



Kagan | Shastri
DeMelo | Winer | Park
LAWYERS | LLP

JASON PARK
Direct: 416.645.4572
jpark@ksllp.ca

File No. 23028

October 19, 2023

CONFIDENTIAL
WITHOUT PREJUDICE

VIA EMAIL: sarah.oconnor@toronto.ca

Ms. Sarah O'Connor
City of Toronto Legal Services
Metro Hall, 26th Floor
55 John Street
Toronto, ON M5V 3C6

Dear Ms. O'Connor:

Re: 1736-1746 Weston Road, City of Toronto
Planning Application No.: 22 111715 WET 05 OZ
Appeal to OLT of Zoning By-law Amendment Application
OLT Lead Case No. OLT-22-004804

As you know, we are the solicitors for A1 Hickory Tree Towers GP Inc. and A1 Hickory Tree Towers Limited Partnership (the "Applicant"), the owner of the lands known municipally as 1736-1746 Weston Road in the City of Toronto (the "Site"), and the appellant with respect to the above-noted appeal.

Further to our settlement discussions with City staff with respect to the above-noted appeal, we are pleased to provide the following settlement offer on a without prejudice basis in full settlement of this appeal:

- (1) Our client would agree to formally revise the development proposal currently before the OLT for the above noted appeal to a 38 storey mixed use building as generally shown on the architectural plans prepared by Dialog dated October 2, 2023 (the "Settlement Proposal"). The Settlement Proposal consists of the following revisions:

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Yorkville Office:
188 Avenue Road,
Toronto, ON, M5R 2J1
P. 416.368.2100 | F. 416.368.8206 | ksllp.ca

Downtown Office:
250 Yonge Street, Ste 2302, P.O. Box 65
Toronto, ON, M5B 2L7
P. 416.645.4584 | F. 416.645.4569 | ksllp.ca

- a. the height of the tower portion is reduced from 40 storeys (excluding the mechanical penthouse) to 38 storeys (excluding the mechanical penthouse);
 - b. Floors 36 to 38, inclusive, incorporate additional setbacks along Weston Road, Wilby Crescent, and the eastern lot line, with a resulting floor plate of 750 square metres GCA.
 - c. A consistent setback of 1 m is provided for the entire podium along Weston Road (levels 1-7). The podium footprint is extended on the north side to match the ground floor and to strengthen the street wall impression;
 - d. The step back from the podium on Weston Road has been increased to 3 metres, resulting in a corresponding decrease in the tower floor plate;
 - e. The south side tower setback has been increased to provide a consistent 12.5 metre tower setback to the property line, again with a resulting decrease in the tower floor plate;
 - f. The typical tower plate size (Levels 9-35) has been reduced to 805 square metres GCA (750 square metres GFA);
 - g. There are no projecting balconies encroaching into the northern 4m setback area and the western 3m setback area except for the tower's southwest corner;
- (2) If the City requires a minimum parking ratio to be included in the zoning by-law amendment(s) for the Settlement Proposal, the minimum parking ratio will be no greater than 0.3 parking spaces per unit which includes both resident and visitor parking spaces; and
- (3) The unit mix for the proposed development will have a minimum of 10 percent 3 bedroom units and a minimum of 15 percent 2 bedroom units.

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

- (1) the Owner has submitted a revised Transportation Impact Study, including all requested revisions to the satisfaction of the General Manager, Transportation Services;
- (2) the Owner has submitted a revised Functional Servicing Report to determine the stormwater runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed

development, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

- (3) the Noise and Vibration Report has been peer reviewed at the cost of the applicant and the report has been revised to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (4) the Owner has provided a revised Pedestrian Wind Study, such report to be reviewed with recommendations implemented as part of the amending Zoning By-law(s) and/or secured in a development agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- (5) the form and content of the Zoning By-law Amendment(s) is satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor; and
- (6) should it be determined that upgrades are required to the infrastructure to support the development according to the accepted Functional Servicing Report and/or the Transportation Impact Study, the applicant will have entered 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 General Manager of Transportation Services, or alternatively a Holding Provision shall be included in the final form of the site-specific Zoning By-law Amendment(s), not to be lifted until such 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 General Manager of Transportation Services.

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

- (1) Architectural plans prepared by Dialog dated October 2, 2023;
- (2) A shadow study prepared by Dialog dated October 2, 2023; and
- (3) Parking justification letter prepared by WSP dated October 2, 2023 which supports a minimum parking ratio of no greater than 0.3 parking spaces per unit which includes both resident and visitor parking spaces.

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

Yours truly,

KAGAN SHASTRI DeMELO WINER PARK LLP

A handwritten signature in blue ink, appearing to read 'J-Park', is written over the printed name.

Jason Park
JIP/ss

Please reply to the: Downtown Office

cc: A1 Hickory Tree Towers GP Inc. and A1 Hickory Tree Towers Limited Partnership