



Barristers & Solicitors
Bay Adelaide Centre
333 Bay Street, Suite 3400
Toronto, Ontario M5H 2S7
Telephone: 416.979.2211
Facsimile: 416.979.1234
goodmans.ca

Direct Line: 416.597.4299
dbronskill@goodmans.ca

February 20, 2024

Our File No.: 220196

WITHOUT PREJUDICE

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

Attention: Ray Kallio

Dear Sirs/Mesdames:

**Re: Lead Case No. OLT-23-000334 – Settlement Offer
589-595 Eglinton Avenue East & 61-67 Mann Avenue**

We are solicitors for BayviewEg Investment Corp. in respect of the properties known municipally as 589-595 Eglinton Avenue East and 61-67 Mann 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 March 20, 2024, unless otherwise indicated.

As you know, our client engaged in without prejudice mediation 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 Tact Architecture, which are attached to this letter 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 include:
 - a. tower setbacks as shown on the Revised Plans, including a 20.0 metre tower setback to the south and a 10.0 metre tower setback to the east for the northern portion of the tower;
 - b. a corresponding reduction in the tower floor plate;

- c. a revised ground floor plan to achieve greater setbacks along Eglinton Avenue East and increased opportunities for tree planting;
 - d. a proposed height of 40-storeys;
 - e. no projecting balconies will be permitted on the east face of the proposed tower;
 - f. a sculpted podium with stepped heights, setbacks and stepbacks as shown on the Revised Plans;
 - g. a pedestrian and bicycle pathway, as shown in the Revised Plans, to enable the potential for a future connection with lands being redeveloped along Bayview Avenue;
 - h. a potential future vehicle connection to the east (6.0 metres in width) is protected in the form of a future easement on the Lands for the benefit of the lands directly to the east of the Lands in the event that those lands should redevelop, subject to achieving a shared facilities agreement; and,
 - i. the implementing zoning by-law will require a minimum 10% of the units as 3-bedroom units and 15% of the units as 2-bedroom units in accordance with the Yonge-Eglinton Secondary Plan.
2. Our client would update the proposed official plan amendment for the Lands to introduce a site and area specific policy in Chapter 7 of the Official Plan applicable to the balance of the block fronting on Eglinton Avenue East (601-609 Eglinton Avenue East and 1750-1752 Bayview Avenue) to implement a block context plan that would permit a maximum of two tall buildings on the block with minimum tower separation of 25.0 metres, to the satisfaction of the Chief Planner and Executive Director, City Planning.
3. 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, pending completion of the following, with the Ontario Land Tribunal available to be spoken to in the event that an issue arises as a result of completion of these pre-conditions:
 - the final form of the official plan amendment and zoning by-law amendment(s) are finalized, satisfactory to the City Solicitor and Chief Planner and Executive Director, City Planning; and,
 - submission of updated reports to address servicing matters in respect of the Revised Plans, to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services, including but not limited to any appropriate agreement(s) 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, and provision of financial securities for any such upgrades and/or required improvements.

As noted above, this without prejudice settlement offer will remain open until the end of the City Council meeting scheduled to commence on March 20, 2024, unless otherwise indicated, at which point it should be considered as withdrawn if not accepted by City Council.

Yours truly,

Goodmans LLP



David Bronskill
DJB/

1415-1249-3065