



WITHOUT PREJUDICE AND CONFIDENTIAL

June 10, 2026

Email: laura.bisset@toronto.ca
jamie.dexter@toronto.ca

sleisk@cassels.com
tel: +1 416 869 5411
fax: +1 416 360 8877
file #057151-00001

City of Toronto Legal Services Division
55 John Street, 26th Floor, Metro Hall
Toronto, ON M5V 3C6

Attention: Laura Bisset, Director, Planning and
Administrative Tribunal Law
Jamie Dexter, Solicitor, Planning and
Administrative Tribunal Law

Dear Counsel:

Re: OLT Case No.: OLT-25-000167 & OLT-25-000168
690-720 Sheppard Avenue E., Toronto
Without Prejudice Settlement Offer

We are the lawyers for Burbank Heights Development Inc. ("**Burbank**"), registered owner of 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, and 720 Sheppard Avenue East in the City of Toronto (the "**Site**"), which has been assigned the rights to Applications for Official Plan and Zoning By-law Amendments (Application No. 22217053NNY17OZ, the "**Applications**") originally filed by One to One Global Ltd. A related rental housing demolition application was also filed with the City for the Site.

Burbank appealed the Applications to the Ontario Land Tribunal on February 24, 2025 pursuant to sections 22(7) and 34(11) of the *Planning Act* due to the failure of the City of Toronto (the "**City**") to make a decision on the Applications (the "**Appeals**", OLT Case Nos. OLT-25-000167 and OLT-25-000168). Following appeal, Burbank and the City engaged in mediation respecting the Applications. We are hereby writing to offer to settle the Appeals as set out below.

Background

The Site is located on the northwest corner of the Sheppard Avenue East and Burbank Drive intersection. The Site is 2.06 acres (0.83 ha), comprised of 15 lots, and consists of 14 low-rise residential buildings (690 - 716 Sheppard Avenue East) and a vacant parcel at 720 Sheppard Avenue East. The Site is located in an area well-served by transit and is less than 100 metres to the TTC's Bessarion Subway Station.

The Site is split-designated by the Official Plan. 690 to 716 Sheppard Avenue East are designated *Neighbourhood Apartments* within Map 19 of the Official Plan while 720 Sheppard Avenue East is designated *Mixed Use Areas* by Map 19 of the Official Plan. The Site falls within the boundaries of the Sheppard East Subway Corridor Secondary Plan, with 720 Sheppard Avenue East identified as a key development area in Map 9-2 of the Secondary Plan. The Site is presently zoned for low-density residential use on the portion of the Site municipally known as 690-716 Sheppard Avenue East (pursuant to City of Toronto Zoning By-law 569-2013) and commercial uses on the portion of the Site municipally known as 720 Sheppard Avenue East (zoned pursuant to former City of North York Zoning By-law 7625).

Subsequent to the initial application, changes in provincial policy came into effect through the Provincial Planning Statement, 2024, the Province approved the Bessarion Station Major Transit Station Area (Site and Area Specific Policy 730) through Official Plan Amendment 575, and also approved Official Plan Amendment 540, which provides that within delineated Major Transit Station Areas and Protected Major Transit Station Areas, for lands designated *Apartment Neighbourhoods*, *Mixed Use Areas*, or *Regeneration Areas*, City-initiated zoning will permit a floor space index (FSI) of 8 FSI or more where the lands are located within 200 metres of an existing or planned transit station. Further, the City adopted Official Plan Amendment 777, the Renew Sheppard East Secondary Plan. While not yet in force and under appeal by Burbank (amongst others), Renew Sheppard identified the Site within the Transit Station Character Area where the highest heights in the Secondary Plan Area are directed and introduced further public realm and built form considerations.

Offer to Settle

Burbank offers to settle its Appeals in accordance with the revised plans dated May 29, 2026, to permit the development of two mixed-use towers at 38 and 35 storeys upon a tiered base (up to 6 storeys), with approximately 1,330 square metres of non-residential GFA at grade and an onsite parkland dedication of approximately 823 square metres at the western end of the Site. The onsite parkland dedication is proposed to be adjacent to the proposed on-site dedication for the adjacent property to the west. This offer to settle is made on the following basis:

1. Provision of public realm improvements in accordance with Renew Sheppard, including,
 - a. Provision of a publicly-accessible pedestrian mid-block connection through the Site;
 - b. Accommodation of an expanded pedestrian zone at the southeast corner of the Site at Burbank Drive and Sheppard Avenue East through an increased corner setback of 3 metres (from 2.01 metres), while maintaining the 5-metre setback from Sheppard;
 - c. Space for a double row of street trees within the Sheppard Avenue East setback and provision of planter widths of 2.5 metres;

2. Transportation improvements, including,
 - a. Provision of a centralized Pick-Up/Drop-Off (“**PUDO**”) area internal to the Site which can accommodate up to 4 vehicles, plus a maximum of an additional 7 dedicated PUDO spaces. The detailed design and configuration of the PUDO area will be determined through the site plan approval process and is subject to further review;
 - b. Restricted access on Sheppard Avenue East through a Right In/Right Out driveway, with no through traffic permitted within any Phase of the redevelopment of the Site; and
 - c. Provision of additional accessible parking spaces for a total of 16 minimum spaces, to meet by-law requirements;
3. Built form and site changes to minimize shadow impacts and improve conditions for pedestrians, including,
 - a. Decreased base building heights, providing 2 storeys stepping up to 4 storeys along Burbank Drive, providing 4 storeys stepping up to 6 storeys along across most of the Sheppard Avenue East frontage, and providing 1 storey before stepping up along the future park frontage;
 - b. A revised tower configuration, shifting the western tower to the east by 14 metres;
 - c. Base building setbacks of generally 5 metres along the Site’s Sheppard Avenue East frontage in support of the planned Sheppard Promenade;
 - d. Tower setbacks of 10 metres to Sheppard Avenue East, over 22 metres to the future parkland area on the western portion of the Site, and over 22 metres to Burbank Drive; and
 - e. A substantial tower separation of over 40 metres between the two towers to permit significant light, view and privacy, as well as the proposed PUDO and mid-block connection;
4. With respect to the replacement of the existing rental units on the Site, Burbank agrees to replace 100% of the existing rental GFA across the 14 semi-detached houses (26,738 sq. ft.) with 14 rental replacement units with an equivalent number of bedrooms, and 11 net new affordable rental replacement units. Each rental replacement unit will be allocated a vehicular parking space. The acceptable unit type, acceptable GFA, and acceptable rent for both the rental replacement units and the net-new rental replacement units shall be as set out in Schedule A to this settlement offer letter, to the satisfaction of the Chief Planner and Executive Director, City Planning.

In the event City Council accepts this without prejudice settlement offer, Burbank agrees that the final Order of the Ontario Land Tribunal may be withheld until the City Solicitor has advised that:

- a) The final form and content of the Official Plan Amendment and Zoning By-law Amendment are to the satisfaction of the City Solicitor and the Executive Director, Development Review;
- b) The owner, at their sole cost and expense, has submitted a revised Functional Servicing and Stormwater Management Report (“**FSR**”) to demonstrate that the existing sanitary sewer system and watermain have adequate capacity and supply to accommodate the development of the lands to the satisfaction of the Director, Engineering Review;
- c) The owner has secured the design, construction, and provision of financial securities for any new municipal infrastructure, or any upgrades or required improvements to the existing municipal infrastructure in a financially secured agreement, to the satisfaction of the Director, Engineering Review, if the accepted FSR shows that any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development are required;
- d) The owner has withdrawn its appeal of Official Plan Amendment No. 777, Renew Sheppard Avenue East Secondary Plan, in proceeding OLT-25-000068;
- e) The owner has submitted a revised Travel Demand Management Plan, acceptable to the Executive Director, Development Review and the General Manager, Transportation Services and the travel demand management measures have been secured, if required;
- f) The owner has submitted an updated Wind Tunnel Study to the satisfaction of the Chief Planner and Executive Director, City Planning, and any recommended wind mitigation measures are secured in the zoning by-law and/or through the site plan control process, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- g) The owner has satisfactorily addressed matters from the Tree Protection and Plan Review, Urban Forestry memorandum dated December 18, 2024, to the satisfaction of the Executive Director of Environment, Climate and Forestry;
- h) City Council has approved the Rental Housing Demolition Application No. RH 23 179263 NNY 17 in accordance with Chapter 667 of the City of Toronto Act, 2006, to permit the demolition of 14 existing rental dwelling units at 690-720 Sheppard Avenue East; and

- i) The owner has entered into and registered on title a Section 111 Agreement with the City incorporating:
 - i. The information outlined in the Rental Replacement Chart attached as Schedule A to the settlement offer letter from the owner dated June 10, 2026, including the replacement of the existing 14 rental dwelling units with the same number of units, unit type, and size, and with similar rents, as outlined in Schedule A, and the provision of 11 net-new replacement rental units as outlined in Schedule A at affordable rents;
 - ii. The provision of an acceptable Tenant Relocation and Assistance Plan addressing the right for existing tenants to return to a replacement rental unit on the lands at similar rents, the provision of rent gap assistance, and other assistance to lessen hardship; and
 - iii. Any other related matters;

all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the City Solicitor.

The proposal will contribute to the transit-supportive community desired for this area, provide retail at grade along Sheppard Avenue East, tall building/high-density built form and a family-friendly unit mix. The proposal provides a parkland dedication at the western edge of the Site and a resilient and welcoming public realm. Public realm improvements are also proposed at the southeast corner of the Site, being a higher order pedestrian intersection. Detailed design work has responded to City comments received to date while being adaptive to the specific site constraints and location of the Site at the corner of Sheppard Avenue East and Burbank Drive.

This settlement offer will remain open until the end of the City Council meeting scheduled to commence on June 24, 2026, unless otherwise indicated, at which point it should be considered as withdrawn if not accepted by City Council. Should the Offer to Settle be accepted by City Council, it may be released publicly. Until such a time as City Council accepts this Offer to Settle, it remains confidential and without prejudice.

Yours truly,

Cassels Brock & Blackwell LLP



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SL/AP/JE/nv

Encl.

Schedule A: Rental Replacement Chart

Address	Existing Unit Type Existing GFA (sq. ft)	Proposed Unit Type Proposed GFA Proposed Rent	Acceptable Unit Type BR Acceptable GFA (sq. ft) Acceptable Rent
690	3 BR 1,892	3 BR 1,140 Mid-range (affordable)	3BR 1,140 Affordable
692	2 BR 1,848	2 BR 969 Above mid-range	3 BR + den (+1BR + den) 1,140 (+171 sf) Mid-range (moderate)
694	3 BR 1,846	3 BR 1,140 Affordable	4 BR (+1BR) 1,311 (+171 sf) Affordable
696	3 BR 1,799	3 BR 1,140 Mid-range (affordable)	4 BR (+1BR) 1,311 (+171 sf) Mid-range (moderate)
698	4 BR 2,035	4 BR 1,260 Mid-range (affordable)	4 BR + den 1,311 (+51 sf) Mid-range (moderate)
700	4 BR 2,642	4 BR 1,260 Affordable	4 BR + den 1,311 (+51 sf) Affordable
702	4 BR 1,789	4 BR 1,260 Above mid-range	4 BR 1,311 (+51 sf) Mid-range (moderate)
704	3 BR 1,894	3 BR 1,140 Mid-range (affordable)	4 BR (+1BR) + den 1,311 (+171 sf) Mid-range (moderate)
706	3BR 1,950	3 BR 1,140 Affordable	4BR (+1BR) 1,311 (+171 sf) Affordable
708	3 BR 1,745	3 BR 1,140 Affordable	3BR 1,140 Affordable
710	3BR 1,798	3 BR 1,140 Mid-range (affordable)	3BR 1,140 Above mid-range
712	3 BR 1,741	3 BR 1,140 Mid-range (affordable)	3 BR 1,140 Mid-range (moderate)
714	3 BR 1,978	3 BR 1,140 Mid-range (affordable)	4 BR (+1BR) 1,311 (+171 sf) Mid-range (moderate)
716	3 BR 1,784	3 BR 1,140 Above mid-range	3 BR + den 1,140 Above mid-range

720	N/A vacant commercial	N/A	N/A
Total	26,738		17,328

Remaining GFA: 9,410 sq. ft to be replaced with net new units as follows:

Unit Type	Minimum Size (sq. ft)	Number of Units	Total Minimum GFA	Rent Category
1 BR	531*	2	1,062	Affordable
2 BR	735*	5	3,675	Affordable
3BR	1,168*	4	4,672	Affordable
Total		11	9,409	

*Average sizes of market units

Note: There is 1 sq. ft. not accounted for in the City's proposed net-new RH unit plan.

