



Overland LLP  
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February 4, 2020

**WITH PREJUDICE**

**VIA EMAIL**

Mark Crawford  
City of Toronto  
Metro Hall, 26<sup>th</sup> Floor  
55 John Street  
Toronto, ON M5V 3C6

**RECEIVED**

**FEB 04 2020**

**Toronto Building  
North York District**

Dear Mr. Crawford:

**RE: 2932 to 2942 Bayview Avenue (the "Subject Property")  
LPAT Case No. MM160016  
Revised Proposal**

We are the lawyers for 2325968 Ontario Inc., the appellant in this matter, which is scheduled for a hearing at the Local Planning Appeal Tribunal ("LPAT") on April 14-16, 2020.

On November 1, 2019, our client and its consulting team made a full resubmission in respect of the revised proposal for the Subject Property, consisting of sixteen (16) townhouse units arranged in two blocks along the Bayview Avenue frontage, with two (2) detached houses on the flanking frontages along Hollywood Avenue and Elmwood Avenue (the "Revised Proposal").

At this time, our client and its consulting team are making a **with prejudice** settlement offer to the City in respect of the Revised Proposal for the Subject Property to address certain comments expressed by City Staff and those set out in the Issues List that was provided to the LPAT at the prehearing conference on January 7, 2020. The changes to the Revised Proposal include:

- A widening of the proposed lot frontage for the two single-detached dwellings from 9.09 metres to 10 metres.
- The built form of the single detached dwellings has been revised so that they are no longer classified as 3-storey dwellings but are now 2-storey dwellings.
- The height of the single family dwelling on Hollywood Avenue has been reduced from 9.58 metres to 8.95 metres (2 storeys) per the City of Toronto Zoning By-law 569-2013 and 9.23 metres (2 storeys) per the former North York Zoning By-law 7625.
- The height of the single family dwelling on Elmwood Avenue has been reduced from 9.32 metres to 8.84 metres (2 storeys) per the City of Toronto Zoning By-law 569-2013 and 9.09 (2 Storeys) per the former North York Zoning By-law 7625.

- The length of the townhouse blocks has been shortened from 16.26 metres to 15.76 metres.
- The setback of the townhouse blocks to Bayview Avenue has been reduced from a minimum of 3 metres to a minimum of 2.5 metres.

At this time, we confirm that the City is no longer seeking a widening of the sewer easement on the property. Accordingly, the west side yard setback of each of the single family dwellings continues to be 1.8 metres.

Attached as Schedule A is a matrix which provides a more detailed list of responses to the City's issues, including references to City Staff comments which have been received.

The Revised Proposal is being submitted by our client's planning consultant to the Planning Department. The material being submitted is comprised of the following:

1.	Site and Building Elevations	RN Design
2.	Site Plan	
3.	Floor Plans/Cross Sections for the Single Detached Lots	
4.	Floor Plans for the Townhomes	
5.	Site Grading Plan	Husson Engineering
6.	1 USB with electronic copies of all files	Weston Consulting

We confirm that these are the plans our client intends to move forward with at the hearing before the LPAT.

In addition, we are providing a copy of this submission to the other party to the LPAT hearing and to the LPAT caseworker.

If you have any questions, please do not hesitate to contact the undersigned or Natalie Ast ([nast@overlandllp.ca](mailto:nast@overlandllp.ca)) in his absence.

Yours truly,  
**Overland LLP**



Per: Christopher J. Tanzola  
 Partner

Encl.  
 c. Client  
 S. Douglas  
 Ben Bath, LPAT Case Coordinator

## Schedule A

**Matrix – Without Prejudice Issues List of the City of Toronto**

Issue	Comment
<b>Zoning By-law Amendment</b>	
1. Does the proposed development meet the intent of the City of Toronto Townhouse & Low-Rise Apartment Guidelines, particularly with regard to separation distance between townhouse blocks (3.0 metres) and the provision of a landscaped walkway with lighting?	The separation between blocks is per Ontario Building Code requirements and Figure 4 of the Bayview Avenue Area Study Guidelines.
2. Should the entry stairs of the two end units abutting the midblock walkway should be flipped to the other side of the unit to reduce amount of retaining walls interfacing with the walkway, and allow for additional landscaping?	We have examined this option, and it creates awkward interior layouts for stairs, and reduces the size of the parking garage spaces below City standards. The retaining walls can be softened through the use of planters and additional landscaping, which can be incorporated/addressed at the next comprehensive Site Plan submission
3. Is the scale of the proposed single detached dwellings appropriate, particularly the height and lot frontage?	We have increased the lot frontage to 10 metres, and the heights have been reduced to 8.95 metres for Lot 1 and 8.84 metres for Lot 2 per the City of Toronto By-law 569-2013, and 9.23 metres for Lot 1 and 9.09 metres for Lot 2 per Former North York Zoning By-law 7625. The height variation between Lot 1 and Lot 2 is due to elevation of Hollywood and Elmwood. Both single detached dwellings are classified as 2 storey structures per the applicable zoning regulations.
4. Does the proposed development represent good planning and urban design and is it in the public interest?	
5. If the requested Zoning By-law is approved by the Tribunal, should the Tribunal's final Order be withheld until the Tribunal has been advised by the	These terms are acceptable, provided that the

<p><b>City Solicitor that:</b>  a. the final form of the Zoning By-law Amendments are to the satisfaction of the Acting Director, Community Planning, North York District and the City Solicitor; and  b. City Council has approved the Rental Housing Demolition and Conversion Application submitted to the City on November 18, 2019.</p>	<p>Tribunal may be spoken to/consulted with in the event of any difficulty with these conditions.</p> <p>City staff have confirmed in their January 3, 2020 memorandum that the proposed development is not subject to any rental replacement policies or requirements, and that approval of the Rental Housing Demolition will be delegated to the Chief Planner for approval.</p>
<p><b>Site Plan</b></p>	
<p>6. Can permeable pavers be incorporated into the laneway design to assist with storm water mitigation?</p>	<p>Yes, permeable pavers or another acceptable solution to address stormwater mitigation may be incorporated through the site plan review process at the time of the next comprehensive resubmission. .</p>
<p>7. Can the proposed walkway between the two proposed townhouse blocks be suitably lit and landscaped?</p>	<p>Yes, a photometric plan has been previously submitted to illustrate the appropriateness of the proposed lighting design. Details of the walkway design will be confirmed through the site plan review process.</p>
<p>8. Can the proposed elevations be coordinated with the proposed floor plans, particularly with respect to glazed openings?</p>	<p>Yes, the elevations will be coordinated to match the proposed floor plans. Revised floor plans and elevations have been submitted for review.</p>
<p>9. Can a landscape species list be provided, that consists of 50% native plants to bring in compliance with Toronto Green Standards?</p>	<p>Yes, this will be updated on the landscape plan that is to be submitted in the next comprehensive Site Plan submission.</p>
<p>10. Can the sidewalk transition along Hollywood Avenue occur outside of the proposed driveway of the single detached dwelling?</p>	<p>Yes, the Site Plan has been revised with the updated/straight alignment of the sidewalk. We request that the City confirm the transition point with the existing sidewalk along Hollywood Avenue, in front of 400 Hollywood to the west.</p>

<p>11. Can a mix of understory plantings be incorporated beneath new proposed trees?</p>	<p>Yes, this is already showing on the landscape plan for new trees on private lands and is not required for trees that are located in the City ROW , which we understand is acceptable with City staff</p>
<p>12. Can a 2.4 metre x 16.0 metre concrete pad be provided along Bayview Avenue, as per the comments from TTC, dated December 18, 2019?</p>	<p>The Site Plan will be updated to address this in the next comprehensive submission. The concrete pad is located outside of the site area, within the City's ROW.</p>
<p><b>Engineering + Construction Services</b></p>	
<p>13. Are the engineering-related issues identified in the memorandum from the Manager, Development Engineering, dated December 18, 2019, satisfied, with the exception of the Stormwater Easement expansion request that is no longer required by the City?</p>	<p>We have been provided with an updated ECS Report dated January 24, 2020, and will be addressing these issues in the next comprehensive Site Plan submission.</p> <p>The 6.0 metre corner rounding at the northwest corner of the site (southwest corner of Bayview and Elmwood) and at the southeast corner of the site (northwest corner of Bayview and Hollywood) as required has been shown on the site plan as well as an enlarged driveway measuring 6 metres to the edge of pavement as required.</p> <p>We further confirm our understanding based on the updated comments that the City does not require an expansion of the existing stormwater easement on the western flankage of the site.</p>
<p><b>Urban Forestry</b></p>	
<p>14. Are the forestry-related issues identified in the memorandum from the Acting Supervisor, Tree Protection and Plan Review, dated December 19, 2019, satisfied?</p>	<p>A revised landscape plan will be submitted in the next comprehensive Site Plan submission to address the issues raised in the Forestry comments.</p>

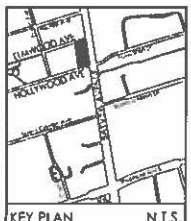
EXISTING RESIDENTIAL

(As of 1998-04-15)

LOT	LOT COVERAGE STATISTICS		
	LOT AREA	BUILDING AREA	COVERAGE
LOT 1	404.61 m <sup>2</sup>	120.6 m <sup>2</sup>	29.81 %
LOT 2	404.61 m <sup>2</sup>	120.6 m <sup>2</sup>	29.81 %
TOWNSHIPS (CONDOMINIUM)	2001.44 m <sup>2</sup>	1124.07 m <sup>2</sup>	56.16 %
TOTAL	2810.65 m <sup>2</sup>	1365.27 m <sup>2</sup>	48.57 %

SITE STATISTICS	
NO.	PROVIDED
1	SITE AREA - GROSS 2825.02 m <sup>2</sup>
2	NET DEVELOPABLE AREA 2810.45 m <sup>2</sup>
3	0.28 Ha
4	BUILDING AREA TOTAL 1365.27 m <sup>2</sup>
5	PAVED AREA 577.75 m <sup>2</sup>
6	LANDSCAPE AREA 756.00 m <sup>2</sup>
7	TOTAL UNITS 38
8	TOWNS 16
9	DETACHED DWELLING 2
10	SEMI-DETACHED 64
11	TOTAL GFA 3519.18 m <sup>2</sup>
12	TOWNS (2 PER UNIT) 3259.36 m <sup>2</sup>
13	DETACHED DWELLING (2 PER DWELLING) 580.82 m <sup>2</sup>
14	BY-LAW 569-2013 // 7675
15	LOT 1 8.95m // 9.23m
16	LOT 2 8.84m // 9.03m
17	BLOCK 1 12.80m // NA
18	BLOCK 2 13.39m // NA
19	TOTAL PARKING 36
20	TOWNS (2 PER UNIT) 32
21	DETACHED DWELLING (2 PER DWELLING) 4
22	GARAGE PICKUP MUNICIPAL

ENGINEER'S SEAL AND SIGNATURE



KEY PLAN N.T.S.



BLOCK OF TOWNSHIP CONSENT	
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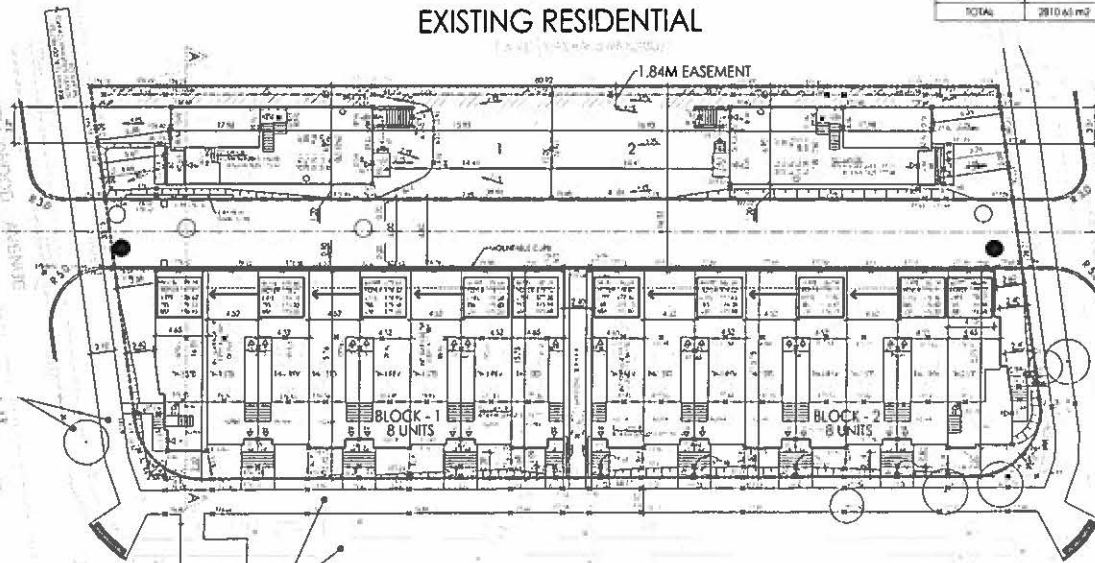


2305988 Ontario Inc.  
 BAYVIEW AVENUE & HOLLYWOOD AVENUE  
 TORONTO

DATE	12/16/2014
BY	SP/100
SCALE	1:100

EXISTING RESIDENTIAL (TOWNS)

HOLLYWOOD AVENUE

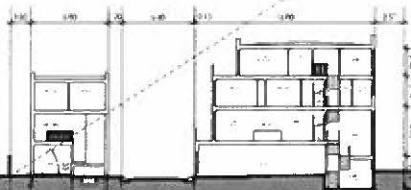


ELMWOOD AVENUE

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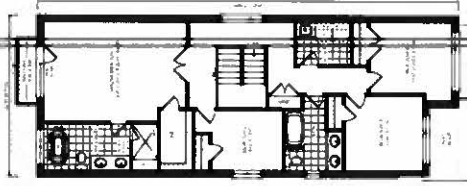
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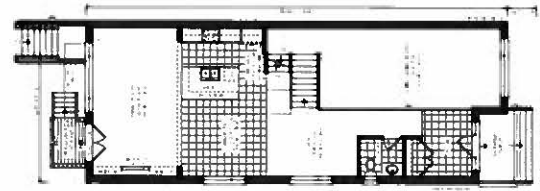


ANGULAR PLAN 33° SECTION - A-A

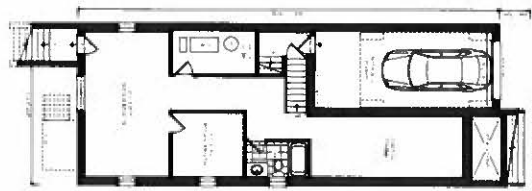
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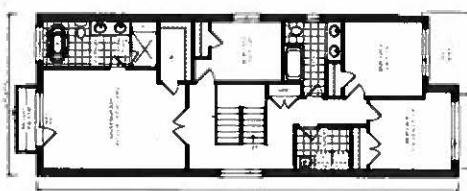
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LIVING & BEDROOMS



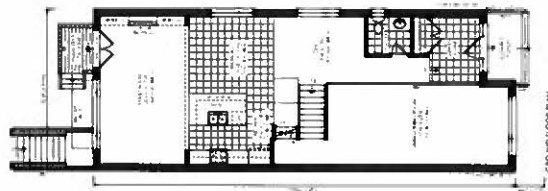
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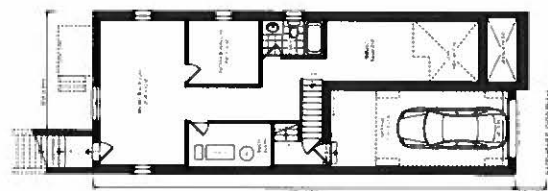
SECOND FLOOR PLAN  
LIVING & BEDROOMS 2



SECOND FLOOR PLAN  
LIVING & BEDROOMS



SECOND FLOOR PLAN  
LIVING & BEDROOMS



SECOND FLOOR PLAN  
LIVING & BEDROOMS

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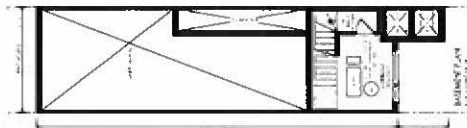
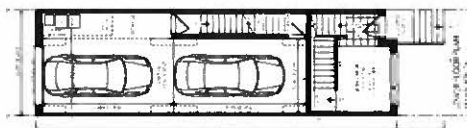
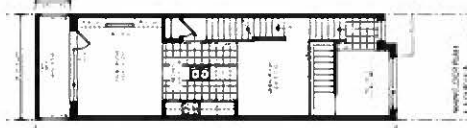
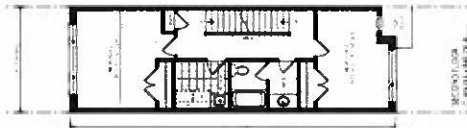
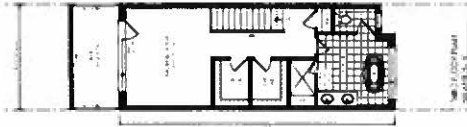
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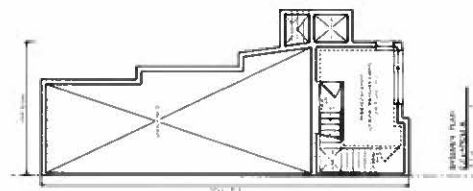
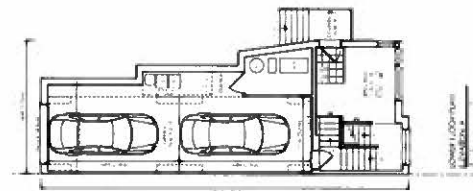
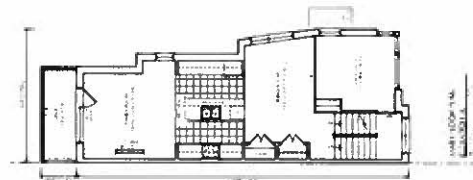
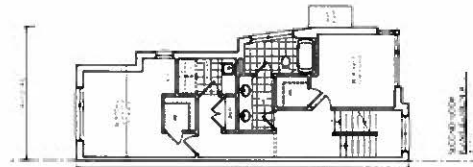
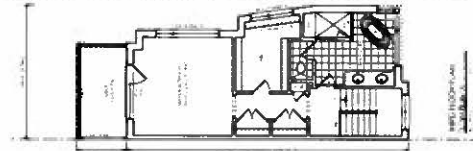
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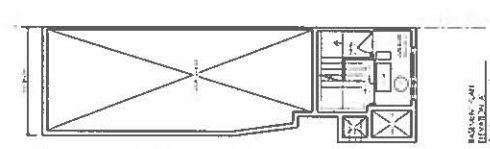
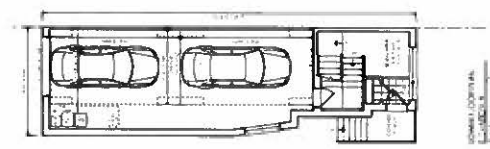
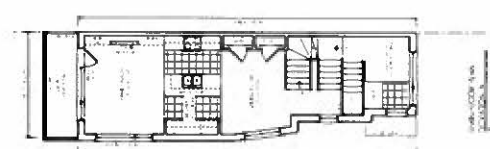
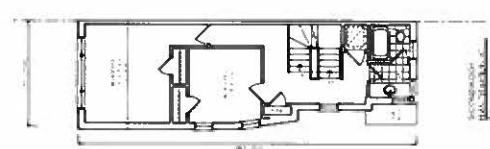
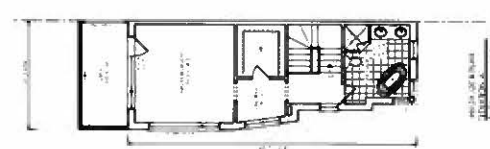
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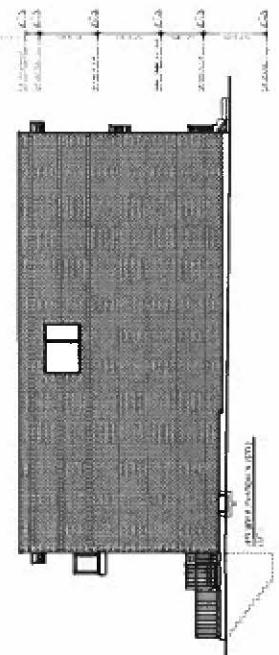
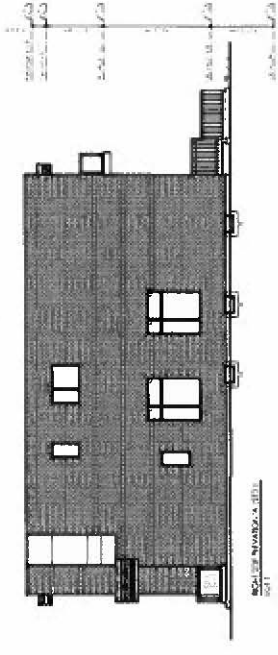
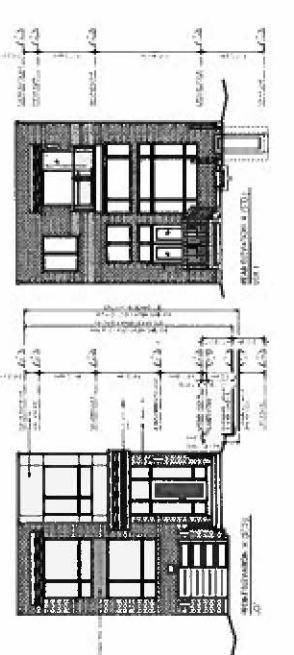
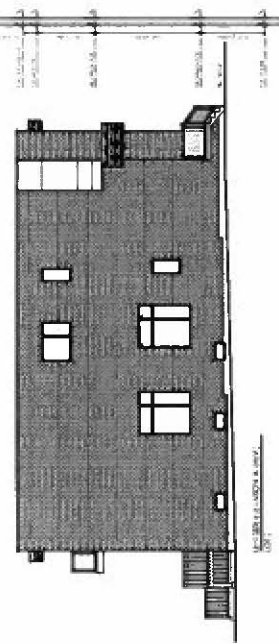
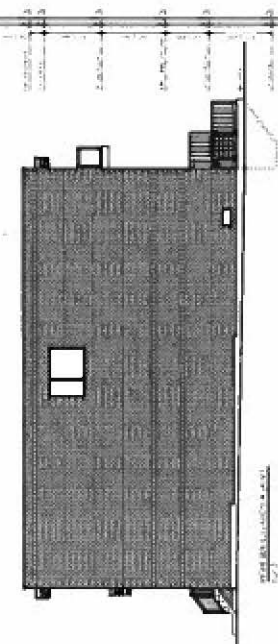
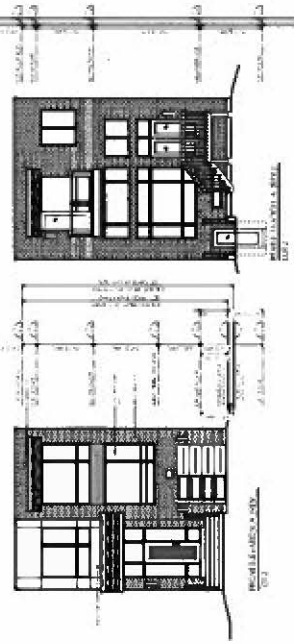
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PROJECT NO.	1100 INDEPENDENCE
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SCALE	AS SHOWN
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ARCHITECTURAL  
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