

**PUBLIC APPENDIX "A"**



**Bennett Jones**

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December 5, 2024

**VIA ELECTRONIC MAIL**

City Solicitor's Office  
City of Toronto, Legal Services  
55 John Street, 26<sup>th</sup> Floor Metro Hall  
Toronto, Ontario  
M5V 3C6

**Attention: Derin Abimbola and Adam Ward,**  
**Solicitors City of Toronto**

Dear Sirs / Mesdames:

**Re: Offer to Settle – Rezoning Application**  
**417 – 419 Burnhamthorpe Road, Toronto, ON**  
**OLT Case No: OLT-24-000170**

We are writing to you on behalf of our client, 2856973 Ontario Inc. ("**Owner**"). As you are aware, it is owner of the lands located at the above-noted site (the "**Property**").

This letter forms part of our client's submission of a revised development concept plan that we are providing to you as part of a proposed settlement offer of our client's Zoning By-law Amendment ("**ZBA**") application.

**SETTLEMENT PROPOSAL**

The settlement proposal is reflected in the attached plans (the "**Settlement Proposal**"). The highlights of this proposal include:

- 18 much needed "missing middle" townhouses achieving the intent of City policy to deliver such housing along major streets;
- As compared to the previous submission, a number of changes have been made, including:
  - o The inclusion of entrances into the units at the southern end of the building that are at grade and directly visible and accessible from Burnhamthorpe, as well as directly connected to the proposed interior pedestrian passageway;

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- o Further improvements to the façade facing Burnhamthorpe, including a reduced driveway width, an extended driveway length, and the introduction of additional street facing windows;
- o Removal of the visitor parking from the front of the building;
- o Removal of the mechanical parking stackers and the provision of a turnaround area by providing standard three point turn for TAC-2017 standard vehicle that illustrates that the maneuver is feasible without any conflict;
- o An extension of the rear yard setback to generally 7.5 m; and
- o As per staff request, a consolidation of the garbage rooms (and associated bins) from a previous high of 18 rooms to just 4 rooms.

In addition to the above on-site measures, we understand that concerns have been raised with respect to potential risks where there are left-in, left-out turns with respect to access to the site. The Owner agrees to restricting access to the site to right-in, right-out turns only where such restrictions are justified by the transportation studies to be completed in the site plan approval process. Additionally, the Owner will also work with the City further through the site plan process to include high quality soft landscaping and tree planting.

We understand that there is some question as to what are the proposed dimensions of the rooftop projection (the stairwell) shown on the Settlement Proposal. For greater certainty, these are a height of 2.74m (being 1.68m above the roof parapet and 0.91 m above the privacy fence), a length of 3.73m, and a width of 2.21m.

Please feel free to contact the undersigned if there are any questions or concerns.

As we have noted several times during this process, the value proposition for my client to deliver these much needed "missing middle" homes is for our client to be in a position to construct these homes within a reasonable period of time (with the understanding that our client will need to file a revised site plan application that aligns with the settlement plans). As such, this settlement offer, and the settlement itself, are contingent on the parties resolving the final zoning by-law and the associated site plan approval within a reasonable period of time. Should the parties be unable to do so, our client reserves its right to pursue an alternative development on the Property. Finally, in the event that there are any disputes between the parties in respect to the matters set out in this settlement, the parties would agree to request that any OLT Decision reserve the right of either party to speak to the OLT with respect to the same.

This offer will remain open for acceptance by City Council until the end of the meeting of City Council scheduled to commence on December 17, 2024.

We trust that the above and the attached will be found satisfactory to Council.



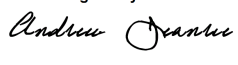
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We want to thank the City for their efforts in working with the applicant to refine the development application.

Yours truly,

**BENNETT JONES LLP**

DocuSigned by:  
  
C51975944F4A4D7...  
Andrew L. Jeanrie

cc: Client

Attachments