



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: 416.597.4136
rgill@goodmans.ca

June 30, 2026

Our File No.: 252873

WITHOUT PREJUDICE

BY EMAIL (matthew.longo@toronto.ca)

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

Attention: Matthew Longo, Solicitor, Legal Service Division

Dear Mr. Longo:

**Re: 245-251 Marlee Avenue, 1-7 Romar Crescent and 16 Stayner Avenue
City of Toronto File No. 24 243361 NNY 08 OZ
OLT Case Nos. OLT-25-000536/OLT-25-000537
Without Prejudice Settlement Offer**

We are solicitors for The Address Inc. (our “**Client**” or the “**Owner**”), who is the owner of the properties known municipally in the City of Toronto as 245-251 Marlee Avenue, 1-7 Romar Crescent and 16 Stayner Avenue (the “**Property**”). On December 2, 2024, our Client submitted to the City of Toronto (the “**City**”) Official Plan and Zoning-By-law Amendment applications for the Property to permit the construction of two tall buildings, one of 37-storeys and one of 35-storeys, connected by a 6-storey podium element along the west of the Property, which stepped down to a 4-storey podium toward the east portion of the proposed building (the “**Originally Proposed Development**”). City Council’s failure to make a decision was appealed to the Ontario Land Tribunal (the “**OLT**”) on July 4, 2025. As set out further below, we are writing on behalf of our Client to present a without prejudice settlement offer in respect of the above-noted matter, which should be considered as open for acceptance until the conclusion of the City Council meeting scheduled to commence on **July 29, 2026**.

As you know, our Client engaged in without prejudice discussions with City staff regarding the redevelopment proposal for the Property. These discussions resulted in a revised set of plans, prepared by Kirkor Architects dated June 29, 2026, which are attached to this letter as Schedule “A” (the “**Revised Development**”).

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#1501676

The Revised Development differs from the Originally Proposed Development in important ways that address matters raised by City staff. Here is a summary of some of the key revisions:

Nature of Change	Originally Proposed Development	Revised Development
Added 1 storey to each tower	37 and 35-Storey Towers	38 and 36-Storey Towers
Pedestrian Walkway	N/A	Continuous pedestrian walkway with a minimum width of 1.5 metres along the east property line
Increased outdoor amenity space	1.84 m ² / unit of outdoor amenity space	2.0 m²/ unit of outdoor amenity space, in addition to 2.0 m²/ unit of indoor amenity space

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 and official plan amendment.
2. Key aspects of the Revised Plans include:
 - a. The overall height of the proposed towers are 38 and 36-storeys;
 - b. A continuous pedestrian walkway with a minimum width of 1.5 metres along the east property line;
 - c. The proposal will meet the City's Growing Up Guidelines with respect to unit mix; and
 - d. The proposed indoor and outdoor amenity space will meet the provisions of City-wide Zoning By-law 569-2013.
3. A good faith commitment to work with the City to pursue a mutually agreeable in-kind community benefit contribution which may include but will not be limited to affordable rental housing.

This proposal delivers much needed housing, improves the public realm, and delivers new connectivity for the community. We hope that City staff and City Council receive this proposal well.

Our Client agrees that, in the event City Council accepts this without prejudice settlement offer, the final order of the OLT would be withheld, subject to the following conditions:

- a. the final form of the Official Plan Amendment is to the satisfaction of the City Solicitor and the Executive Director, Development Review;
- b. the final form of the Zoning By-law Amendment is to the satisfaction of the City Solicitor and the Executive Director, Development Review, which Amendment will include a Holding (H) provision that will include for its removal the following conditions:
 - i. The owner or applicant, at their sole cost and expense has submitted a revised Functional Servicing and Stormwater Management Report to demonstrate that the existing sanitary sewer system, storm water system, and watermain and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Director, Engineering Review, Development Review; and
 - ii. If the Functional Servicing and Stormwater Management Report accepted and satisfactory from (i) above require any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
 - a) The owner or applicant has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any updates or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing and Stormwater Management Report to support the development, in a financially secured agreement, all to the satisfaction of the Director, Engineering Review, Development Review; or,
 - b) The required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted Functional Servicing and Stormwater Management Report in (i) above are constructed and operational, all to the satisfaction of the Director, Engineering Review, Development Review; and
 - iii. all necessary approvals or permits arising from (b)(ii)(a) or (b)(ii)(b) above are obtained, where required all to the satisfaction to the Director, Engineering Review, Development Review;

- iv. The City has received, reviewed and accepted the updated Transportation Impact Study, to the satisfaction of the Executive Director, Development Review in consultation with the General Manager, Transportation Services;
- c. the provision of an acceptable Tenant Relocation and Assistance Plan for all Eligible Tenants of the two (2) existing rental units proposed to be demolished, addressing financial compensation and other assistance to lessen hardship, including the provision of rent gap payments, which Plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning, and secured to the satisfaction of the City Solicitor;
- d. the owner has registered a section 118 restriction on title to ensure assumption of the Tenant Relocation and Assistance Plan by subsequent owners to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, securing the implementation of the Tenant Assistance Plan required by Condition (c) above;
- e. the owner has satisfactorily addressed the Transportation Service and Engineering and Construction Services matters in the Engineering and Construction Services Memorandum dated March 20, 2025 and any outstanding issues arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Zoning By-law Amendment application, to the satisfaction of the Executive Director, Transportation Review, Development Review, and the Director, Engineering Review, Development Review;
- f. the owner has satisfactorily addressed matters from the Urban Forestry, Tree Protection and Plan Review memorandum dated March 20, 2025, or any outstanding issues raised by Urban Forestry arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Official Plan and Zoning By-law Amendment application, to the satisfaction of the Executive Director, Environment, Climate and Forestry;

As noted above, this without prejudice settlement offer will remain open until the end of the City Council meeting scheduled to commence on **July 29, 2026**, at which point it should be considered as withdrawn if not accepted by City Council. If the settlement is accepted by City Council, the Owner consents to the public release of this letter and the Revised Plans.

Our Client greatly appreciates the hard work of City staff that has enabled the presentation of this without prejudice settlement offer to City Council.

Yours truly,

Goodmans LLP



Rodney Gill
RJG/

SCHEDULE A – PLANS OF REVISED DEVELOPMENT