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July 5, 2019

**Via Email**

**Without Prejudice**

City of Toronto  
c/o Legal Department  
Metro Hall  
55 John Street  
26th Floor, Stn 1260  
Toronto ON M5V 3C6

Attention: Kasia Czajkowski

Your Worship and Members of Council:

**Re: 57 Linelle Street  
LPAT Case No. PL180348**

Further to our recent discussion with City planning staff and the City Solicitor's office, we set out below terms on which our client Linelle Development Limited ("Mattamy") is offering to settle the above-captioned proceeding.

The matters before the Local Planning Appeal Tribunal ("LPAT") in this regard include appeals of applications for official plan and zoning by-law amendment and approval of a plan of subdivision. This offer encompasses both procedural and substantive matters, both of which need to be addressed if Mattamy is to be able to respond to the technical comments it has received to date. Thus this offer contemplates that only the amendments to the official plan and zoning by-law would be approved at the hearing scheduled for August, and the formal LPAT Order would be withheld to provide Mattamy the opportunity to address certain implementation considerations in a consensual matter. The hearing on the plan of subdivision would be adjourned pending a resubmission, which would also be accompanied by a revision to the existing site plan application (which is not under appeal).

The revised development scheme would provide for a significant "over-dedication" of parkland which is now proposed to be located immediately adjacent to the existing neighbourhood. It also provides for a "green" pedestrian connection along (i.e. having an unobstructed view) adjacent Toronto and Region Conservation Authority ravine lands, including substantive new dedications thereto, to the school and parks located to the west of 57 Linelle. The foregoing is facilitated by a townhouse form development comprising 34 units of 3 storeys as set out on the enclosed drawings, being the "Proposed Site Plan" prepared by Hunt Design Associates Inc., and dated July 5, 2019 and "Landscape Concept Plan Without Prejudice" prepared by NAK

Design Strategies and dated July 4, 2019. These also illustrate the park/open space/ravine structure proposed to be secured. The floor space index is approximately 0.6.

More specifically, given that the public right of way proposed will comprise approximately 0.107 hectares, the parkland over-dedication (provided in kind) as we understand is calculated by the City Parks, Forestry and Recreation Department would be approximately 247 square metres of a total park of 787 square metres, plus an additional 73 metres not calculated to be parkland as a small storm water pipe will be located below grade in this area.

In order to address design and operational matters which are consequential on the form of development now proposed, Mattamy is prepared to agree to provide for the following in the site plan approval process:

1. All way stop control measures generally as shown on the Proposed Site Plan to the satisfaction of the General Manager, Transportation Services.
2. Noise mitigation measures for individual outdoor amenity areas to the satisfaction of the Chief Planner and Executive Director, City Planning.
3. Limitations on the area of any roof-top amenity space, such to be the lesser of 40% of the total roof area or 4 square metres.
4. Privacy/overlook mitigation measures in the outdoor amenity areas, in particular as such relate to the residential properties to the north of the properties, to the satisfaction of the Chief Planner.
5. A noise wall 5 metres in height, or such lesser height as the Chief Planner and General Manager, Parks, Forestry and Recreation may determine, along the park boundary adjacent to MTO and/or TRCA lands.

Further, as referenced above, Mattamy is prepared to join with the City in a request to the Tribunal to issue a decision only on the official plan and zoning by-law at, or consequential upon, the August hearing, and to withhold its formal Order pending the following:

1. the City Solicitor has advised that the proposed Official Plan and Zoning By-law Amendment for 57 Linelle Street are in a content reflecting the foregoing and form all satisfactory to the City;
2. the City Solicitor confirms that the owner has provided a Functional Servicing, Stormwater Management Report and a Geohydrology Report, acceptable to the Chief Engineer and Executive Director, Engineering and Construction Services;
3. the City Solicitor confirms that the owner has designed and provided financial securities for any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing, Stormwater Management Report and Geohydrology Report to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements or upgrades are required to support the development;

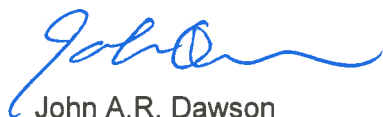
4. the City Solicitor confirms that the implementation of the Functional Servicing, Stormwater Management Report and Geohydrology Report accepted by the Chief Engineer and Executive Director, Engineering and Construction Services either does not require changes to the proposed amending By-law or any such required changes have been made to the proposed amending By-law to the satisfaction of the Chief Planner and Executive Director, City Planning, the City Solicitor and the Chief Engineer and Executive Director, Engineering and Construction Services;
5. the City Solicitor confirms that the owner has submitted a revised Transportation Impact Study and Functional Design Report to address matters such as the alignment of the new public street and other connections, acceptable to the satisfaction of the General Manager, Transportation Services;
6. the owner submits a revised subdivision plan, site servicing report, Natural Heritage Impact Study, Ravine Stewardship Plan, amongst other plans noted in the Toronto and Region Conservation Authority memorandum (November 9, 2018) to the satisfaction of Toronto and Region Conservation Authority including proper land compensation for lost ecosystem services in accordance with Toronto and Region Conservation Authority Guidelines for Determining Ecosystem Compensation;
7. the owner submits a revised subdivision plan, Ravine Stewardship Plan, arborist report, tree protection plan, tree planting plan, grading plan as noted in the Ravine and Natural Feature Protection memorandum (October 25, 2018) to the satisfaction of the City's Ravine and Natural Feature Protection By-law Office;
8. the City Solicitor confirms that the owner has submitted a revised Subdivision plan addressing the Revised Plans for review by the Chief Planner and Executive Director, City Planning;
9. Townhouse Blocks 1 and 2 shall be revised where necessary to address the fire access issue to the satisfaction of Toronto Fire Services, Toronto and Region Conservation Authority, and the Chief Planner and Executive Director, City Planning;
10. The owner agrees to provide confirmation from the Ministry of Transportation or other confirmation that there is no easement on the lands generally shown as the "Park Block" to the satisfaction of the General Manager, Parks, Forestry and Recreation and the Chief Engineer and Executive Director, Engineering and Construction Services and/or the City Solicitor; and
11. The owner confirms that it is prepared to move the existing storm sewer pipe within the proposed Park Block shall be moved to the northern boundary of the site and the Park Block will be delineated commencing from the southern boundary from the trenching line required for excavation of the pipe as necessary for upgrades, improvements and/or maintenance, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the Chief Engineer and Executive Director, Engineering and Construction Services.

In accordance with the standard protocol in this sort of circumstance, the Tribunal could be spoken to should issues arise with the foregoing.

We look forward to hearing from you.

Yours truly,

McCarthy Tétrault LLP



John A.R. Dawson

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Encls.