

62 SUNVALE DRIVE
TORONTO, ONTARIO
M9R 1Z3

T: 416.436.8355

WWW.AMBERSTEWARTLAW.COM
PROFESSIONAL CORPORATION

Please refer to: amber@amberstewartlaw.com

July 21, 2026

Without prejudice

Delivered by email

Councillor Lily Cheng
Toronto City Hall
100 Queen Street West, Suite B36
Toronto, Ontario
M5H 2N2

Dear Councillor Cheng:

Re: 447 Horsham Avenue (Appeal File No. 26 188 926 S45 18 TLAB)

We are counsel to NX on Horsham Corp., the Owner of 447 Horsham Avenue ("the Subject Property"). On April 20, 2026, the Owner submitted a minor variance application on behalf of the previous owner, to permit the redevelopment of the Subject Property with a six-unit apartment building and a garden suite. On June 4, 2026, the Committee of Adjustment approved the application. On June 22, 2026, the City of Toronto ("the City") filed an appeal to the Toronto Local Appeal Body ("TLAB").

Further to our discussions, the Owner is prepared to resolve the City's concerns with the redevelopment of the Subject Property on the following terms:

1. The Owner will submit a new minor variance application to permit the addition of three front yard parking spaces in the general location of the existing driveway adjacent to Horsham Avenue ("the Parking Application"). We note that as of today, the Parking Application has been submitted to the Committee and we are awaiting a file number to be assigned.
2. The Owner will submit the plans prepared by Hyphen Studio dated July 8, 2026 in support of the Parking Application. The ultimate variances necessary to permit the proposed front yard parking will be submitted in accordance with the determination of Hyphen Studio under waiver, and/or through a Zoning Notice once provided. We anticipate that the required variances will include parking space location (front yard) and landscaping-related matters.
3. Once the Owner provides confirmation that the Parking Application has been submitted, the City will forthwith withdraw its appeal of the Committee's Decision in File No. 26 188 926 S45 18 TLAB. For greater certainty, the

withdrawal of the appeal shall not be contingent on the Parking Application being heard or approved.

4. The Owner will diligently pursue approval of the Parking Application before the Committee of Adjustment. If the Parking Application is refused by the Committee, the owner may submit an appeal to the TLAB in its sole discretion, but shall not be required to do so.
5. Despite the outcome of the Parking Application (i.e., whether it is ultimately approved or refused), the Owner agrees to build the new development substantially in accordance with the attached Elevations, including with respect to the size and sill height, number, and location of windows. The Owner is prepared to tint the east-facing windows, if that is desirable in the City's perspective. The Owner further agrees to install a privacy screen that is 8 ft (2.4 m) high on the east side of the second storey balcony, as shown on the attached plans.
6. The Owner will submit an application for a fence exemption to permit a fence to be installed in the east side yard and the south rear yard that is 8 ft (2.4 m) high, if the respective adjacent neighbours and local Councillor are supportive of a higher fence. For greater certainty, the withdrawal of the TLAB appeal contemplated above shall not be contingent on the submission, hearing, or approval of a fence exemption application. We note that as of the date of this letter, the fence exemption application has been submitted.
7. The Owner confirms that garbage and recycling will be stored/enclosed on the west side of the building, as shown on the plans, and that collection will occur from Horsham Avenue. We also confirm that a property manager will be responsible for bringing the garbage and recycling bins to and from the curb on collection day.
8. The City and the Owner shall pay their own respective costs associated with the resolution of this matter.

Thank you for your consideration of this proposal. We look forward to hearing from you at your earliest convenience.

Best regards,



Amber Stewart

- c. Ms. Atefeh Javadian
Ms. Sarah Barnett
Mr. Amin Sarang