you in advance for your consideration of this Without Prejudice settlement offer. Please contact the undersigned if you require anything further.

Yours truly,

**Goodmans LLP**



Matthew Lakatos-Hayward  
MLH/