



Barristers & Solicitors

Bay Adelaide Centre - West Tower
333 Bay Street, Suite 3400
Toronto, Ontario M5H 2S7

Telephone: 416.979.2211
Facsimile: 416.979.1234
goodmans.ca

Direct Line: 416.597.4299
dbronskill@goodmans.ca

June 15, 2018

Our File No.: 161964

Without Prejudice

Via Email

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

Attention: Ellen Penner

Dear Sirs/Mesdames:

**Re: LPAT Case Nos. PL171472 and PL130592
105-109 Vanderhoof Avenue and 10 Brentcliffe Road**

We are writing further to the without prejudice settlement offer contained in our letter dated May 31, 2018 and in response to your without prejudice letter dated June 6, 2018. The settlement offer contained in our previous correspondence should be considered as withdrawn and replaced by this settlement offer, which is open until the conclusion of the City Council meeting scheduled to begin on June 26, 2018.

Our client is prepared, on a without prejudice basis, to settle the appeals on the basis that the following uses would be permitted in zoning by-law amendments (the "**Draft By-laws**") to be finalized for presentation to the Local Planning Appeal Tribunal. In our view, this settlement would appropriately capture the existing non-residential uses on the Property, while ensuring a reasonable transition to the uses permitted by Site and Area Specific Policy 393 in Official Plan Amendment No. 231.

The following uses would be permitted:

- In addition to the uses listed in Article 60.10.20.10 and 60.10.20.20 of Zoning By-law 569-2013, the following uses would be permitted: retail stores (with a maximum permitted aggregate gross floor area of 6,000 square metres), eating establishments, take-out eating establishments, courier services, wellness centres, art galleries, personal service shops and pet services.

- In addition to the uses permitted in the M1 zone of By-law No. 1916, as amended, for the former Town of Leaside, the following uses would be permitted: printing shops, courier shops, retail stores (with a maximum permitted aggregate gross floor area of 6,000 square metres), interior design supplies store and showrooms, sample or showrooms, artist studios, art galleries, caterer's shops, production studios, restaurants, take out restaurants, financial institutions, personal service shops, custom workshops and service shops.
- In addition, the Draft By-laws would each permit education uses, limited to 500 square metres of gross floor area, for a period of not more than three years of the date the Draft By-laws come into effect.

We understand that other matters related to certain performance standards will be resolved as the Draft By-laws are finalized. Further, our client agrees that any outstanding comments from Engineering and Construction Services, Urban Design and Transportation Services related to building standards exempted or referred to in the Draft By-laws can be discussed and appropriately addressed as the Draft By-laws are finalized for approval by LPAT.

We also understand that Planning Staff in Strategic Initiatives, Policy & Analysis has prepared the requested "comfort letter" regarding the lack of staff objection to an application to extend the temporary use for one additional year. We would appreciate release of this letter as part of this settlement.

Our client is hopeful that this without prejudice proposal will be accepted. As noted above, if this settlement offer is not accepted by the conclusion of the City Council meeting scheduled to commence on June 26, 2018, then this settlement offer should be considered as withdrawn.

Please let us know if any additional information is required.

Yours truly,

Goodmans LLP



David Bronskill

DJB/

cc: Client