



December 8, 2015

Our File No.: 00-1626

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

Attention: Ms. Leslie Forder (City Solicitor)

Dear Ms. Forder:

Re: "WITHOUT PREJUDICE" OFFER TO SETTLE - 11 LILLIAN STREET and 132-142 SOUDAN AVENUE, in the City of Toronto

City File No.: 13 169170 STE 22 OZ

We are the solicitors for Lash Development Corp. and Longmarsh Estates Inc., the owners of the property municipally known as 11 Lillian Street and 132-142 Soudan Avenue (the "Site") in the City of Toronto. The Site is located on the northeast corner of Lillian Street and Soudan Avenue, one block south of Eglinton Avenue East, three blocks east of Yonge Street. The Site is within walking distance to the Yonge/Eglinton Centre, a central area of the City which is transforming into one of the most successful "truly" mixed use areas of the City of Toronto. The Site is located within an area comprised of a variety of hi-rise condominium and apartment buildings, with 10 to 28 storey towers located within the immediate vicinity of the subject Site.

Following a lengthy and cooperative consultation process involving our client, City Staff, the local community and the local Councillor, in June of this year City Council adopted the City Staff Report recommending approval of a zoning by-law amendment that would facilitate a 14 storey residential condominium with townhouse units at-grade. While the consultative process was a cooperative one, the two adjacent property owners to the immediate north, from the outset, raised concerns that if their properties were not acquired and included as part of the development proposal, they would end up with limited potential to ever redevelop between the existing and approved apartment buildings to their north and south.

In the continued spirit of cooperation, our client entered into negotiations with the two adjacent owners to the north, which negotiations resulted in our client's agreement to acquire both of their properties conditional on our client's ability to obtain Council's approval to proceed with a settlement proposal on the expanded site.

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The individual lawyers named above practice in association with Adam J. Brown Professional Corporation

Our client remains committed to the excellence of the original design, with the expanded site area (adding 15 and 17 Lillian Street) allowing our client to respond to a request to provide a significant open space area along Soudan Avenue. In light of the continued negotiations, our client filed a “friendly appeal” of Council’s approval in order to facilitate a settlement of the adjacent owner’s appeal, all of which has led to our submission of the within “without prejudice” settlement proposal.

The following sets out the revisions to the approved plans, which revisions would require Council’s adoption of a direction to provide notice of its support of the revised settlement proposal on the expanded site area, with Council’s alternative direction that their original approval is sought in the event that the Ontario Municipal Board does not agree to the revised “settlement proposal”. The following are the changes that are achieved by the inclusion of the two additional lots to the north:

1. The lot area of the Site has been increased from 1,075.2 m² to 1,391 m²;
2. The expanded lot area results in an overall reduction to the coverage of the building on the Site;
3. The frontage of the expanded Site along Lillian Street has been increased from 35.22 m to 45.6 m, which increased depth has allowed the applicant to accommodate a significant open space area along Soudan Avenue;
4. The height of the tower has been increased from 14-storeys (52.85 m) to 19-storeys (63.0 m with maximum Mechanical Penthouse height of 68.6 m), with the elegance of the original design maintained, at a height that does not create any additional adverse shadow impacts given the shifting of the floorplate 10 metres away from the Soudan Avenue street frontage;
5. The “stepped” design of the original proposal has been maintained, with an expanded 10 metre setback (increased from 2.2 m) and open space area along Soudan Avenue;
6. The elegant design of the tower has also been maintained, which tower steps away from the podium above the 3rd storey by 11 m from the property line along Soudan Avenue, with further 1 m stepbacks on the 15th to the 19th floors on the southwest corner of the tower (to a maximum of 16 m from the property line along Soudan Avenue), which stepping not only allows for the building to positively interact with the intersection of Lillian Street and Soudan Avenue but also preserves its approved articulated design;
7. The typical floor plate size of the tower has been increased from 660 m² to 683 m², well below the design guideline maximum of 750 m²;
8. The revised tower design, in addition to maintaining the elegant approved design, also

allows the building to maintain a generous 11.22 m tower setback from the 10-storey apartment building to the north, which is a setback essentially between a modest 19 storey building and the midrise building to the north which is compliant with historical 11 m setbacks routinely approved as appropriate “as of right” setbacks between such buildings. We also respectfully resubmit that while this 11.22 m setback is reduced from the prior proposal, the planning benefit achieved by the provision of a 10m open space area along Soudan is a significant planning benefit to the area;

9. The overall unit count has increased from 98 to 159 residential units, however, the associated outdoor and indoor amenity space has been increased to fully comply with the standards approved by City Staff and Council for the Site. (outdoor amenity space has been increased from 237.6 m² to 382 m²; indoor amenity space has been increased from 295.8 m² to 509 m²);
10. The amount of residential and visitor parking spaces has been increased from 74 residential parking spaces and 10 residential visitor parking spaces to 114 residential parking spaces and 16 residential visitor parking spaces, which proposed parking supply maintains the approved rates approved by City Staff and Council for the Site;
11. The amount of residential and visitor bicycle parking spaces has been increased from 72 residential bicycle parking spaces and 16 residential visitor bicycle parking spaces to 120 residential bicycle parking spaces and 24 residential visitor bicycle parking spaces, which proposed bicycle parking supply maintains the approved rates approved by City Staff and Council;
12. As a result of the above-noted revisions, the total proposed residential gross floor area has been increased from 8,556.2 m² to 12,550.6 m², resulting in an increase in the proposed density from 7.96 the area of the lot to 9.02 times the area of the lot; and
13. Our client remains committed to the \$500,000.00 Section 37 contribution that was approved by City Staff and Council for the Site, as well as an additional allocation of \$400,000.00, which amounts shall be paid in addition to now providing the Privately Owned Publicly-Accessible Space (“POPS”) located along Soudan Avenue and having a minimum area of 300 m².

In light of the foregoing, we confirm that our client is committed to proceeding to a settlement hearing in support of the revised plans attached hereto, with the further commitment to the revised Section 37 payment, which settlement proposal is conditional on Council’s approval of same at its Council Meeting scheduled to commence December 9, 2015. Should you have any questions, please do not hesitate to contact the undersigned or Mr. Charles Arbez, a Planner in our office.

Yours very truly,

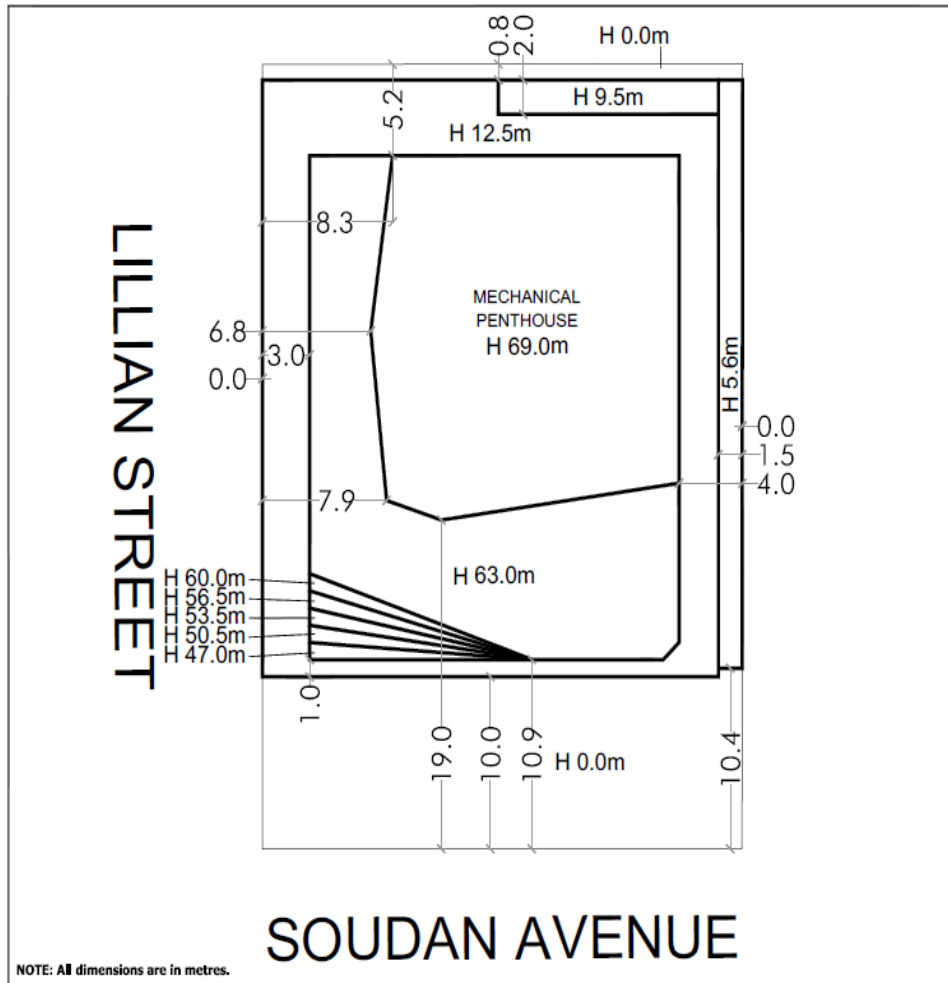
A handwritten signature in black ink, appearing to read 'AJB', is positioned below the closing text.

Adam J. Brown

Encls.

Cc: Mr. Larry Blankenstein, Lash Group of Companies
Mr. Serge Mazzuca, Lash Group of Companies
Mr. Mohammad Farhanji, Lash Group of Companies

APPENDIX "B"



132-142 Soudan Avenue & 11-17 Lillian Street, Toronto

Map 2

File #15 _____



Not to Scale