

**Laura Bisset**

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**From:** Justine Reyes <jreyes@overlandllp.ca>  
**Sent:** May 22, 2024 4:13 PM  
**To:** Laura Bisset; Michelle LaFortune  
**Cc:** Christopher Tanzola  
**Subject:** [External Sender] Item CC18.6 - Without Prejudice Supplementary Offer to Settle - 673 Warden Avenue (City File Nos. 22 203398 ESC 20 OZ & 22 203397 ESC 20 SA / OLT Lead File No. OLT-23-000553)

**Without Prejudice**

Good afternoon Ms. Bisset and Ms. LaFortune:

As you are aware, we are the lawyers for 673 Warden Realty Holdings Inc., being the owner of the property municipally known as 673 Warden Avenue, which is the subject of Item CC18.6 on the current Council agenda and your report dated May 7, 2024. In light of ongoing discussions regarding this Item, this email constitutes our client's supplementary without prejudice offer to settle the above noted appeals (the **"Supplementary Without Prejudice Offer"**) further to its With Prejudice Settlement Offer dated May 2, 2024 (the **"Settlement Offer"**).

Our client has been asked to provide additional ground floor non-residential space within the proposed development. After review of this request, our client has determined that it is possible to convert the ground floor residential amenity space located on the south side of the building to additional non-residential space. Therefore notwithstanding the Architectural Plans prepared by Arcadis, dated May 1, 2024 (the **"Plans"**) and the draft Zoning By-law Amendment submitted with our client's Settlement Offer, the Owner agrees to replace the approximately 107 square metres of ground floor indoor amenity space with an equal amount of ground floor non-residential/retail space generally in the same location. The removed ground floor indoor amenity space will be relocated elsewhere in the building (potentially on the mezzanine level). However, the provision of the additional ground floor retail space shall not require additional parking or loading spaces, beyond what is currently shown on the Plans.

The Supplementary Without Prejudice Offer shall remain open until the end of the current Council meeting, at which time it shall be withdrawn if it has not been accepted.

Thank you,

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