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May 5, 2025

Our File No.: 243550

WITHOUT PREJUDICE

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

Attention: Kasia Czajkowski

Dear Sirs/Mesdames:

**Re: Case No. OLT-25-00035 – Settlement Offer
50-64 Merton Street, City of Toronto**

We are solicitors for 50-64 Merton Limited in respect of the property known municipally in the City of Toronto as 50-64 Merton 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 21, 2025, unless otherwise indicated.

The basis of the without prejudice settlement offer is that our client would revise the proposed Official Plan Amendment for the Lands to redesignate the Lands in the Yonge-Eglinton Secondary Plan from *Mixed Use Areas “B”* to *Apartment Neighbourhoods*. Further, 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 draft Official Plan Amendment and the draft Zoning By-Law Amendment are to the satisfaction of the City Solicitor and the Executive Director, Development Review;
- b. the Owner has submitted a revised Functional Servicing and Stormwater Management Report, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- c. the Owner has entered into a Municipal Infrastructure Agreement to financially secure the construction of any improvements to the municipal infrastructure in connection with the accepted Functional Servicing Report by the Chief Engineer and

Executive Director, Engineering and Construction Services, should it be determined that improvements to such infrastructure are required;

- d. entered into a Heritage Easement Agreement with the City for the property at 50 Merton Street substantially in accordance with the plans and drawings dated November 23, 2023 prepared by Hariri Pontarini, and on file with the Senior Manager, Heritage Planning; and the Heritage Impact Assessment, dated November 30, 2023, prepared by GBCA, all on file with the Senior Manager, Heritage Planning, subject to and in accordance with the Conservation Plan below, to the satisfaction of the Senior Manager, Heritage Planning, including execution of such agreement to the satisfaction of the City Solicitor; and,
- e. provided a detailed Conservation Plan, prepared by a qualified heritage consultant that is substantially in accordance with the conservation strategy set out in the Heritage Impact Assessment for the property at 50 Merton Street, to the satisfaction of the Senior Manager, Heritage Planning.

As noted above, this without prejudice settlement offer will remain open until the end of the City Council meeting scheduled to commence on May 21, 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/