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Our File No.: 163412

**Via E-mail**

**Without Prejudice and Confidential**

Planning & Administrative Tribunal Law  
City of Toronto Legal Services  
55 John Street, 26<sup>th</sup> Floor, Metro Hall  
Toronto, ON M5V 3C6

**Attention: Sara Amini**

Dear Sirs/Mesdames:

**Re: 1376-1386 Kingston Road – Revised Settlement Offer  
LPAT Case No.: PL180485**

We are solicitors for Cornell & Kingston Development Corporation, the owner of the property known municipally as 1376-1386 Kingston Road (the “**Property**”). On December 29, 2016, our client submitted a rezoning application (the “**Application**”) to the City to permit the redevelopment of the Property with a 7-storey residential building, with 52 units and a total gross floor area of 6,115 square metres. The Application was subsequently refined to consist of a 9-storey residential building with 50 residential units and a total gross floor area of 5,533 square metres.

On September 25 and November 29, 2019, we made without prejudice settlement offers in respect of our client’s appeal of the Application to the Local Planning Appeal Tribunal (the “**LPAT**”). Discussions about certain detailed matters regarding the revised proposal have continued to progress with City staff over the intervening weeks. Accordingly, we are providing this letter to outline an updated without prejudice settlement offer that reflects our recent discussions with staff.

This without prejudice settlement offer is based on the enclosed drawings dated [**December 4, 2019**] prepared by A& Architects (the “**December 4 Plans**”). The December 4 Plans provide for a building significantly reduced in scale relative to the original Application, to 6-storeys, consistent with the existing site-specific zoning applicable to the Property. The building would contain 30 residential units with an average unit size of 1,148 square feet, providing for large units well-suited to families. The total proposed GFA is was 3,798 square metres, representing a density of 3.24 times the site area, which complies with the site-specific zoning by-law applicable to the Property.

In addition, all main walls of the proposed building and the mechanical penthouse would fall within applicable 45-degree angular planes. A minimum of 32 resident and 4 visitor parking spaces would be provided in an underground garage accessed from Cornell Avenue. A memo from WND Associates summarizing certain key proposed zoning standards is also enclosed with this memo.

Our client and its consultants appreciate City staff's efforts to meet with the applicant and provide feedback as part of preparing this further without prejudice settlement offer. We believe that the December 4 Plans address staff's comments on the Application, represent good planning, and provide a strong foundation for a settlement of the Appeal. Accordingly, we are hopeful that City Council will instruct the City solicitor to support approval of the December 4 Drawings at the LPAT.

Please note that this without prejudice settlement offer will remain open for consideration by the City until the conclusion of the City Council meeting scheduled to commence on December 17, 2019.

Please let us know if further clarification is required in respect of this without prejudice settlement offer.

Yours truly,

**Goodmans LLP**



Max Laskin  
MXL/

Encl.

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