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April 12, 2018

VIA EMAIL

Mark Piel
Solicitor, Planning & Administrative Tribunal Law
City of Toronto, Legal Services Division
Metro Hall, 26th Floor
55 John Street
Toronto, ON M5V 3C6

Dear Mr. Piel:

**RE: 150 Bronoco Avenue (the "Site")
LPAT Case No. MM170035
Offer to Settle**

We are the lawyers for i2 Developments (Bronoco) Inc. (the "**Applicant**") in respect of this matter. The Applicant appealed this matter to the Local Planning Appeal Tribunal in May 2017. At the time of the appeal, our client was seeking approval of a 28-unit townhouse development.

A first prehearing conference was held by the LPAT on January 16, 2018. Apart from the Applicant and the City, no other persons or groups sought or were granted party or participant status.

At the prehearing, we advised the LPAT on behalf of the Applicant that, in order to address concerns that had been raised with respect to the townhouse proposal, the Applicant would be seeking to revise the form of development from townhouses to a mid-rise apartment form of development. The potential for this change was addressed by the LPAT in its disposition from the first prehearing, and the Board provided the Applicant with directions to send out fresh notice in advance of the second prehearing scheduled for June 5, 2018.

Following the first prehearing conference, the Applicant directed its consulting team to revise the proposed development in order to address what we understood to be the principal areas of concern – namely, increasing the setback of the residential development from the adjacent rail corridor, achieving compliance with the City's development and infrastructure and policy standards ("DIPS"), increasing the amount of green and open space on the site, and consolidating the built form of the development, taking into account the existing as-of-right zoning for the site which would permit a 6-storey building form.

Consequently, and further to various discussions with yourself and City Staff, our client submitted revisions to the proposed development on February 16, 2018, with additional

supporting technical information on March 22, 2018, and further revisions and information provided on April 2, 2018.

At this time, therefore, the Applicant offers to settle its appeals of its Official Plan Amendment, Zoning By-law Amendment, and Site Plan Approval applications, on the following basis:

- A terraced 6-storey building along the Bronoco Avenue frontage of the Site, which includes 3-level townhouses along the Alessia Circle frontage, with the end unit wrapping around the Bronoco Avenue frontage;
- Above the fourth floor along the Bronco Avenue frontage, a 2-metre setback of the fifth floor and an additional 3-metre setback of the sixth floor (total setback of 5 metres) to ensure the proposed development complies with an angular plane measured from the adjacent residential homes and to mitigate shadow impacts on rear yards of the homes on Gilbert Avenue;
- Terraced setbacks above the townhouse units on Alessia Circle to emphasize the low-scale townhouse element and integrate the building with the neighbourhood context;
- A minimum rail setback of 25 metres to the closest townhouse unit, with the majority of the building setback beyond 25 metres, up to 30 metres. We note that only about 11% of the building is within 30 metres of the rail corridor;
- Two areas of consolidated landscaped open space: to the west of the building associated with indoor amenity space for the residential uses; and along the southern boundry of the Site adjacent to Alessia Circle;
- Below grade parking for residential units accessed via a ramp internal to the Site;
- At grade visitor parking (including accessible spaces) internal to the Site, and arranged abutting the rail corridor to provide a buffer to the landscaped area and residential building;
- Integrated loading, garbage, and servicing functions, screened from the public realm and amenity areas on the site;
- A mixture of one-, two-bedroom, and townhouse units to provide a variety of residential units types on the Site; and,
- A total gross floor area of approximately 6,950 m² (1.9 FSI).

(collectively, the “**Settlement Proposal**”).

We rely on the following materials that have been provided to the City to date for the assessment of the Settlement Proposal:

1. Architectural plans and drawings prepared by Architecture Unfolded, dated February 14, 2018 (unless otherwise noted):
 - a. Drawing A101 – Site Plan, Context Plan & Statistics, dated March 28, 2018;
 - b. Drawing A201 – P2 Plan;
 - c. Drawing A202 – P1 Plan;
 - d. Drawing A301 – Ground Floor Plan, dated March 28, 2018;
 - e. Drawing A302 – Second Floor Plan;
 - f. Drawing A303 – 3rd to 4th Floor Plan;

- g. Drawing A304 – 5th Floor Plan;
- h. Drawing A305 – 6th Floor Plan;
- i. Drawing A401 – Perspective;
- j. Drawing A501 – Building Section, dated March 28, 2018;
- k. Drawing A502 – Building Section, dated March 28, 2018;
- l. Drawing A503 – Building Section, dated March 28, 2018;
- m. Drawing A504 – Building Section, dated March 28, 2018;

(Note: Annotated versions of Drawings A101 (March 28, 2018) and A202 (February 14, 2018) prepared by Bousfields Inc. were provided, demonstrating proposed garbage and recycling handling);

- 2. Planning and Urban Design Addendum Letter prepared by Bousfields Inc., dated February 15, 2018;
- 3. Angular Plane and Massing Study prepared by Bousfields Inc., dated February 15, 2018;
- 4. Shadow Study prepared by Bousfields Inc., dated February 2018;
- 5. Vehicle Manoeuvring Drawings prepared by BA Group, dated February 9, 2018:
 - a. VMD-01 – City of Toronto Garbage Truck;
 - b. VMD-02 – TAC Single Unit (SU) Truck;
- 6. Landscape Plan L1 prepared by NAK Design Group, dated February 21, 2018;
- 7. Urban Transportation Considerations Report prepared by BA Group, dated March 2018;
- 8. Noise and Vibration Feasibility Study prepared by HGC Engineering, dated March 12, 2018;
- 9. Functional Servicing and Stormwater Management Report prepared by Schaeffers Consulting Engineers, revised March 2018;
- 10. Site Grading Plan SG-1 prepared by Schaeffers Consulting Engineers, dated March 2018;
- 11. Site Servicing Plan SS-1 prepared by Schaeffers Consulting Engineers, dated March 2018;
- 12. Derailment Protection Report prepared by JSW Associates, dated March 2018;
- 13. Derailment Protection Plan prepared by JSW Associates, dated March 16, 2018;
- 14. Tree Inventory and Preservation Plan Report prepared by Kuntz Forestry Consulting Inc., dated February 16, 2018;

15. Phase One Environmental Site Assessment prepared by MTE Consultants Inc., dated February 16, 2016; and,

16. Interim Phase Two Environmental Site Assessment prepared by MTE Consultants Inc., dated January 31, 2017.

As part of our discussions, we have agreed that, in the event the Settlement Proposal is acceptable to the City, the form of the Official Plan and Zoning By-law Amendments will be updated in advance of the June 5, 2018 hearing event in order to reflect the Settlement Proposal.

In the event of an approval by LPAT, we have agreed to jointly request that LPAT withhold its final order on the proposed Official Plan Amendment and Zoning By-law Amendment pending finalization of the Site Plan Approval for the Site, including registration of a Site Plan Agreement to the satisfaction of the City.

We understand that City Parks Staff have reviewed the revised plans and would be seeking cash-in-lieu of parkland dedication, rather than on-site dedication. The Applicant is in agreement with providing cash-in-lieu of parkland dedication.

Given the provision of the above-noted documentation, we trust that City Staff is in the position to seek directions from City Council on this Offer to Settle in advance of the next LPAT prehearing in this matter, scheduled for June 5, 2018.

Yours truly,
Overland LLP



Per: Christopher J. Tanzola
Partner

Encl.

c. B. Suppa/S. De Caria (i2 Bronoco)
M. Bissett (Bousfields)