CC18.10 - CONFIDENTIAL APPENDIX "A" - Part 1 - made public on May 30, 2024

Goodmans

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May 6, 2024

Our File No.: 231199

WITHOUT PREJUDICE

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

Attention: Sarah O'Connor

Dear Sirs/Mesdames:

Re: Case No. OLT-23-000471 – Settlement Offer 295 Jarvis Street, City of Toronto

As you know, we are solicitors for 295 Jarvis Inc., as general partner of and on behalf of 295 Jarvis LP, in respect of the property known municipally in the City of Toronto as 295 Jarvis Street (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 May 22, 2024, unless otherwise indicated.

As you know, our client engaged in without prejudice mediation with City staff and two adjacent landowners over the last several months regarding the development proposal for the Lands. This resulted in a revised set of plans, prepared by Arcadis Architects Inc. and attached to this without prejudice settlement offer as Schedule "A" (the "Revised Plans"), which would enable and be accompanied by a proposed approach to housing as set out in the terms sheet attached hereto as Schedule "B" (the "Housing Replacement Terms").

The terms of this without prejudice settlement offer are as follows:

- 1. The Revised Plans include a number of significant revisions, including the following:
 - a. The height of the tower has been reduced from sixty (60) storeys to thirty-six (36) storeys as a result of the Minister's Zoning Order in Ontario Regulation 10/24, which resulted in a maximum metric height of 125.22 (inclusive of the mechanical penthouse). This height and sculpted mechanical penthouse has also resulted in decreased shadow impacts on the conservatory buildings and significant permanent structures (planned and/or existing) in Allen Gardens on December 21st. Roof

- projections will be minimized to address shadow impacts, which will be detailed in the zoning by-law diagram.
- b. Replacement rental units have been added to the 4th, 5th and 6th floors, comprising approximately 1,270.00 square metres of gross floor area. These units are all designed as bachelor units accessed through the main lobby, with full access to the building amenities and in accordance with the Housing Replacement Terms.
- c. The tower floor plate is 919 square metres based on a 3.5 metre setback on the west and a 3.0-metre cantilever over the property to the south (which shall be reflected in a revised Zoning By-law Amendment Application). This cantilever is enabled by an agreement with Toronto Community Housing (TCHC), which will be considered by the TCHC at its Board meeting on April 22, 2024 and City Council at its meeting scheduled to commence on May 22, 2024. (An agreement has also been reached with the landowner to the north, including a limiting distance agreement.) The limiting distance areas are set out in Schedule "C" to this without prejudice offer.
- d. The podium has been redesigned to enhance compatibility with adjacent buildings, the heritage attributes of the adjacent property, and the adjacent heritage buildings, and improve the pedestrian experience at-grade, including increased lower level setbacks and upper level cantilevers.
- 2. The City and our client would seek approval of an official plan amendment to achieve a revised block plan for adjacent lands, substantially accordance with the draft official plan amendment attached hereto as Schedule "D" (the "**Draft OPA**"). The Draft OPA would amend site and area specific policy 461 by adjusting the boundary between the Hazelburn Character Area and the North George Street Character Area and adjusting the area where two towers are permitted on the property to the north of the Lands. The Draft OPA would also add a site-specific policy excepting the Lands from the shadow protection policies at specific times on December 21.
- 3. The Housing Replacement Terms, which would be secured in an appropriate agreement with the City and are generally consistent with Official Plan Amendment No. 453 ("OPA 453"). Replacement policies securing the replacement of the gross floor area of the dwelling rooms proposed for demolition will be included in the site specific OPA on the understanding that the replacement housing to a limit of 4% of the land value will be determined to be an in-kind contribution under Section 37 of the *Planning Act*, with any additional replacement housing being provided in order to conform with Official Plan policy.
- 4. Our client agrees to address detailed matters related to the hospital flight path as conditions of site plan approval. In particular:

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- a. As a condition of Site Plan Approval, and prior to the issuance of any foundation permit, the Owner shall submit a Crane and Construction Structures Plan, to the satisfaction of the City in consultation with the Hospital for Sick Children, demonstrating that any person, equipment or structure use in conjunction with the construction of the development will conform to applicable requirements, including Zoning By-law 1432-2017 and Zoning Order 10/24, as these instruments may be amended and/or replaced;
- b. As a condition of Site Plan Approval and prior to the issuance of any foundation permit, the Owner shall provide an updated Aeronautical Impact Assessment (AIA) to the satisfaction of the Chief Planner and Executive Director, City Planning to ensure that the building height and projections of the development conform to applicable requirements, including Zoning By-law 1432-2017 and Zoning Order 10/24, as these instruments may be amended and/or replaced, such that sufficient clearance of the flight path is provided on rooftops, including without limitation during construction; for clarity, an updated AIA will be required prior to the issuance of any building permit;
- c. As a condition of Site Plan Approval, and prior to the issuance of any foundation permit, the Owner shall demonstrate that the Owner has entered into an agreement with the Hospital for Sick Children to secure compliance with the Crane and Construction Structures Plan; and,
- d. As a condition of Site Plan Approval, and prior to the issuance of any foundation permit, the Owner shall submit an Obstacle Marking and Lighting Plan to the Hospital for Sick Children for review and approval.
- 5. 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:
 - a. the proposed official plan amendment and zoning by-law amendment(s) are in a final form and content satisfactory to the City Solicitor and Chief Planner and Executive Director, City Planning;
 - b. the owner has entered into Limiting Distance Agreements with the City, and the owners of the properties to the north, east and south of the Lands, to the satisfaction of the City Solicitor and Chief Planner and Executive Director, City Planning;
 - c. the Owner has provided confirmation of water, sanitary and stormwater capacity to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

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- d. the Owner has entered into a legal agreement binding the owner and successor owners to secure all rental housing related matters, including replacement of existing dwelling rooms and an acceptable Tenant Relocation and Assistance Plan in accordance with the Housing Replacement Terms, in a form satisfactory to the City Solicitor and Chief Planner and Executive Director, City Planning;
- e. the Owner has provided an AIA to the satisfaction of the Chief Planner and Executive Director, City Planning to ensure that the building height and projections of the development conform to applicable requirements, including Zoning By-law 1432-2017 and Zoning Order 10/24, as these instruments may be amended and/or replaced, such that sufficient clearance of the flight path is provided on rooftops, including during construction;
- f. the Owner has provided confirmation that the development will be constructed and maintained in accordance with Tier 1, Toronto Green Standard, and the owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the Site Plan Control application
- g. the Owner has provided an updated wind study to the satisfaction of the Chief Planner and Executive Director, City Planning; and,
- h. the Owner has provided the City and the Ontario Land Tribunal with a withdrawal letter respecting the appeal of OPA 453, and the party status in OPA 82.

As noted above, this without prejudice settlement offer will remain open until the end of the City Council meeting scheduled to commence on May 22, 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/



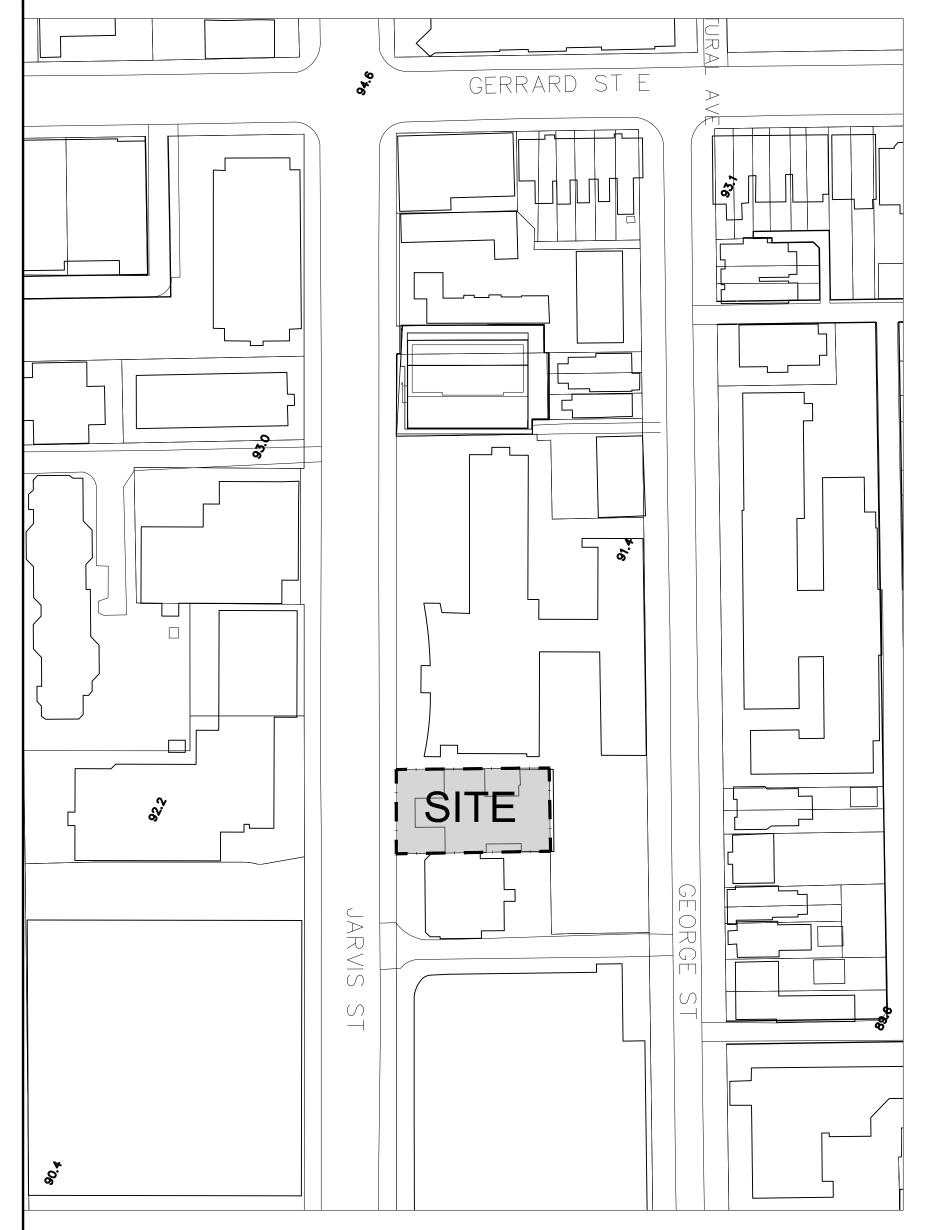
SCHEDULE A

REVISED PLANS

	CLIENT
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	ISSUES No. DESCRIPTION DATE
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APRIL 1st, 2024	
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295 JARVIS STREET	WITHOUT PREJUDICE & CONFIDENTIAL
ZONING APPLICATION	
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A000 DRAWING LIST AND ARCHITECTURAL VISUALISATION A001 SITE STATISTICS, CONTEXT PLAN A002 SITE SURVEY A100 SITE PLAN A151 P2 FLOOR PLAN	
A151 P2 FLOOR PLAN A150 P1 FLOOR PLAN	55 St. Clair Avenue West, Toronto, ON M4V 2Y7, Canada tel 416 596 1930
A150 P1 FLOOR PLAN A101 GROUND FLOOR PLAN A102 MEZZANINE PLAN	www.arcadis.com PROJECT
A103 2ND FLOOR PLAN A104 3RD FLOOR PLAN	295 JARVIS STREET
A105 4TH FLOOR PLAN A106 5TH FLOOR PLAN	
A107 6TH FLOOR PLAN A108 LOWER TYPICAL FLOORS 7-27	PROJECT NO: 142481
A109 UPPER TYPICAL FLOORS 28-36	DRAWN BY: CHECKED BY:
A110 MPH A111 ROOF PLAN A200 SOUTH & WEST ELEVATIONS	PROJECT MGR: APPROVED BY:
A200 SOUTH & WEST ELEVATIONS A201 NORTH & EAST ELEVATIONS A300 SECTIONS	SHEET TITLE SCALE N/A
AUU DECTIONO	VISUALIZATION AND
	2024-04-0
	SHEET NUMBER ISSUE A000

CONTEXT PLAN

1:1000



PROJECT STATISTICS

•	SITE STATISTICS - 295 JARVIS 2024-04-01
MUNICIPAL ADDRESS	295 JARVIS STREET
	TORONTO, ONTARIO
PROPOSED USE	36 STOREY RESIDENTIAL BUILDING
GROSS SITE AREA	911.4 m²

BUILDING HEIGHT	
STOREYS	36
METERS (TOP OF LAST RES. FLOOR)	117.72 m
METRES (INCL. MPH ROOF)	125.22 m

GFA TOTALS 569-2013	
GFA RESIDENTIAL	30,346 m²
FSI	33.30

UNIT BREAKDOWN			
	TOTAL = 381	TOTAL = 381 SUITES	
STUDIO	21	6%	
1B	60	16%	
1B+D	201	54%	
2B	60	15%	
3B	39	10%	
TOTAL UNITS	381	100.0%	

* 15% of the total residential units to be convertible

UNIT BREAKDOWN (RENTAL REPLACEMENT STUDIOS)	
FLOOR 4	3
FLOOR 5	14
FLOOR 6	16
TOTAL UNITS	33

OVERALL UNIT COUNT 414

RESIDENTIAL AMENITY		
INDOOR	1.5 sm/unit	621 m²
OUTDOOR	1.0 sm/unit	414 m²
AMENITY TOTAL		1,035 m²

VEHICULAR PARKING	REQUIRED	PROVIDED
RESIDENTIAL PARKING	0 SPACES (MIN)	0 SPACES
VISITOR PARKING	6 SPACES (MIN)	6 SPACES
TOTAL	6 SPACES	6 SPACES

^{*} Vehicle stackers will be operated by valet personnel, therefore accessibility stalls are not required.

EV PARKING	REQUIRED	PROVIDED
RESIDENTIAL PARKING	0 SPACES (MIN)	0 SPACES
VISITOR PARKING	2 SPACES (25%)	2 SPACES
TOTAL	N/A	2 SPACES

^{*} These stalls are included in the overall totals above

BICYCLE PARKING	REQUIRED	PROVIDED
RESIDENTIAL LONG-TERM	373 (0.9 SPACES/SUITE)	373 SPACES
RESIDENTIAL SHORT-TERM	83 (0.2 SPACES/SUITE)	83 SPACES
ADDITIONAL SHORT TERM REQUIRED	10 SPACES	10 SPACES
TOTAL	466 SPACES	466 SPACES

E-BIKE INFRASTRUCTURE (120V OUTLET)	REQUIRED	PROVIDED
RESIDENTIAL LONG-TERM	56 (15% OF TOTAL STALLS)	56 SPACES
TOTAL	56 SPACES	56 SPACES

^{*} These stalls are included in the overall totals above

LOADING	
PROVIDED	1 x TYPE "G" (L13m, W4m, H6.1m)

WASTE MANAGEMENT	UNITS	AREA
25 SM FOR 50 UNITS	50	25 m²
13 SM EACH ADDITIONAL 50 UNITS	364	95 m²
TOTAL	414	120 m²

GARBAGE BINS	REQUIRED	PROVIDED
GARBAGE BINS	9	9
RECYCLING	12	12
ORGANICS	5	5
TOTAL	26	26

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No.	DESCRIPTION	DATE
1	ZBA/SPA/OPA SUBMISSION-1	2022/11/11
2	ZBA/SPA/OPA RESUBMISSION	2023/07/27
3	WITHOUT PREJUDICE ZBA SUBMISSION	2023/12/04
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KEY PLAN

CONSULTANTS

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WITHOUT PREJUDICE & CONFIDENTIAL



55 St. Clair Avenue West, Toronto, ON M4V 2Y7, Canada tel 416 596 1930 www.arcadis.com

PROJECT

295 JARVIS STREET

PROJECT NO: 142481	
DRAWN BY:	CHECKED BY:
PROJECT MGR:	APPROVED BY:

SHEET TITLE

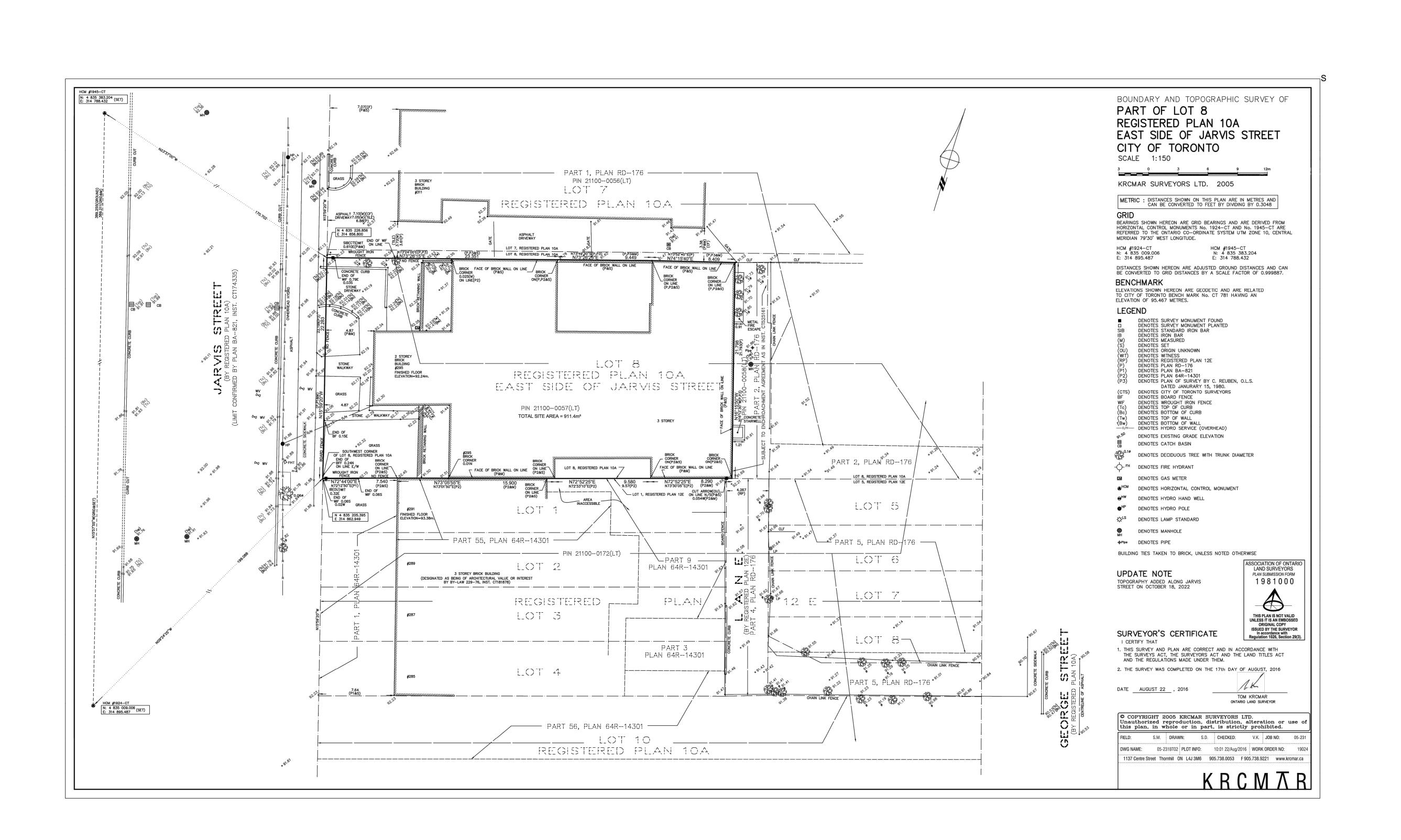
SCALE
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CONTEXT AND
STATISTICS

DATE
2024-04-01

ISSUE

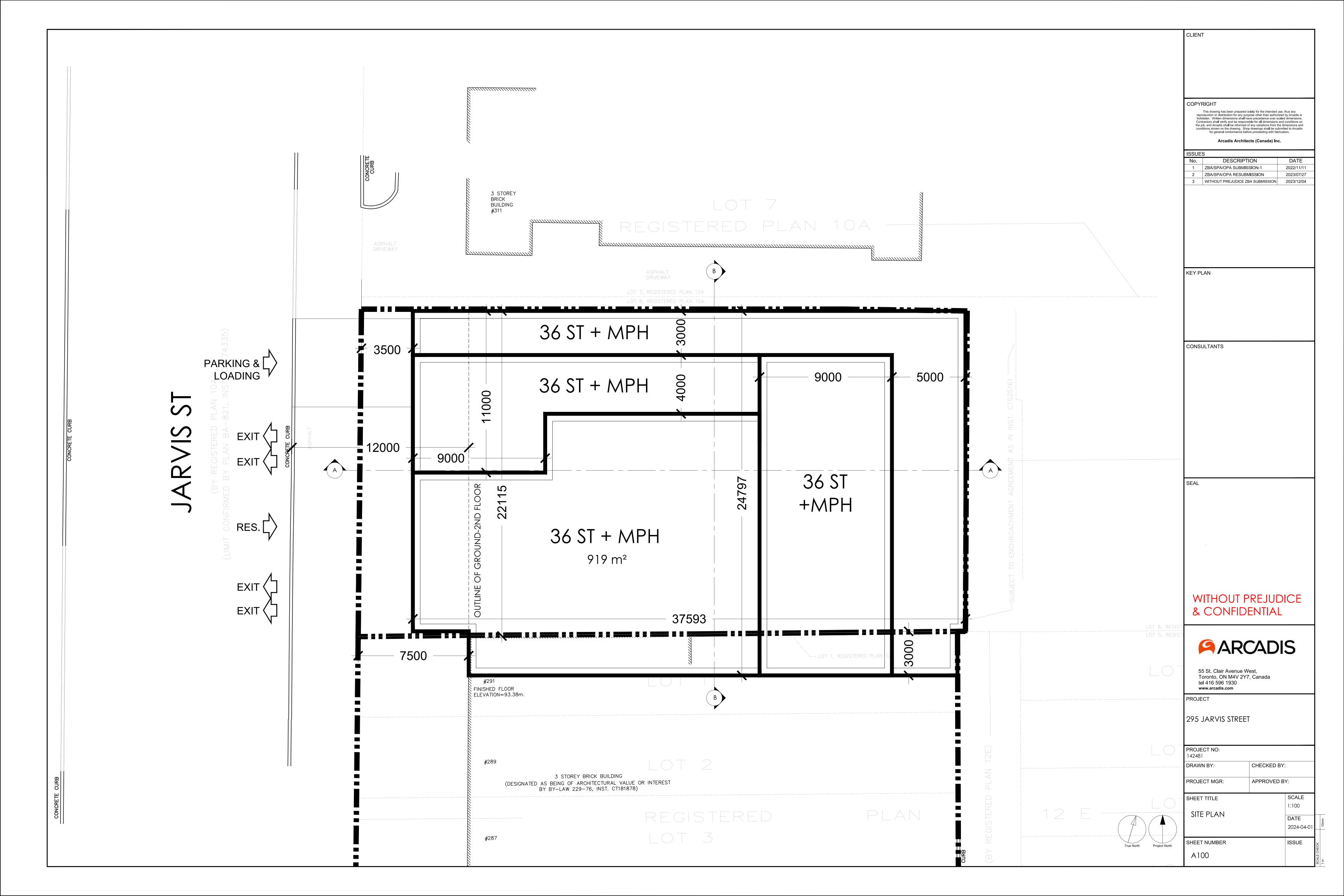
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A002

CLIENT





BIKE PARKING - LEGEND

VERTICAL BIKE STALLS (600 W x 1200 L x 1900 H)

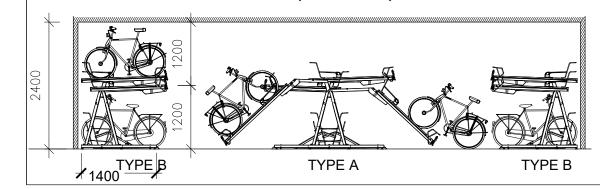
BIKE STACKERS (375 W, 1400 L, 1200 H)

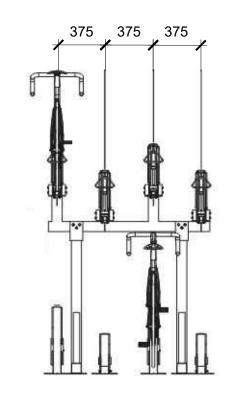
HORIZONTAL BIKE STALLS (600 W x 1800 L x 1900 H) HORIZONTAL BIKE STALLS

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E-BIKE SPACES WILL BE EQUIPPED WITH A 120V ENERGIZED OUTLET

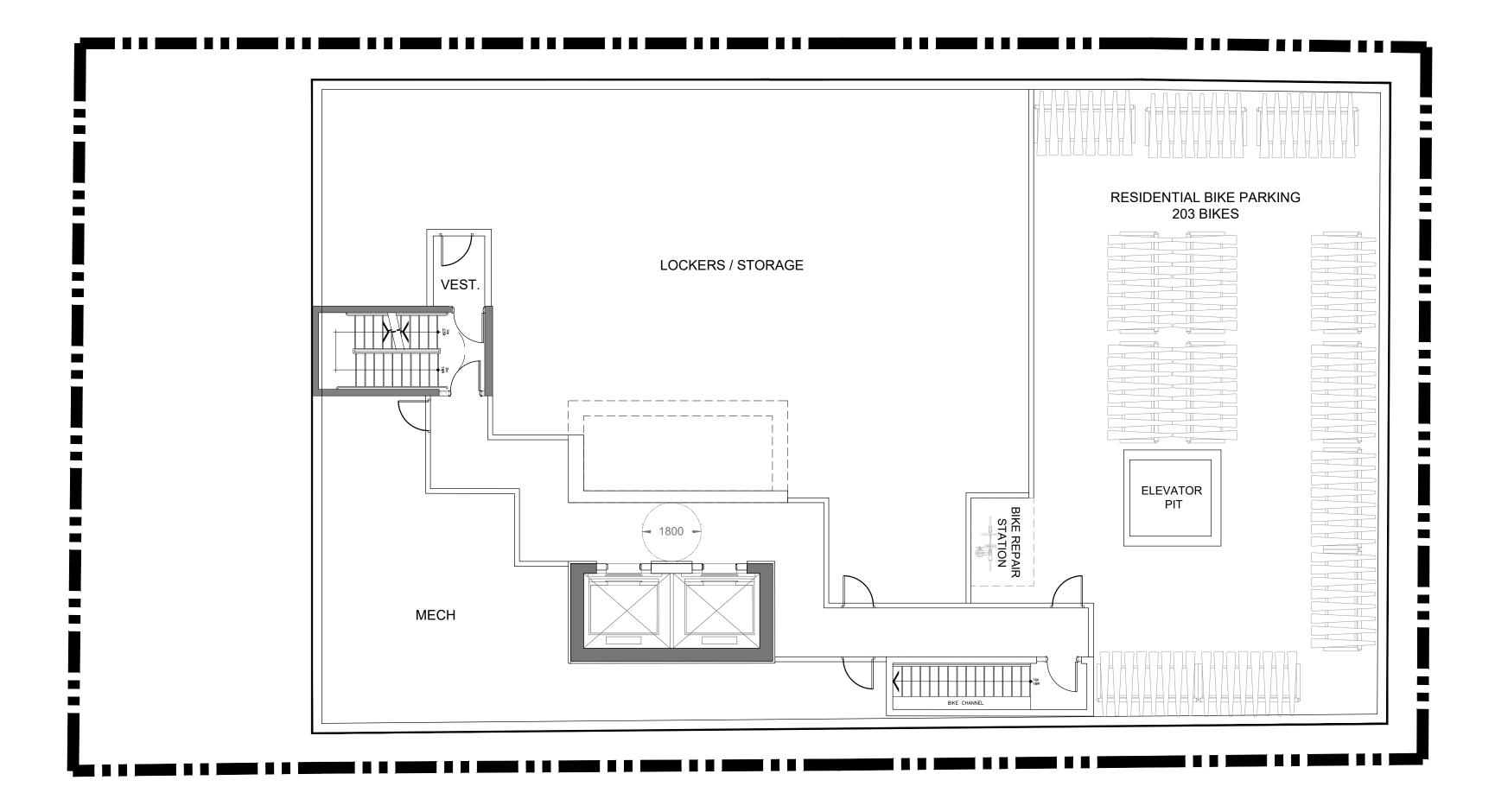
BIKE STACKER SECTION (TYPICAL)

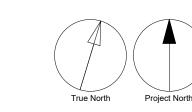




	LONG-TERM	SHORT-TERM	TOTAL
P2	203	0	203
P1	170	83	253
GROUND	0	10	10
TOTAL	373	93	466

BICYCLE PARKING COUNT





SHEET NUMBER

A151

ISSUE

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BIKE PARKING - LEGEND

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VERTICAL BIKE STALLS (600 W x 1200 L x 1900 H)

BIKE STACKERS

(375 W, 1400 L, 1200 H)

HORIZONTAL BIKE STALLS

E-BIKE SPACES WILL BE EQUIPPED WITH A 120V ENERGIZED OUTLET

TYPE A

(600 W x 1800 L x 1900 H)

BIKE STACKER SECTION (TYPICAL)

BICYCLE PARKING COUNT

P1

GROUND

TOTAL

LONG-TERM

203

170

373

SHORT-TERM

83

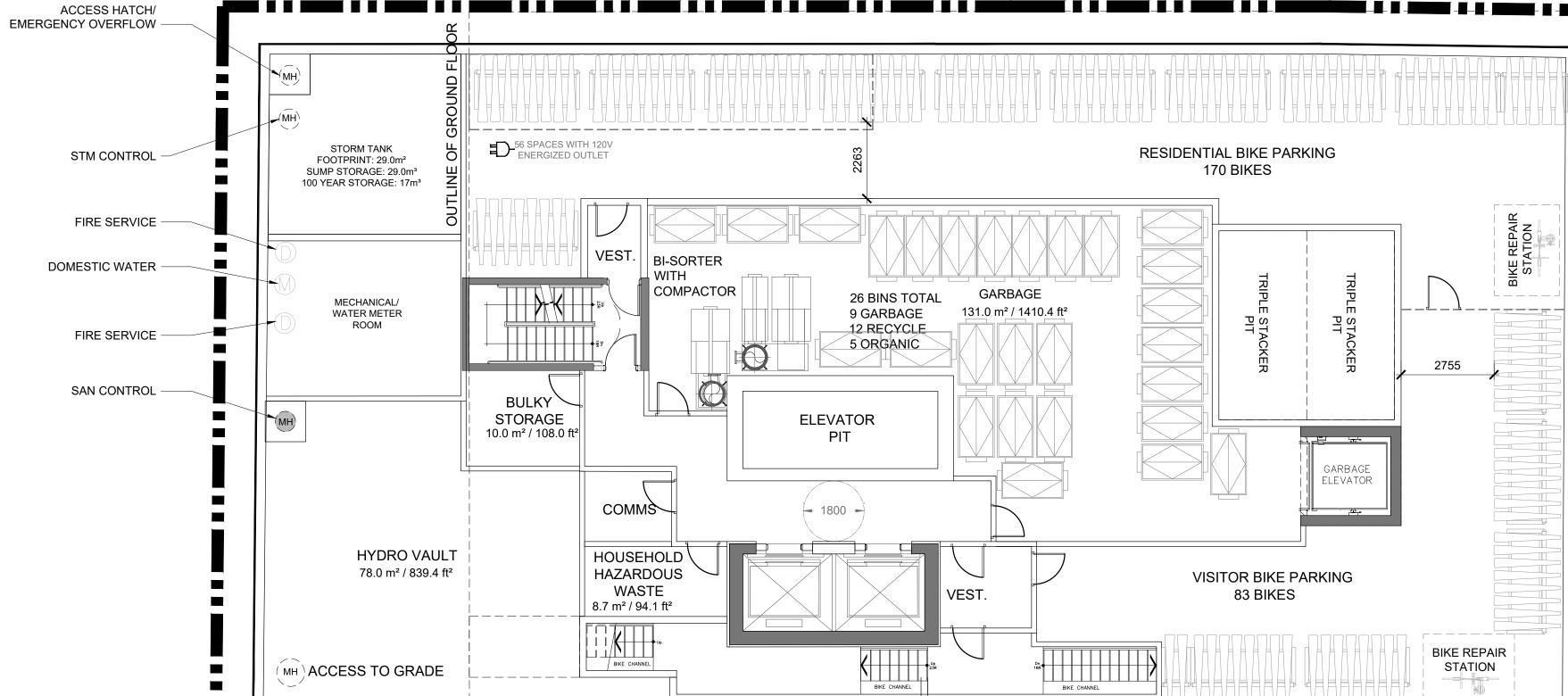
TOTAL

203

253

10

466

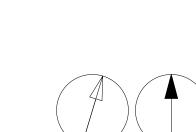


RESIDENTIAL BIKE PARKING

170 BIKES

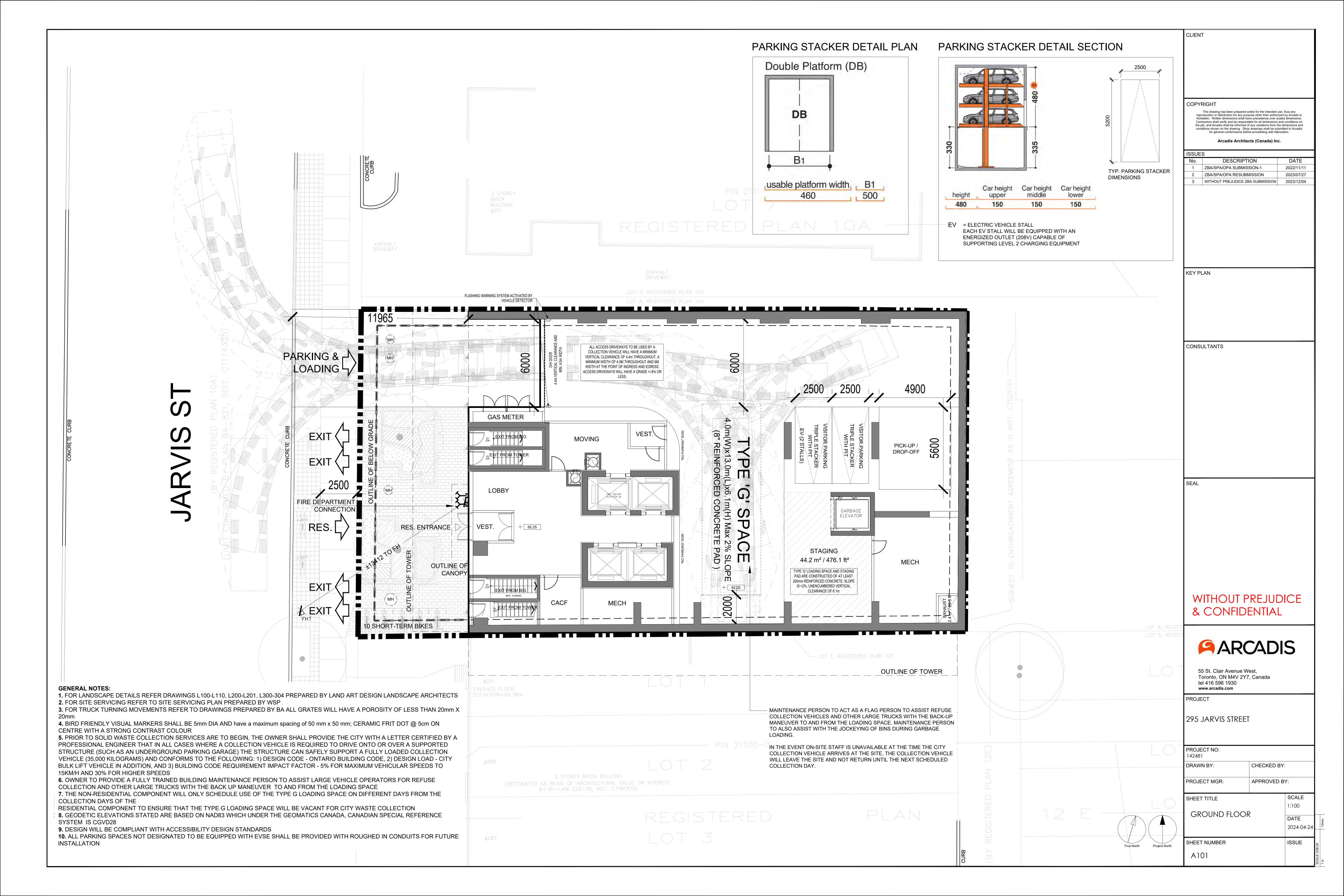
VISITOR BIKE PARKING 83 BIKES

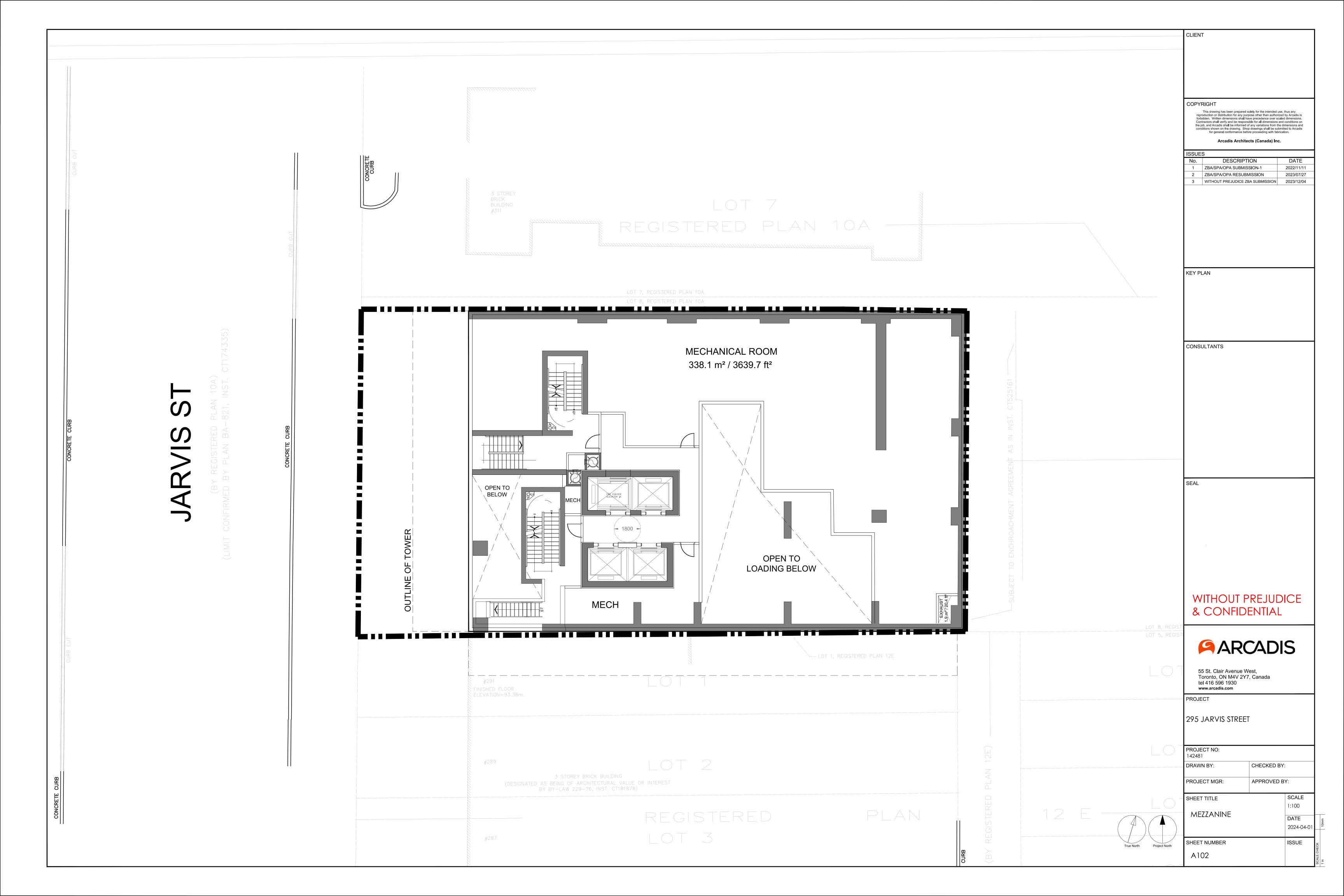
BIKE REPAIR STATION

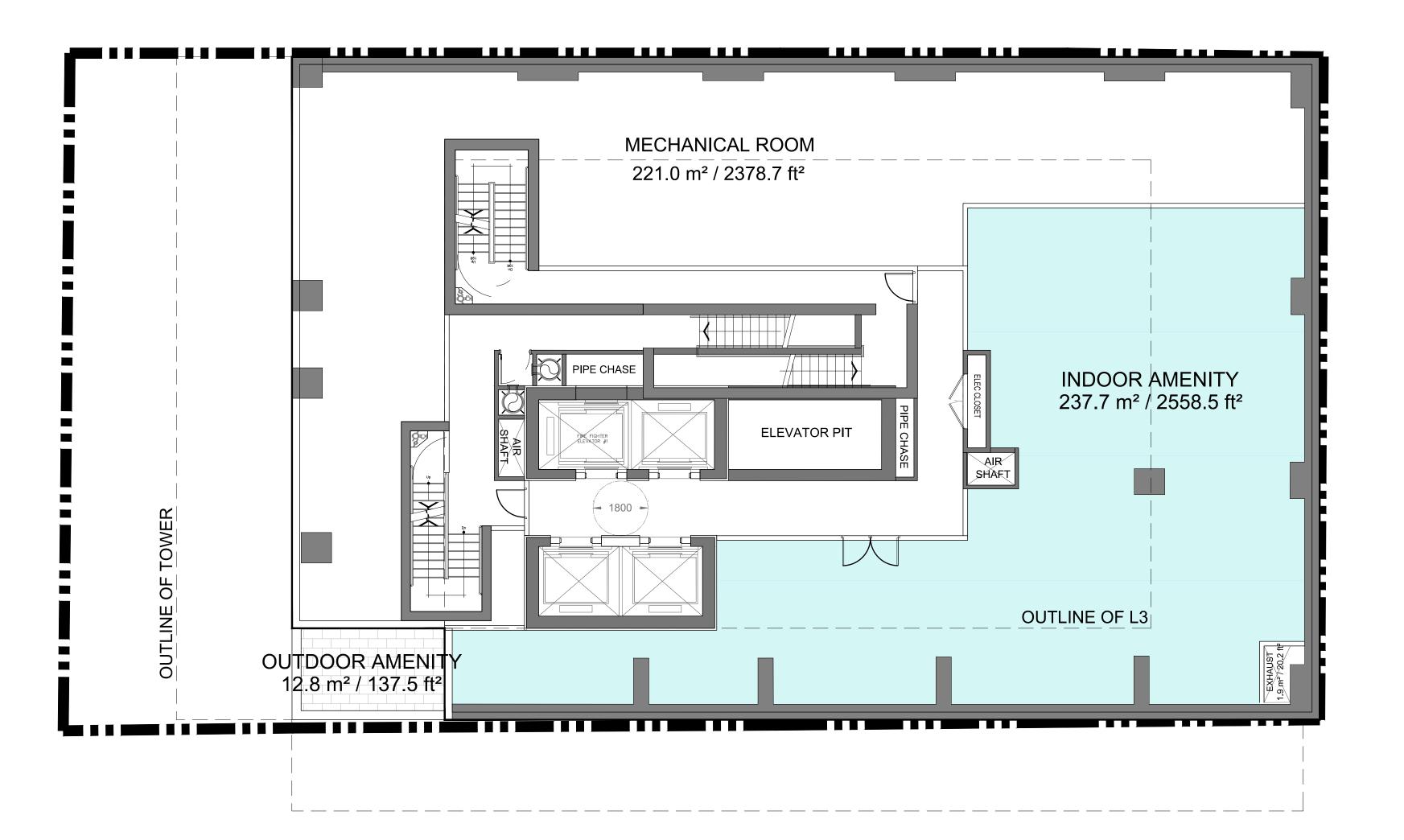


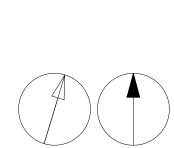
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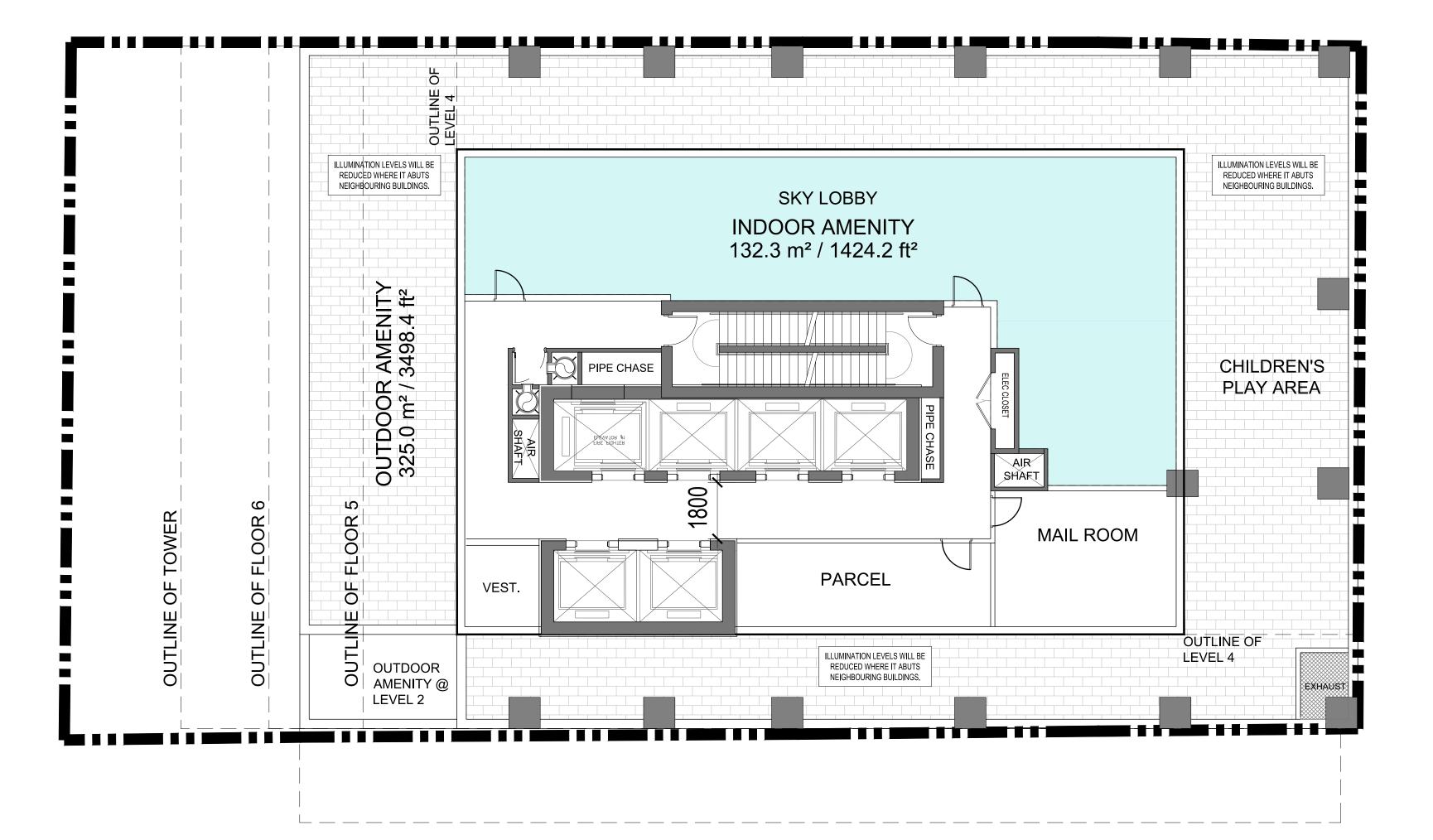


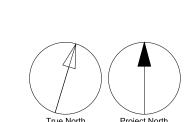
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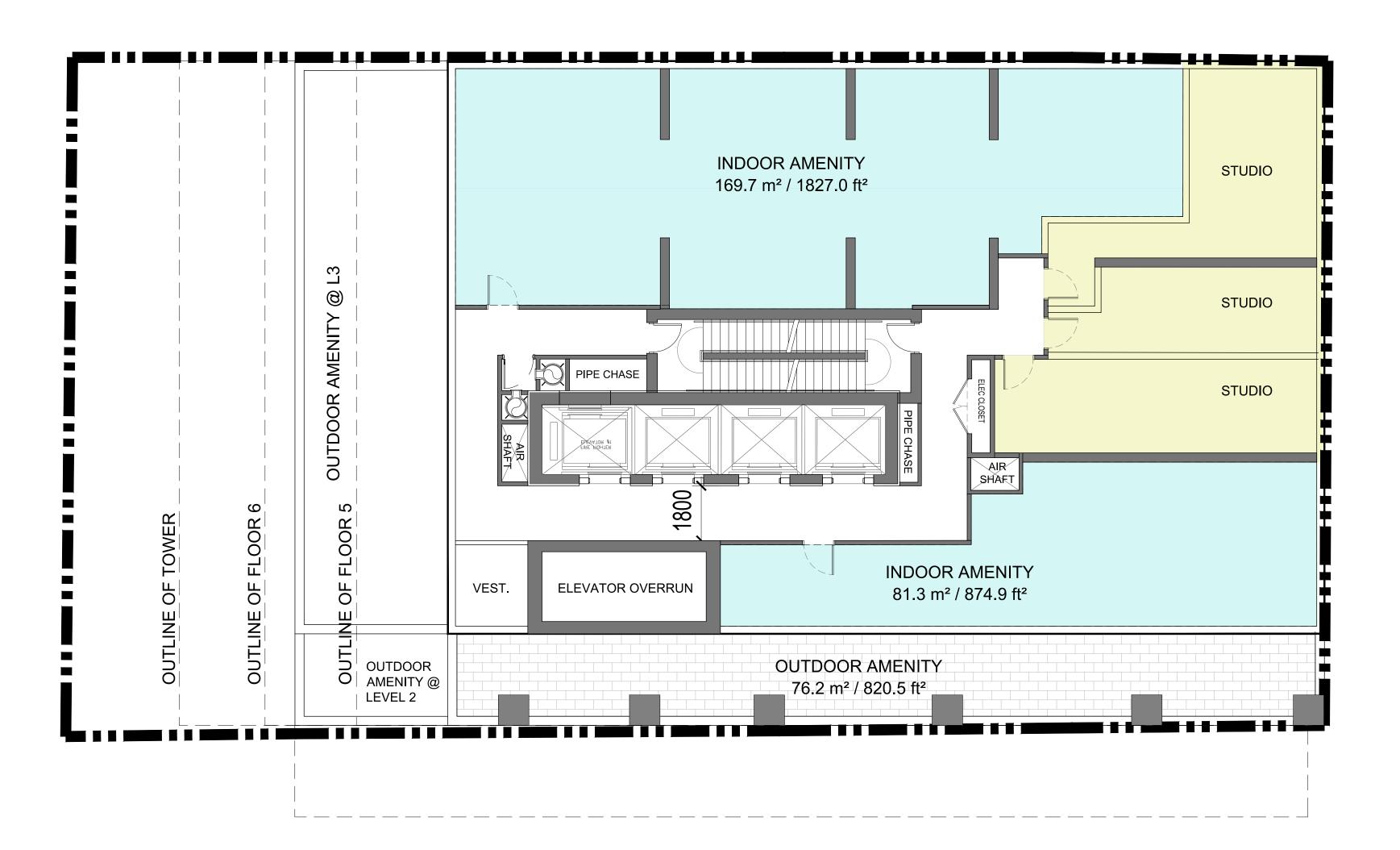


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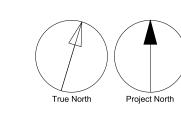
EXISTING RENTAL AREA: 1,270 sm
REPLACED RENTAL AREA: 1,270 sm



RENTAL REPLACEMENT

104.0 m² / 1119.9 ft²

3 UNITS



SHEET TITLE

FLOOR 4

SHEET NUMBER

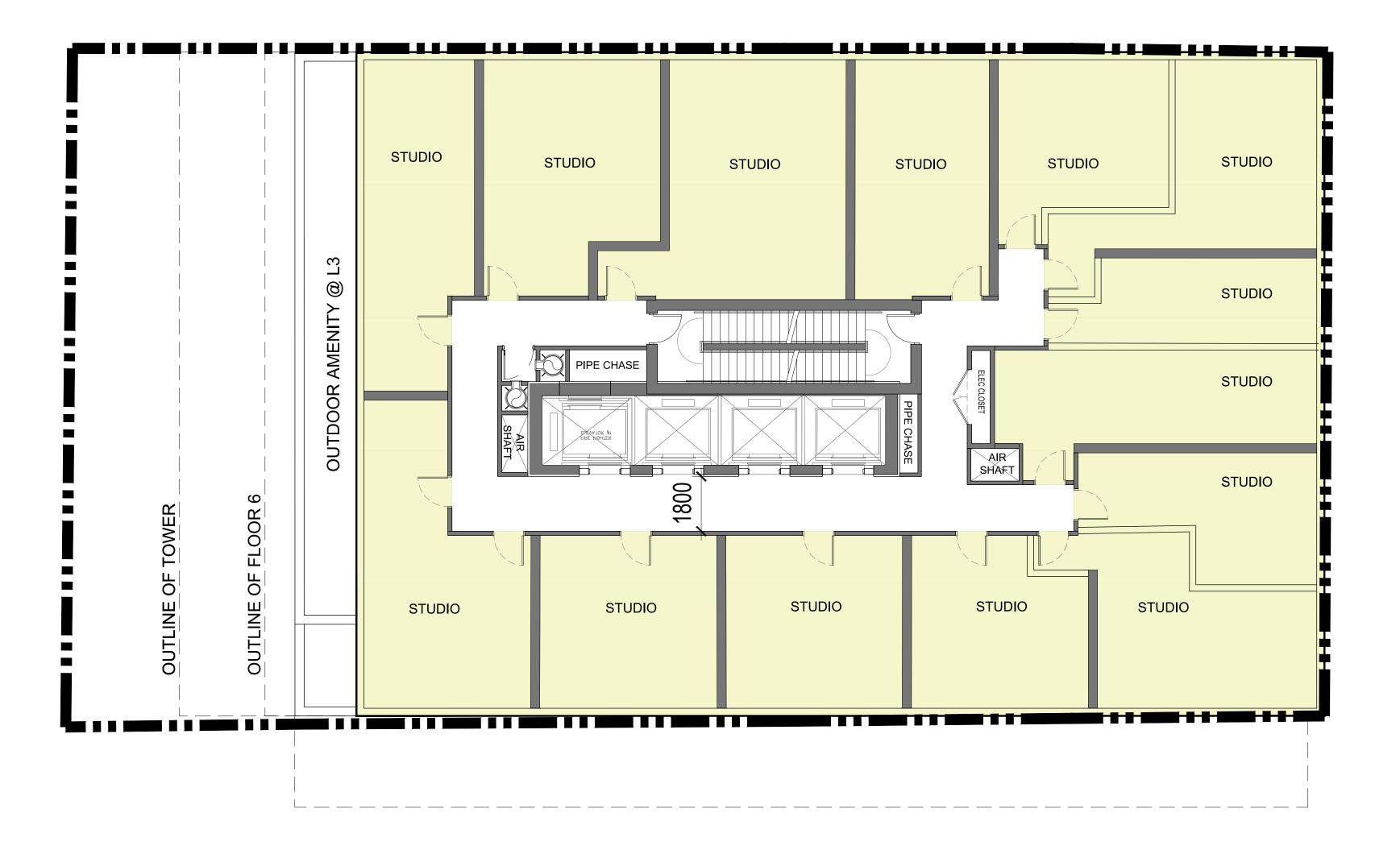
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DATE 2024-04-01

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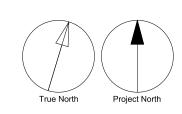
EXISTING RENTAL AREA: 1,270 sm
REPLACED RENTAL AREA: 1,270 sm



RENTAL REPLACEMENT

551.1 m² / 5931.8 ft²

14 UNITS



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SHEET TITLE

FLOOR 5

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