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Delivered by email

Without prejudice

Mr. Jason Davidson
Legal Services, City of Toronto
Metro Hall
26th Floor, 55 John Street
Toronto, Ontario
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Dear Mr. Davidson:

Re: 2 Sandfield Road (Case No. OLT-22-003352)

We are counsel to 250740 Ontario Inc., the owner of 2 Sandfield Road, in the City of Toronto (“the Subject Property”). As you know, the Owner has ongoing applications to redevelop the Subject Property with seven 3-storey townhouse units fronting onto York Mills Road. At the time the applications were submitted, townhouses were not a permitted use on the Subject Property. The only permitted residential building type was a single detached dwelling.

On February 2, 2023, the Ontario Land Tribunal (“Tribunal”) issued a Decision/Order following a contested hearing. The Tribunal approved the proposed Official Plan Amendment, and authorized the draft Zoning By-law Amendment on an interim basis. The Tribunal withheld the Final Order pending the submission of the final form of implementing Zoning By-law, and confirmation that the outstanding comments of Toronto Water and Development Engineering are resolved. Since the Decision was issued, the Owner has worked diligently to satisfy the outstanding comments of these City departments, but the process has taken more time than anticipated.

The City has recently enacted a number of policy and zoning amendments pursuant to the Expanding Housing Options in Neighbourhood initiative, which have greatly expanded land use permissions on the Subject Property. In December of 2024, City Council adopted By-laws 609-2024 and 608-2024, which implemented the Major Streets Study. The By-laws were appealed and finally approved by the Tribunal (renumbered to By-law 1061-2025 and 1062-2025) on September 11, 2025.

As a result of the Major Street amendments, an apartment building with up to 60 units is now permitted as-of-right on the Subject Property. The permitted height for an apartment building is 19.0 m or 6 storeys. Townhouses are also permitted, with a maximum height of 13.0 m or 4 storeys, and no main wall height restrictions or angular plane requirements. We further note that there is no floor space index restriction applicable to a townhouse or apartment building with up to 60 dwelling units.

In light of these amendments, the Owner proposes to make minor modifications to the proposed townhouse building to modestly increase the gross floor area (“GFA”) of the second and third floors. The proposed revisions are as follows:

1. The rear of the second floor units have been extended to be in line with the rear wall of the ground floor.
2. The bay window on the east side of the block has been extended to the second floor.
3. The third floor front wall has been extended to align with the front wall of the second floor. The third floor has been partially extended at the rear, but still maintains a 2.5 m deep terrace on the rear of the third floor.

The attached plans illustrate the proposed areas of additional GFA in green hatching, together with a building profile section, a revised schedule, and the resulting statistics. The overall increase in GFA is approximately 350 m². The plans before the OLT illustrated a total GFA of 2,070 m², and the total GFA now proposed is 2,420.69 m². A revised draft Zoning By-law is attached, which updates Diagram 3 to reflect the changes. We note that all of the proposed modifications would be permitted as-of-right under the current zoning.

The proposed modifications will allow for a modest size increase of approximately 50 m² per unit, which improves the layout and function of the units. In addition, these modifications will optimize construction efficiency and reduce future maintenance by eliminating small flat roof areas that are prone to water leaks.

We confirm that in all other respects, the built form will remain as submitted to the Tribunal. This includes the proposed building height, which is lower than permitted by the current zoning, and all building setbacks at grade.

We are requesting the City’s consent to submit these minor revisions to the Tribunal pursuant to Rule 25.8 of the Tribunal’s *Rules of Practice and Procedure*, which authorizes the Chair to amend the planning instrument(s) of an earlier decision. We confirm that we will submit Affidavit evidence in support of the request, which attests to the fact that the amendments constitute good planning and that they are substantially in accordance with the original approval.

Thank you for your consideration of this request. We look forward to hearing from you.

Best regards,



Amber Stewart