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File No. 22113

March 5, 2024

DELIVERED BY EMAIL (sarah.oconnor@toronto.ca, jamie.dexter@toronto.ca)

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

Attention: Sarah O'Connor, Jamie Dexter

Dear Sarah & Jamie:

**Re: 619 to 637 Yonge Street, 1 to 9 Isabella Street
RML 619 Yonge Street Limited, RML 625 Yonge Street Limited, RML 9
Isabella Street Limited
Applications/Appeals for Official Plan and Zoning By-law Amendments,
Draft Plan of Subdivision Approval and Site Plan Approval
Appeal of Designating By-law
OLT File Numbers OLT-22-004644, OLT-22-004645, OLT-22-004646, OLT-22-
0044647 & OLT-23-000133
With Prejudice Offer for Settlement**

As you know, we are the solicitors for RML 619 Yonge Street Limited, RML 625 Yonge Street Limited, RML 9 Isabella Street Limited, the owners of the property municipally known as 619 and 625 Yonge Street and 9 Isabella Street (the “**Site**”).

SETTLEMENT OFFER

Further to the discussions that have taken place between our client’s representatives and City staff, we are pleased to provide the following settlement offer on a with prejudice basis, in full settlement of these appeals:

1. Our client agrees to formally revise its development proposal that is the subject of the above-noted appeals before the OLT to reflect the revised plans submitted to the City and attached here, prepared by Core Architects and dated December 15, 2023 (the “Proposed Development”). The main revisions from the original proposal before the OLT are as follows:
 - a. Building typology revised from terracing to point tower, as requested;
 - b. Tower floor plate size standardized to 850sm (GFA);

- c. Number of storeys increased from 57 to 70, given evolving planning and policy context;
 - d. Overall building height and floor-to-floor heights have been increased and revised accordingly;
 - e. Isabella St. setback revised from 2.39m to 5.5m at Levels 10 and up;
 - f. Gloucester lane setback revised from 2.05m to 2.3m at Levels 4 and 5;
 - g. South setback revised from 0m to 5.5m at Levels 4-10;
 - h. West setback was revised from 10.27m to 10.5m at Levels 4-16;
 - i. Relocated the Type G loading bay and Gas Meter Station;
 - j. Relocated the ground floor lobby and main garbage room, as requested;
 - k. The heritage façade was retained, as requested;
 - l. Sunken courtyard amenity was removed, as requested;
 - m. Podium lowered to 3 storeys to align with the retained heritage façade, as requested;
 - n. Decreased GF setback along Yonge St due to the façade retention; and
 - o. Window wells added at level 3 for the south neighbouring building's existing windows.
2. Our client agrees to withdraw the following appeals:
- a. OLT Case No. OLT-23-000133: Heritage Designating By-law No. 77-2023;
 - b. OLT Case No. OLT-22-001939: Appeals of the Historic Yonge Street Heritage Conservation District Plan, and if not an appellant, but rather a party to such appeals, the owner has withdrawn as a party or has advised the City Solicitor, in writing, that they shall not object to the Historic Yonge Street Heritage Conservation District Plan and only maintain a monitoring brief of the hearing on the merits; and
 - c. OLT Case No. OLT-22-001941: Appeals of OPA 183 (North Downtown Yonge Site and Area-Specific Policy No. 382);

by means of providing a signed withdrawal letter regarding these proceedings. This letter is to be held in escrow by the City Solicitor, to be released upon issuance of the Tribunal's Final Order approving the Official Plan and Zoning By-law Amendments for the Proposed Development.

3. Our client also agrees to the following:
 - a. Our client will provide a 0.75-metre-wide strip of land along the rear laneway frontage of the site (the west limit of Gloucester Lane) as lands to be conveyed to the City for a nominal sum, free and clear of any obstructions and encumbrances.
 - b. Our client will provide one 'Type G' and one 'Type C' Loading Space in compliance with City of Toronto Zoning-by-law 569-2013 and any other relevant City standards.
 - c. Our client will provide a garbage storage room with a minimum floor area of at least 220.78 square metres.

CONDITIONS TO FINAL ORDER

With respect to the issuance of the Final Order for the Official Plan and Zoning By-law Amendments for the Proposed Development, our client is agreeable to the Final Order being withheld subject to the following conditions being satisfied:

1. The OLT has been advised by the City Solicitor that the proposed OPA and Zoning By-law Amendments' form and content are satisfactory to the City;
2. The owner has submitted revised functional servicing and stormwater management report providing confirmation of water, sanitary and stormwater capacity to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, or determining whether holding provisions are required in the Zoning By-law amendment;
3. Should it be determined that upgrades are required to the infrastructure to support the development according to the accepted functional servicing and stormwater management Report, a Holding Provision be included in the final form of the site-specific Zoning By-law Amendment, not to be lifted until such time as the owner has made satisfactory arrangements, including entering into appropriate agreement(s) with the City for the design and construction of any improvements to the municipal infrastructure and the provision of financial securities to the satisfaction of the Chief Engineer and Executive Director, Engineering & Construction Services, or in the alternative, the owner has entered into an agreement or agreements or otherwise secured the design, construction, and the provision of financial securities for any required upgrades or improvements to the existing municipal infrastructure, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
4. The owner has provided a detailed Conservation Plan, prepared by a qualified heritage consultant that is consistent with the conservation strategy set out in the Heritage Impact Assessment for the property at 625 Yonge Street dated December

29, 2023 prepared by The Ventin Group Limited Architects, to the satisfaction of the Senior Manager, Heritage Planning; and

5. The owner has entered into a Heritage Easement Agreement with the City for the property at 625 Yonge Street substantially in accordance with the plans and drawings dated December 15, 2023 prepared by Core Architects and the required Conservation Plan.

SUPPORTING MATERIALS

In support of this settlement offer, please find attached the following:

1. Architectural plans prepared by Core Architects and dated December 15, 2023; and
2. Heritage Impact Assessment prepared by The Ventin Group Limited Architects and dated December 29, 2023

If you have any questions regarding the above and attached, please do not hesitate to call or email me. Thank you.

Yours very truly,

KAGAN SHASTRI DeMELO WINER PARK LLP



Adrian Frank
AGF/ITK

Attachments

Please reply to the: [Downtown Office](#)

cc: RML 619 Yonge Street Limited, RML 625 Yonge Street Limited, RML 9 Isabella Street Limited