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Our File No.: 230899

WITHOUT PREJUDICE

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

Attention: Ray Kallio/Ultra Gautam

Dear Sirs/Mesdames:

**Re: Case No. OLT-24-000908 – Settlement Offer
1930-1938 Bloor Street West & 3, 5 and 21 Quebec Avenue, City of Toronto**

We are solicitors for 1934-1938 Bloor St .W. Ltd. and 1930 Bloor St. W. Ltd. in respect of the properties known municipally as in the City of Toronto as 1930-1938 Bloor Street West and 3, 5 and 21 Quebec 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 5, 2025, 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, dated January 14, 2025, and prepared by Baron Nelson Architects Inc., which are 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 include:
 - a. the height of the building is 19-storeys with an overall metric height of 70.12 metres (inclusive of the mechanical penthouse and elevator overrun), with the inclusion of indoor and outdoor amenity space wrapping the mechanical penthouse;

- b. the height of the podium along Bloor Street has been reduced from 6-storeys to 4-storeys, with the 5th storey setback 2.0 metres from the west and south faces of the 4th storey below, with a six-storey element on the eastern portion of the proposed building as shown on the Revised Plans;
 - c. the east tower setback has increased from 5.5 metres to achieve 10.0 metres from the property line abutting the property known municipally as 1926 Bloor Street West to the east;
 - d. the tower floor plate has decreased from 854.6 square metres to 647.8 square metres (gross floor area);
 - e. projecting balconies have been incorporated along the west elevation of the tower, spaced to mitigate massing impacts;
 - f. the ground floor elevation has been modified to incorporate an angled west and south face to create an overhang above the proposed podium while producing more protected spaces near the intersection of Bloor Street West and Quebec Avenue; and,
 - g. the total number of street trees have been increased to seven, with four street trees provided on Quebec Avenue and three street trees provided on Bloor Street West.
2. 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:
- a. The final form and content of the Zoning By-law Amendment is satisfactory to the Executive Director, Development Review and the City Solicitor, including any appropriate holding (H) provisions;
 - b. City Council has approved Rental Housing Demolition Application 24 121138 STE 04 RH under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006, to permit the demolition of the existing rental dwelling units, and the owner has entered into, and registered on title to the lands, one or more agreements with the City, to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, securing all rental housing-related matters necessary to implement City Council's decision including:
 - i. replacement of the existing twelve (12) rental dwelling units, including the same number of units, bedroom type and size, and with similar rents; and,
 - ii. 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 rent gap assistance, and other assistance to lessen hardship, all to the satisfaction of the Chief Planner and Executive Director, City Planning;

- c. the owner has addressed all outstanding issues raised by Urban Forestry, Tree Protection and Plan Review as they relate to the Zoning By-law Amendment application, and confirmed status of utility locates along Bloor Street West and Quebec Avenue and submitted revised Landscape Plan to the satisfaction of the Supervisor, Tree Protection and Plan Review;
- d. the owner has provided confirmation that the development will be constructed and maintained in accordance with Tier 1, Toronto Green Standard Version 4.0, and the owner will be encouraged to achieve Tier 2, Toronto Green Standard Version 4.0, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the Site Plan Control application;
- e. the owner has submitted a revised Pedestrian Level Wind Study to the satisfaction of the Executive Director, Development Review, with any required wind mitigation measures to be secured through the Site Plan approval process;
- f. the owner has submitted a revised Sun/Shadow Study and supplementary studies to the satisfaction of the Executive Director, Development Review;
- g. the owner has submitted a revised Natural Heritage Impact Study to the satisfaction of the Executive Director, Development Review, with any required mitigation and enhancement measures to be secured through the Site Plan approval process;
- h. the owner has addressed all outstanding issues raised by Transportation Services related to the pedestrian clearway/sidewalk transition along Quebec Avenue between the subject site and the adjacent Toronto Transit Commission High Park Station entrance to the north as they relate to the Zoning By-law Amendment application and the holding provisions if any required in the Zoning By-law amendment as set out in their memo dated April 18, 2024 or as may be updated in response to further submissions filed by the owner, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- i. the owner has submitted an acceptable Functional Servicing and Stormwater Management Report and associated plans or reports deemed necessary for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- j. the owner has provided confirmation of water, sanitary and stormwater, and traffic capacity to the satisfaction of the Chief Engineer and Executive Director,

Engineering and Construction Services, or the determination of whether holding provisions are required in the Zoning By-law Amendment; and,

- k. in the event the Functional Servicing Report, Stormwater Management Report, and/or Hydrogeological Report identify any required upgrades to existing municipal infrastructure to support the development, the Owner has entered into a financially secured agreement(s) with the City requiring the Owner to design, financially secure, construct and make operational, any upgrade or required improvements, prior to the issuance of final site plan approval for any development on the lands, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

As noted above, this without prejudice settlement offer will remain open until the end of the City Council meeting scheduled to commence on February 5, 2025, 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/

1405-6238-0561