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September 1, 2023

VIA EMAIL

Sarah O'Connor and Jamie Dexter
Solicitors, Planning and Administrative Tribunal Law
City of Toronto, Legal Services Division
Metro Hall, 26th Floor
55 John Street
Toronto, ON M5V 3C6

Dear Ms. O'Connor and Mr. Dexter:

**RE: 11 Catford Road and 20 Broadoaks Drive
Official Plan Amendment & Zoning By-law Amendment
City File No. 21 235816 WET 07 OZ
Ontario Land Tribunal Case No. 22-003827**

****Addendum to June 23, 2023 Settlement Offer****

We are the lawyers for NHD Developments Limited (the "**Owner**"), the owner of the properties municipally known as 11 Catford Road and 20 Broadoaks Drive (the "**Site**")

We are writing further to our Settlement Offer on June 23, 2023. We understand that this matter, which City Council deferred at its July 19, 2023 meeting will be further considered at the September 6, 2023 City Council meeting. As you know, our OLT hearing in this matter commences on October 23, 2023, so a decision by City Council at this time is necessary for the City to have a position in the OLT proceeding.

We have reviewed the Directions Report and the Public Attachments that were posted with Item CC8.18 for the July 19, 2023 City Council Meeting. We appreciate the work of City Staff and City Legal in bringing forward our Settlement Offer in a timely way.

As a result of ongoing discussions that have taken place since the time of the deferral of this matter, we are writing now so that you may further advise City Council on two items related to our Settlement Offer, namely (i) parkland over-dedication; and (ii) tenant improvements.

Parkland Dedication & Over-Dedication

In our Settlement Offer, we noted the following: "Our Settlement Proposal also shows a potential for an additional parkland dedication of 650 m² (2% of the site area), subject to further discussion with the City." This area was shown as "Potential Over-Dedication of Parkland 650 m²" on the

plans that accompany the Settlement Offer and which are currently before City Council awaiting its decision.

In respect of this 650 m² over-dedication, we now confirm that as part of the Settlement Offer to the City, our client is not seeking compensation for the over-dedication of these lands. That is, these over-dedication lands, in addition to the 1,600 m² parkland dedication otherwise identified, would be conveyed to the City to satisfy the parkland dedication requirement without a requirement for additional compensation or development credits.

(We do understand, however, that if the Owner delivers above-base park improvements to the City for the parkland and the over-dedication lands, that development charge credits would be available as in the normal course.)

Tenant Improvements

Since the time of the Settlement Offer on June 23, 2023, which included certain details regarding tenant improvements, there have been additional discussions among legal counsel, with City Planning and Housing Staff, and with tenants of the existing apartment buildings on the Site.

We take this opportunity to consolidate the items that have been discussed as forming the tenant improvement package which the Owner is proposing as part of the Settlement Offer:

- i) Enclosing and screening existing garbage/recycling collection areas associated with the existing buildings.
- ii) Providing bicycle storage for existing tenants within the existing buildings on the basement level.
- iii) Providing storage lockers for existing tenants within the existing buildings on the basement level.
- iv) Providing dedicated private outdoor amenity area for existing buildings (for example: playground, barbecue areas, seating). Certain of these areas would be exclusive to existing tenants of 11 Catford Road and 20 Broadoaks Drive, and will be designed in consultation with those tenants.
- v) Providing access to a component of the indoor amenity area at the ground level within the new development.
- vi) Lobby and interior improvements (for example: new furnishings, repainting, more/improved seating, improved lighting, new flooring/carpets).
- vii) Accessibility improvements (for example: the existing tenants have identified potential improvements such as: wheelchair accessible ramps in the hall between the basement parking garage and elevators, signage next to the existing lobby entrance ramps to prevent cars from blocking the ramps, the provision of accessible parking as part of

the development, garbage and recycling bins that are accessible and easy to use for those that do not have fine motor skills, accessible passenger and visitor drop-off locations to the lobby of the 11 Catford Road building, and automatic opening doors on principal points of access to the existing buildings with key-card access to ensure both accessibility and security).

- viii) Developing a Construction Mitigation and Tenant Communication Plan (to the satisfaction of the Chief Planner) prior to the issuance of the City's Notice of Approval Conditions (NOAC) to mitigate the impacts of construction of the development on the existing tenants.
- ix) Commitment to host future meetings with tenants prior to the issuance of the City's Notice of Approval Conditions (NOAC) to discuss the above items as well pertinent details of the Site Plan Approval process (for example: landscape details, timing and phasing of construction, etc.).
- x) Acknowledgement that the details of the tenant improvements described above and the timing for delivery of the improvements will be finalized and secured (to the satisfaction of the Chief Planner) in appropriate agreements prior to Site Plan Approval.
- xi) Confirmation that the costs associated with the above items will not be passed through to existing tenants.

We respectfully submit that our Settlement Offer, when considered in conjunction with the additional commitments that are set out above, is responsive to the remaining issues between the Owner and the City, and represents an appropriate resolution of the appeals before the OLT.

Should you require anything further at this time, please contact the undersigned and Michael Cara (at mcara@overlandllp.ca or 416-730-8844).

Yours truly,
Overland LLP



Per: Christopher J. Tanzola
Partner

Encl.

c. J. Bujak and K. Nunes, NHD Developments Limited.