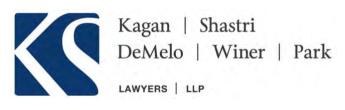
PUBLIC ATTACHMENT 1



JASON PARK Direct: 416-645-4572 jpark@ksllp.ca

File No. 24239

September 2, 2025

WITH PREJUDICE

DELIVERED VIA EMAIL (adam.ward@toronto.ca/sara.amini@toronto.ca)

City of Toronto Legal Services City Solicitor's Office Metro Hall 55 John Street, 26th Floor Toronto ON M5H 2N2

Attention: Adam Ward / Sara Amini

Dear Mr. Ward / Ms. Amini

Re: OLT Lead Case No. OLT-24-001214

1552-1572 Kingston Road, City of Toronto

Appeals filed on behalf of K2 GP Inc.

Planning Applications No: 21 191601 ESC 20 OZ / 21 191693 ESC 20 SA

Appeal of Rezoning and Site Plan Approval Applications

With Prejudice Settlement Offer

We are the solicitors for K2 GP Inc. (the "**Applicant**" or "**Appellant**"), the registered owner of the lands legally described as 1552-1572 Kingston Road, Toronto (the "**Site**").

Further to the recently completed Ontario Land Tribunal (the "OLT" or "Tribunal") mediation and continued discussions between the Appellant and the City of Toronto (the "City") staff, we are pleased to provide the following settlement offer on a *with prejudice* basis in full settlement of the rezoning appeal. Specifically, in an effort to address the City's issues, the proposed development has been revised as follows:

(1) Reduction in overall building height by 1 storey, from 12-storeys including a Mechanical Penthouse level containing residential space, to 11-storeys including a Mechanical Penthouse level containing residential space.

- (2) Increased landscape buffer to 1.5 metres in width across the north lot line (except for a small area at the drive entrance where it is reduced to 1.06 metres to accommodate the loading movements).
- (3) Replaced residential gross floor area ("GFA") along Kingston Road with retail space, representing an increase from approximately 59 square metres of non-residential GFA to 338 square metres.
- (4) Relocated residential lobby to the southeast corner of the building, placing commercial space at the southwest corner.
- (5) Redesigned the loading area to remove the previous exterior loading bay and, instead, incorporate it within the ground floor to reduce visibility. This redesign also consolidated the driveway access to Eastwood Avenue.
- (6) Replaced the previous driveway at the northwest corner of the building with indoor and outdoor amenity space, including a pet relief area.
- (7) Increase in outdoor amenity space, resulting in an increase to the overall indoor/outdoor amenity space from 410 square metres to 514 square metres.
- (8) Increase in percentage of 3-bedroom units, resulting in the provision of 10% 3-bedroom units.
- (9) Revised setbacks, including:
 - a. Increased 4.5 metre setback to the curb at level 4 and 6.0 metre setback to the curb at level 5.
 - b. Revised front yard cantilever to begin at level 2 instead of level 3.
 - c. Increased varying side-yard setbacks beginning at level 5, resulting in a maximum 7.9 metre setback to the west lot line and a maximum 4.4 metre setback to the east lot line.
 - d. Reduced north (rear yard) setback beginning at level 7, resulting in a minimum 9.0 metre setback, increasing to a 10.5 metre setback at level 9 and above.
- (10) Increase in overall landscaping and soil volume as a result of the consolidated driveway access.
- (11) Incorporation of wind mitigation features to improve wind conditions as per the updated pedestrian wind study.

In terms of the site plan appeal, our client agrees to hold this appeal in abeyance to work with City staff to resolve the remaining site plan issues in order to finalize a NOAC following the approval of the OLT of the necessary zoning by-law amendment for the Proposed Development.

With respect to the issuance of the final Order for the Zoning By-law Amendment for the proposed development, our client is agreeable to the final Order being withheld subject to the following conditions being satisfied:

(1) The final form and content of the Zoning By-law Amendment shall be to the satisfaction of the Executive Director, Development Review, and City Solicitor.

- (2) The owner makes satisfactory arrangements with Engineering and Construction Services and enters into the appropriate agreement(s) with the City for the design and construction of any improvements to the municipal infrastructure to support this development, according to the Functional Servicing and Stormwater Management Report accepted by the Chief Engineering and Executive Director, Engineering and Construction Services.
- (3) Should it be determined that upgrades are required to the infrastructure to support the development according to the accepted Functional Servicing and Stormwater Management Report and/or the Transportation Impact Study, a Holding Provision be included in the final form of the Zoning By-law Amendment, and the Holding Provision not to be lifted until such a time as the owner has made satisfactory arrangements, including entering into appropriate agreement(s) with the City for the design and construction of any improvements to the municipal infrastructure and the provision of financial securities to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, and the General Manager, Transportation Services.

In support of the settlement offer, please find attached the following:

- (1) Architectural Plans dated August 21, 2025;
- (2) Landscape Plan dated August 21, 2025; and
- (3) Pedestrian Wind Study dated August 27, 2025.

If you have any questions regarding the above, please do not hesitated to contact me at 416.645.4572 or via email at <u>jpark@ksllp.ca</u>.

Yours truly,

KAGAN SHASTRI DeMELO WINER PARK LLP

Jason Park JIP/ch

Enclosures

cc. K2 GP Inc.



onespace

Architectural Drawing Sheet List

CONGI SHEET	Site Statistics, OBC Matrix, Context Plan	Average Grade, Corner Rounding	Existing Survey	Site Plan	Waste Management Plans	Area Flans - GFA	Area Plans - GFA	Area Plans - NSA	P4 & P3 Garage Level	P2 & P1 Garage Level	Ground Floor Plan	2nd & 3rd Floor Plan	4th & 5th Floor Plan	6th & 7th Floor Plan	8th & 9th Floor Plan	10th & MPH Floor Plan	Roof Floor Plan	Building Elevation - South	Building Elevations - North	Building Elevations - West & East	Building Elevations - West Massing Study	Building Sections	Building Sections	Perspectives	Perspectives	MPH Perspective	Perspectives	
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K2 RESIDENCE

1552-1572 KINGSTON ROAD SCARBOROUGH, ONTARIO



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