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Our File No.: 220149

Confidential and Without Prejudice

Planning & Administrative Tribunal Law
City of Toronto Legal Services
55 John Street, 26th Floor, Metro Hall
Toronto, ON M5V 3C6

Attention: Ray Kallio and Adam Ward, City Legal

**Re: 46, 46R, 48, 50, 52 and 52R Laing Street
City of Toronto File No. 22 242126 STE 14 OZ
OLT Case No. OLT-23-000424
Confidential and Without Prejudice Offer to Settle**

We are solicitors for Laing Sears Holdings Inc. (“**Laing**”), the developer of the properties known municipally as 46, 46R, 48, 50, 52 and 52R Laing Street in the City of Toronto (the “**Property**”). We are writing on behalf of our clients with a confidential and without prejudice settlement offer in respect of the above-noted matter.

As you know, our clients have engaged in a three day mediation with City staff regarding the redevelopment proposal for the Property that has resulted in the revised plans prepared by Gabriel Fain Architects Inc. attached to this letter (the “**Settlement Plans**”). We are pleased to provide this settlement offer, which is the product of a comprehensive and collaborative discussions with City staff.

Background

The Property is located within Leslieville. The Property is a consolidation of properties bounded by Laing Street to the east, Sears Street to the south and a public lane (identified as Lane W Laing N Sears) to the west. Abutting the Property to the north is Maple Leaf Forever Park. The proposed redevelopment would replace a vehicle storage use, which historically existed on the Property, with a purpose built rental building. The proposed development would intensify an underutilised site, while improving connections to, and presenting a potential opportunity to expand, Maple Leaf Forever Park, enhancing Maple Leaf Forever Park for the community to enjoy.

On December 23, 2022, after pre-consultation with City staff, Laing filed official plan and zoning by-law amendment applications to redevelop the properties at 46R, 50, 52 and 52R Laing Street



(the “**Original Application**”). The Original Application did not include 46 and 48 Laing Street, at the south east corner of the Property. Since filing the Original Application, Laing obtained an interest in 46 and 48 Laing Street and subsequently revised its planning applications to include the expanded Property proposing one 7 storey purpose built rental building with a mid-block connection through the Property connecting Maple Leaf Forever Park to Sears Street to the south (the “**Revised Application**”). By acquiring 46 and 48 Laing Street, Laing is now in control of the entire block south of Maple Leaf Forever Park, allowing for a more comprehensive proposal that improves site organization and built form relationships.

In December 2023, a multi-day mediation that took place between Laing, its consultant team and City staff, which has resulted in a number of revisions to the Revised Application, which are shown in the Settlement Plans and are fundamental components of this without prejudice settlement offer. A summary of the key components of the settlement offers are provided below in more detail.

The Settlement

Fundamental components of the settlement offer, all of which are incorporated into the Revised Plans, are indicated below:

Maple Leaf Forever Park Façade (north)

- The setbacks on floors 1, 2, 3 and 4 from the north property line to the building face have been increased from 4.5 metres to 5 metres.
- Direct access (private stairs / private courtyards) for the units facing Maple Leaf Forever Park has been removed.
- The bike ramp facing the park has been internalized creating an internal stair with a bike rail condition.
- The stepback at the 5th floor has been increased from 2.0 metres to 2.5 metres. The 5th and 6th floor will be setback 7.5 metres from the north property line. The 7th floor above will be setback 9.0 metre from the north property line.
- Balconies facing Maple Leaf Forever Park will not be continuous, bur rather will be broken up to provide gaps between balconies to break up the massing.

Sears Street Façade (south)

- A 2.1 metre pedestrian clearway is to be provided along Sears Street that will be free from any encroachments at grade and for the first storey of the building (through a combination of City owner land and/or the Property).



- Above the first storey, balconies will be permitted, however, they will not be continuous, but rather will be broken up to provide gaps between balconies to break up the massing.
- The 5th, 6th and 7th floors will be setback 1.5 metres from the face of the floors below.

Laing Street (east)

- Proposed street trees within the City right-of-way will be relocated to provide a 2.1 continuous pedestrian clearway that will be free from any encroachments (through a combination of City owner land and/or the Property).
- The sidewalk along Laing Street is to be constructed in concrete instead of unit pavers.
- The building design including, but not limited to, materiality and fenestration will be articulated as a “front façade” facing Laing Street.

Laneway (west)

- A 2.1 metre clearway will be provided at grade that will be free from any encroachments (through a combination of City owner land and/or the Property).

The Upper Storey Connection / Break in Massing

- At grade the mid-block connection has been expanded by 2.0 metres for a total of 6.6 metres, which will provide pedestrian access from Maple Leaf Forever Park to Sears Street to the south.
- For all floors of the building, a break in the building is provided, which has been widened by 2.0 metres (1.0 metre on each side) to be 6.6 metres.
- In relation to Sears Street, the massing within the break in the building is setback 4.25 metres from the south property line.
- In relation to Maple Leaf Forever Park, the massing within the break in the building for floors 3, 4 and 5 is setback 10.89 metres from the north property line. On floors 6 and 7, the massing within the break in the building is setback 13.10 metres from the north property line.
- The guardrail at the top of the roof has been setback 1.5 metres from the face of the north wall of the 7th floor of the building.

Indoor and Outdoor Amenity Space / Pet Amenity Space



- 4.0 square metres per unit of amenity space will be provided, of which a minimum of 2.0 square metres shall be indoor amenity space.
- A minimum of 6 square metres of pet amenity space will be provided at grade.

Bicycle and Vehicular Parking

- Bicycle parking will be provided meeting the bicycle minimum parking requirements of By-law 569-2013.
- Two bike repair stations will be provided on the Property.
- A minimum of three visitor parking spaces, of which a minimum of two will be accessible parking spaces, is to be provided.
- Laing has agreed to provide one car share/bike share membership per unit for the first year of the first tenant occupying a unit in the building.

Affordable Housing

- 6 studio rental units will be secured for a 25 year period and rent shall be determined through an income approach based on the City's definition for "affordable rental housing an affordable rents" in the City of Toronto Official Plan, implemented through OPA 558.
- The 6 studio rental units will be an in-kind contribution that will be credited toward the Community Benefits Charge for the Property and shall equal to 100% of 4% of the value of the land for the Property.
- Each of the 6 rental units shall be a minimum of 25 square metres in size, shall be contiguous to one another and located on basement level as shown in the Settlement Plans.

Pedestrian Easement and Parkland

- Laing will grant the City an easement over the mid-block connection providing pedestrian access from Maple Leaf Forever Park to Sears Street over the area generally shown in the Settlement Plans. The specific location and width of the easement will be determined through the site plan control process.
- Laing will grant the City an easement along south, east and west portions of the Property as required to provide the 2.1 metre pedestrian clearways referred to above (through a combination of City owned land and/or the Property) free from any encroachments, as generally shown on the Settlement Plans. The specific location of the easement will be determined through the site plan control process.



- Laing agrees to continue to work with the City in good faith to explore the possibility of expanding Maple Leaf Forever Park through the acquisition of 56 and/or 58 Laing Street. Subject to City approval, the acquisition of 56 and/or 58 Laing Street may be through a combination of City funds and funds provided by the Laing, provided Laing's obligation in respect of the acquisition shall not exceed an amount equivalent to the value of the cash-in-lieu of parkland amount for the Property Laing otherwise would be required to pay pursuant to Section 42 of the *Planning Act*.

Implementation

Our client is prepared to proceed to the Ontario Land Tribunal (the “**OLT**”) on the basis of the without prejudice Settlement Plans attached to this letter to achieve a settlement with the City. In addition to the revisions which are shown in the Settlement Plans, and described above, our client would agree to request that the OLT withhold its final Order for the Zoning By-law Amendment for the Property pending:

- the final form of the Official Plan Amendment and Zoning By-law Amendment has been finalized to the satisfaction of the City;
- Laing has submitted a revised Functional Servicing Report and Stormwater Management Report, and Hydrogeological Review, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water; and
- Laing has provided financial securities for any upgrades or required improvements to the existing municipal infrastructure identified in the acceptable Functional Servicing Report and Stormwater Management Report, to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and General Manager, Toronto Water, where it has been determined that improvements or upgrades are required to support the development.

Our client and its consultant team appreciate City staff's extensive efforts to meet to work with our client, with such discussions resulting in this without prejudice settlement offer. Our client believes the Settlement Plans represents good planning and an appropriate resolution for the Property, and we are hopeful that City Council will instruct the City solicitor to support approval of the settlement at the OLT.

The settlement offer remains open until the end of the City Council meeting scheduled to commence on February 6, 2024.

Please let us know if any additional information is required.

Goodmans^{LLP}

Yours truly,

Goodmans LLP

A handwritten signature in blue ink, appearing to read "Joe Hoffman".

Joe Hoffman
JBH/

1399-1060-5321