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June 21, 2023

Our File No.: 222178

WITHOUT PREJUDICE

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

Attention: Marc Hardiejowski and Adam Ward, Solicitors, Legal Services Division

Dear Sirs/Mesdames:

Re: **4630 Kingston Road, Toronto, Ontario**
City of Toronto File Nos. 21 250500 ES 25 OZ
Appeal of Rezoning and Site Plan Applications pursuant to subsection
34(11) of the *Planning Act* and subsection 114(15) of the *City of Toronto Act, 2006*

We are solicitors for Park Central GP Inc. in respect of the property known municipally in the City of Toronto as 4630 Kingston Road (the "**Property**").

We are writing on behalf of our client with 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 July 19, 2023.

As you know, our client engaged in without prejudice discussions with City staff over the last several months regarding the redevelopment proposal for the Property. These discussions have resulted in revised plans, prepared by Turner Fleischer and dated June 5, 2023, which are attached to this letter (the "**Revised Plans**").

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(s).
2. The parties will request that the site plan appeal be adjourned *sine die* until the parties have resolved all matters relating to site plan approval or require assistance from the Ontario Land Tribunal to adjudicate any issues that remain between the parties in relation to the site plan approval process.
3. The Revised Plans implement the following matters:

- a. A 13 storey mid-rise building plus mechanical penthouse of not more than 5.6 metres in height and three wings with some ground floor retail uses, and residential uses above, with stepbacks as shown on the Revised Plans.
- b. The Revised Plans provide for more than 500 residential units in total, and the final unit mix will be required to comply with the Growing up Guidelines such that 10% of the units are 3 bedroom units and 15% of the units are 2 bedroom units.
- c. The revised plans provide 707 square metres of retail space, 274 underground parking spaces for cars, and 386 bicycle parking spaces.
- d. Total amenity space of 2,056.6 square metres is provided with 699.6 square metres being indoor amenity space.
- e. The developer is providing a 340 square metre privatized commercial space fronting Kingston Road that is intended to act as a well-maintained coworking and shared office facility for residents of the building and that will also service the broader community. The commercial space is adjacent to a 164 square metre indoor amenity space, which all residents would have access to, which will be maintained by the condominium corporation.
- f. The Revised Plans provide a revised and increased base building setback from the north and south property lines to preserve additional mature trees.

This proposal delivers much needed housing in an area that is well served by existing public infrastructure, including higher order transit. 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 Ontario Land Tribunal would be withheld, pending completion of the following:

- a) the amending by-laws be finalized, in a form and content acceptable to the City Solicitor and Chief Planner and Executive Director, City Planning, in a manner that implements the proposed development;
- b) the applicant has submitted a Traffic Impact Study and Transportation Demand Management Plan to the satisfaction of the General Manager, Transportation Services and Program Manager, District Transportation Planning Unit, Scarborough District;
- c) the applicant has addressed comments raised in the March 29, 2022 memorandum from the Toronto Transit Commission (TTC) to the satisfaction of the TTC;
- d) the applicant has included in the site specific by-law, for a requirement to provide space within the development for installation of maintenance access holes and sampling ports on the private side of the property, as close to the property line as possible, for both the

- storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681;
- e) the applicant has submitted to the Chief Engineer & Executive Director of Engineering and Construction Services for review and acceptance, a Site Servicing Review to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and demonstrate how this site can be serviced and whether the existing municipal infrastructure is adequate;
 - f) the applicant has entered into a financially secured Development Agreement for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the Site Servicing Review accepted by the Chief Engineer & Executive Director of Engineering and Construction Services; and
 - g) the applicant has submitted revised plans/reports/documentation with respect to Conditions b), d), e) and f) above, to the satisfaction of the Chief Engineer & Executive Director of Engineering and Construction Services.

As noted above, this without prejudice settlement offer will remain open until the end of the City Council meeting scheduled to commence on July 19, 2023, at which point it should be considered as withdrawn if not accepted by City Council.

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/
encl.

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