



WITHOUT PREJUDICE

August 22, 2024

VIA EMAIL

TO: Mr. Mark Crawford
Solicitor, Planning & Administrative Tribunal Law
City of Toronto, Legal Services Division
Metro Hall, 26th Floor
55 John Street
Toronto, Ontario M5C 3C6

AND TO: Ms. Ultra Gautam
Solicitor, Planning & Administrative Tribunal Law
City of Toronto, Legal Services Division
Metro Hall, 26th Floor
55 John Street
Toronto, Ontario M5C 3C6

To Whom It May Concern:

**RE: 4195-4221 DUNDAS STREET WEST AND 556-564 PRINCE EDWARD DRIVE
1136974 ONTARIO INC.**

**APPLICATION FOR OFFICIAL PLAN AMENDMENT
CITY FILE NO. 22 149111 WET 03 OZ
OLT FILE NO. OLT-22-004571**

**APPLICATION FOR ZONING BY-LAW AMENDMENT
CITY FILE NO. 16 129328 WET 05 OZ
OLE FILE NO. OLT-22-003838**

OFFER TO SETTLE

We are the lawyers for 1136974 Ontario Inc. ("**Dunpar**"), the owner of the property municipally known as 4195-4221 Dundas Street West and 556-564 Prince Edward Drive (the "**Property**").

This offer to settle is being made in respect of the above-noted applications filed by Dunpar for Zoning By-law Amendment Approval and Official Plan Amendment Approval (the "**Application**"), which is the subject of appeals before the Ontario Land Tribunal (the "**OLT**"). These appeals are

105 Six Point Rd.
Etobicoke, Ontario
Canada M8Z 2X3

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dunparhomes.com



scheduled to proceed to a 14-day hearing commencing on October 28, 2024.

The Revised Proposal

Following a series of comments received through the circulation process and discussions with City staff and counsel, our client has filed a revised proposal, as set out in the architectural plans and drawings dated December 4, 2023. Compared to the original proposal, as set out in the architectural plans and drawings dated May 9, 2021, we believe that the revised proposal represents a reasonable compromise that reflects the planned context of this segment of Dundas Street West Avenue, represents good planning, and meets the relevant statutory tests.

The original and revised architectural plans and drawings are respectively enclosed with this offer to settle as Appendix “A” and “Appendix “B”. A summary of the modifications Dunpar has made to the original proposal based on discussions with City staff and counsel are as follows:

Modifications	Original Proposal	Revised Proposal
Built Form	Tall and Mid-rise	Taller Mid-rise
Storeys	3- to 18-storeys	3- to 14-storeys
Maximum Height	59.40m	47.75m
Residential GFA	72,619m ²	56,342m ²
Non-residential GFA	2306m ²	2236m ²
Total GFA	74,925.26m ²	58,492m ²
Lot Area	1.41ha	1.17ha
Parkland	11%	11%

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POPs	0%	6%
FSI	5.14	5.00
# of Units	699	575
Studio	2%	0%
% of 1 Bedroom Units	33%	38.6%
% of 2 Bedroom Units	49%	38.4%
% of 3 Bedroom Units	16%	22.9%
North Setback	1.5m	3.6m
West Setback	1.5m	0m
East Setback	1.4m	1.6m
South Setback	6m	5.1m
45 Degree Angular Plane	General Compliance	General Compliance

If City Council approves the revised proposal, Dunpar would present the revised proposal at the commencement of hearing and agree that the following conditions must be satisfied prior to the issuance of the Tribunal's final order:

- a. the form and content of the Official Plan and Zoning By-law Amendments are satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor;

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- b. the Owner has provided a revised Pedestrian Wind Study, such report to be reviewed with recommendations implemented as part of the amending Official Plan policies and Zoning By-laws and/or secured in a development agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- c. the Owner has submitted revised drawings illustrating the conveyance of lands required to the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning;
- d. the submitted Noise and Vibration Feasibility Study has been peer reviewed by a third-party Noise and Vibration Consultant retained by the City at the owner's expense, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- e. the Owner has submitted information to provide adequate room to operate the accessible ramp and ensure that there is adequate space for a full-size bus shelter on Dundas Street West at Prince Edward Drive North is located on the frontage of the site and makes required revisions to the satisfaction of the Manager, Technical Review, Toronto Transit Commission;
- f. the Owner has submitted a revised Transportation Impact Study including Transportation Demand Management and all requested revisions to the study to the satisfaction of the General Manager, Transportation Services;
- g. the Owner has submitted a revised Hydrological Review Report, Hydrological Review Summary Form, Servicing Report Groundwater Summary Form and Foundation Drainage Summary Form including all requested revisions to these studies to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- h. the Owner has submitted a revised Functional Servicing Report to determine the stormwater runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- i. the Owner makes satisfactory arrangements with Engineering and Construction Services and enters into the appropriate agreement with the City for the design and construction of any improvements to municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the Functional Servicing Report and Traffic Impact Study accepted Chief Engineer and Executive Director,



Engineering and Construction Services and General Manager, Transportation Services;

- j. the Owner has addressed all the outstanding issues related to tree protection, injury and removals, tree planting and Toronto Green Standard raised by Urban Forestry, Tree Protection and Plan Review, to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- k. the Owner has provided an on-site parkland dedication in a size, location and configuration that is to the satisfaction of the General Manager, Parks, Forestry and Recreation;
- l. the Owner has retained a consultant archaeologist, licensed by the Ministry of Citizenship and Multiculturalism, under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended), to carry out a Stage 2 archaeological resource assessment of the property and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found (Stage 3-4) to the satisfaction of the Chief Planner and Executive Director, City Planning;
- j. The Owner has provided an updated Sun/Shadow Study to the satisfaction of the Chief Planner & Executive Director, City Planning;
- k. In the event that the Ontario Land Tribunal allows the appeals, in whole or in part, City Council direct that the full parkland dedication be provided on-site with frontage on Prince Edward Drive in satisfaction of the applicant's required parkland contribution pursuant to Section 42 of the Planning Act as described in the Settlement Offer; the on-site parkland dedication to be conveyed shall be free and clear, above and below grade, of all easements, encumbrances and encroachments and is to be conveyed to the City prior to the issuance of the first above-grade building permit, in an acceptable environmental condition, and constructed to base park condition at no cost to the City, all to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor in accordance with all the applicable City policies dealing with the acquisition of lands for park purposes as a condition of development approval;
- l. In the event that the Ontario Land Tribunal allows the appeal, in whole or in part, and the owner elects to construct Above Base Park Improvements, City Council approve a development charge credit against the Parks and Recreation Component of the City Development Charge for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation; the development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park improvements, as approved by the General Manager, Parks, Forestry and Recreation and the Parks and Recreation



Component of the City Development Charge payable for the development in accordance with the City's Development Charges By-law as may be amended from time to time;

- m. The Owner has satisfied the requirements of the Toronto District School Board and the Toronto Catholic District School Board regarding signage and warning clauses related to enrollment capacity; and,
- n. Should it be determined that upgrades are required to infrastructure to support the development according to the accepted Functional Servicing Report and/or the Transportation Impact Study, City Council direct the City Solicitor and appropriate City staff to request that a holding provision be included in the final form of the site-specific Zoning By-law Amendment, and the holding provision not to be lifted until such a time as the owner has made satisfactory arrangements, including entering into appropriate agreement(s) with the City for the design and construction of any improvements to municipal infrastructure and the provision of financial securities to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and General Manager, Transportation Services.

Regarding the parkland conveyance, while the parkland conveyance will occur prior to the issuance of the first above-grade building permit, the parties have agreed that, in the event that Dunpar (the owner) requires the conveyed parklands for the purposes of on-site construction staging the owner shall enter into the City's standard park access agreement on terms satisfactory to the General Manager, Parks, Forestry and Recreation, save and except for the payment of any occupancy fees under said agreement to the City, which the owner and the City agree and acknowledge would be waived by the City

The Revised Plans show a public park of approximately 1,282 square metres, to be dedicated to the City in the southeast portion of the Property with frontage on Prince Edward Drive unencumbered. The public park would be conveyed to the City in accordance with the City's Policy for Accepting Potentially Contaminated Lands and constructed to base park conditions. The on-site parkland dedication required by Section 42 of the Planning Act and Chapter 415 of the City of Toronto Municipal Code is approximately 1,134 square metres, meaning that the proposed public park represents an over-dedication of approximately 148 square metres (the "Parkland Over-Dedication").

This offer to settle is open until the day before the hearing of the appeal, following which it will become null and void if not accepted. In this regard, the offer to settle is being submitted for consideration by City Council at the earliest opportunity before the hearing commences.

If the offer to settle is accepted, Dunpar consents to the offer to settle and City Council's

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consideration thereof being made public.

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Sincerely,

Luke Johnston

Executive Vice President of Development and General Counsel
Dunpar Homes
416 236 9800 x256
l.johnston@dunpar.ca

cc. Michael Nemanic
Giouzelin Mutlu

Encs. Appendix "A"
Appendix "B"

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APPENDIX “A”

105 Six Point Rd.
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[illegible]

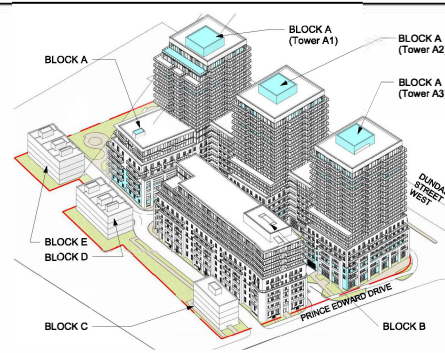
- ▶ BUILDING SECONDARY ENTRANCE
- ▶ BUILDING EXIT
- ▶ BUILDING ENTRANCE

- ➡ RAMP TO UNDERGROUND PARKING LEVELS
- ➡ OVERHEAD DOOR
- ➡ PRIVATE DRIVEWAY

ALL OF LOTS 2, 3 AND 4 AND PART OF LOTS 1 & 5
REGISTERED PLAN 116 AND PART OF LOTS 9,10, 11 & 12

CITY OF TORONTO

I.M.PASTUSHAK LIMITED



1.2	2000				2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388	2389	2390	2391	2392	2393	2394	2395	2396	2397	2398	2399	2400	2401	2402	2403	2404	2405	2406	2407
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Proposed New Station	1	100	500,000	100	5,750
Block A ()	0				
Used 1	1	100	100,000	1,000	21,000
Used 2	1	100	1,181,200	4,180	46,000

April 17	1	183	200.00	200	12,430
April 18	1	183	200.00	1574	21,280
April 19 (Total)	2	366	400.00		
Total	22			54,210.30	183,094.57

Cost 78	0	783	1,438.38	2,820.68	30,361.55
Cost 9	0	783	1,321.90	1,221.00	13,162.73
Cost 32	0	783	1,321.00	1,221.00	13,162.73
Next Year 1 cost	1	783	0.00	0.00	0

Level 1	1	783	830.00	303.00	2,152.38
Level 2	2	186	190.00	100.00	2,152.38
Level 3	3	180	190.00	303.00	2,152.38
Grand Total (Level)	6	1,149	1,110.00	706.00	10,507.14

Sheet 1	0	100	924.00	384.00	3,467.31
Sheet 2	0	100	924.00	384.00	3,467.31
Sheet 3 (Total)	0	100	924.00	384.00	3,467.31
Total	0			2,175.00	5,000.00

Level 3	0	183	504.00	504.00	3,460.11
Level 4	0	170	504.00	334.00	3,460.11
Read Trip (level)	0	180	50.00	46.00	388.67
Total	0			2,124.00	32,000.00

Total Block C OPA	Supervisory	\$70.20	\$308.30
Total Block D OPA	Supervisory	\$115.20	\$1,091.70
Total Block E OPA	Supervisory	\$145.20	\$1,040.40
Total		\$230.60	\$2,440.40

[illegible]

Level 10	0	5	10	15	20	25	30
Total	0%	0%	4%	9%	17%	24%	44%

Level 1 (A)	2	4	56	0	3	6	4	16
Level 2 (B1/B2)	1	0	6	0	0	12	3	15
Level 3 (B3/B4)	1	0	2	0	0	6	2	9
Total	23	4	50	0	11	17	12	194

MOSES	0	0	0	0	5	5
TOTAL	0	0	0	0	10	10

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D

Scale: 1:200 North 

SITE PLAN

1386072 ONTARIO INC.

Checked by	Checker	RZ 100
Date	03/07/21	




The site plan illustrates the proposed development at 25450 Prince Edward Drive, bounded by the North, West, and South Property Lines. The plan includes the following key features:

- Proposed New Curbside for EMS Station:** Located at the top center of the site.
- Rentable Retail Area:** Two large retail spaces, one on the left (296 m², 3188.78 ft²) and one on the right (1197 m², 12883.15 ft²).
- EMS Station:** A 4-bay EMS station with 350 m² (3771.88 ft²) and additional 8 designated vehicle parking spaces provided at the P1 parking level.
- Public Parkette:** A landscaped area on the left side, measuring 1,812.50 m² (19,459.80 ft²).
- Interior Amenities:** Multiple rooms, including a lobby, interior amenity, and a retail garage room (76 m², 814.41 ft²).
- Landscaping:** Various landscape areas and trees are shown throughout the site.
- Parking:** Includes lay-by parking areas and a ramp down (14.8% and 7.5% grades).
- Fire Route:** Indicated by red dashed lines and arrows, showing the path for fire access.
- Proposed Phase 2 Development:** Two blocks of development are shown at the bottom, with typical floor plans provided for reference.
- Prince Edward Drive:** The main access road on the right side of the site.

The plan also shows various other details such as corridors, loading areas, and specific room dimensions in both square meters and square feet.

D
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4195 Dundas St. W
4195 Dundas Street West

Etobicoke, Ontario	
Scale 1 : 250	North 

Drawing Title	
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BLOCK A & B GROUND FLOOR

Owner/Developer

1386072 ONTARIO INC.

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Date	03/09/21	



4195 Dundas St. W
4195 Dundas Street West
Etobicoke, Ontario

Scale 1 : 250 North

Drawing Title
BLOCK A & B Level 9th

Owner/Developer
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D
DUN PAR
WRITER AT LARGE

4195 Dundas St. W
4195 Dundas Street West
Etobicoke, Ontario

Scale 1:250 North

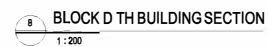
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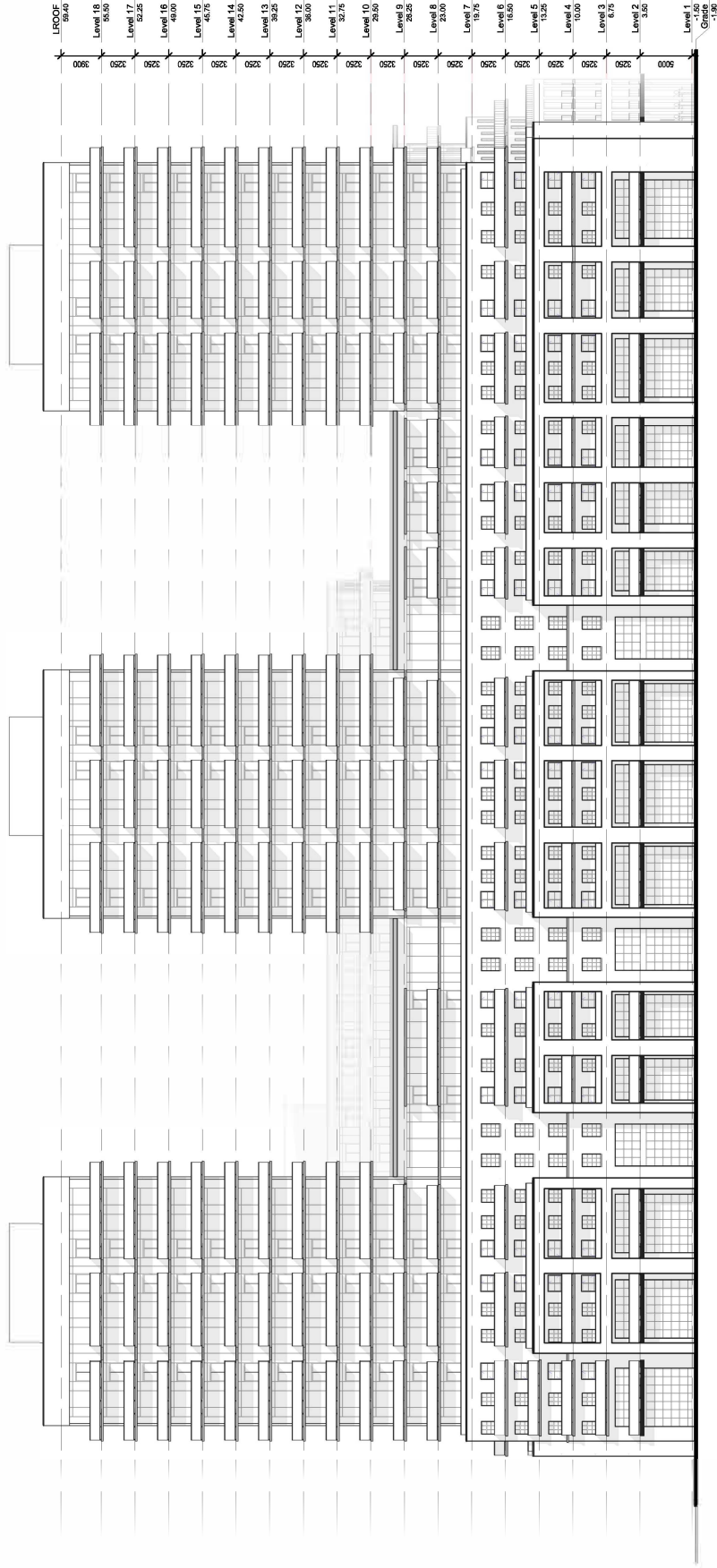
BLOCK A & B Level 10th

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Date 03/08/21 Page No. RZ 205





1 BLK A NORTH ELEVATION - RZ
1:200

DUNPAR
DESIGN BY DESIGN

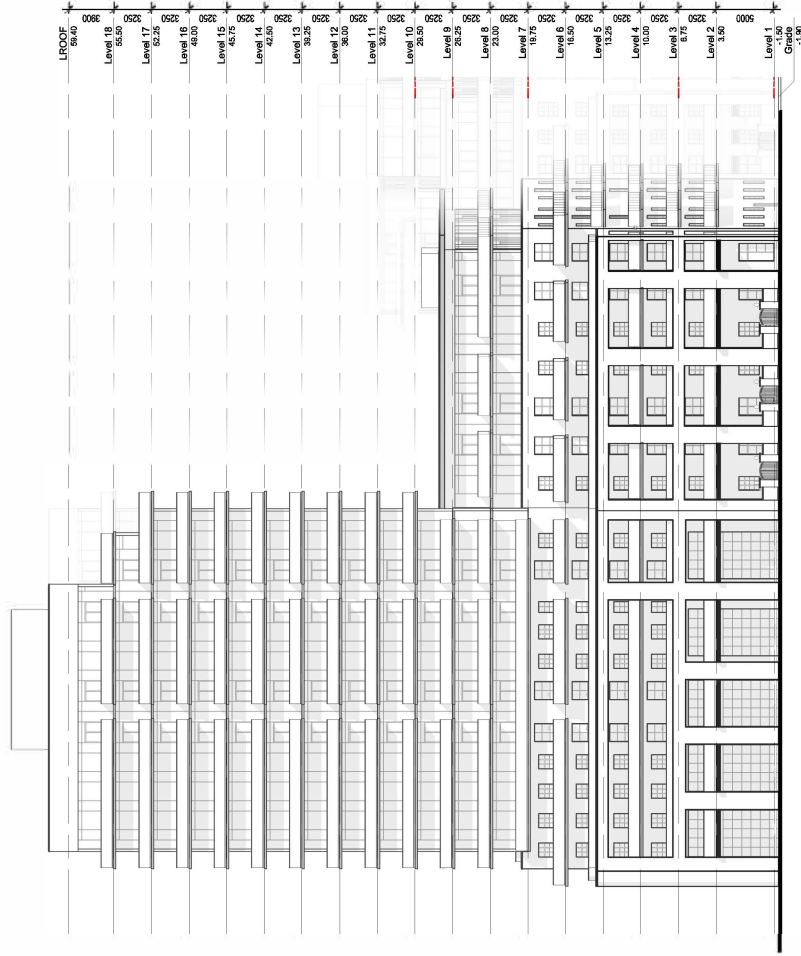
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4195 Dundas Street West
Etobicoke, Ontario

Scale 1:200 North
Drawing Title

BLOCK A NORTH ELEVATION

Owner/Developer
1388072 ONTARIO INC.

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Date
Author
Page No.
Chapter
RZ 400



2 BLK A WEST ELEVATION - RZ

1:200



1 BLK A EAST ELEVATION - RZ

1:200

DUNPAR
DESIGN BY DESIGN

4195 Dundas St. W
4195 Dundas Street West
Etobicoke, Ontario

Scale 1:200

North

Drawing Title

BLOCK A EAST & WEST
ELEVATIONS

Owner/Developer

1388072 ONTARIO INC.

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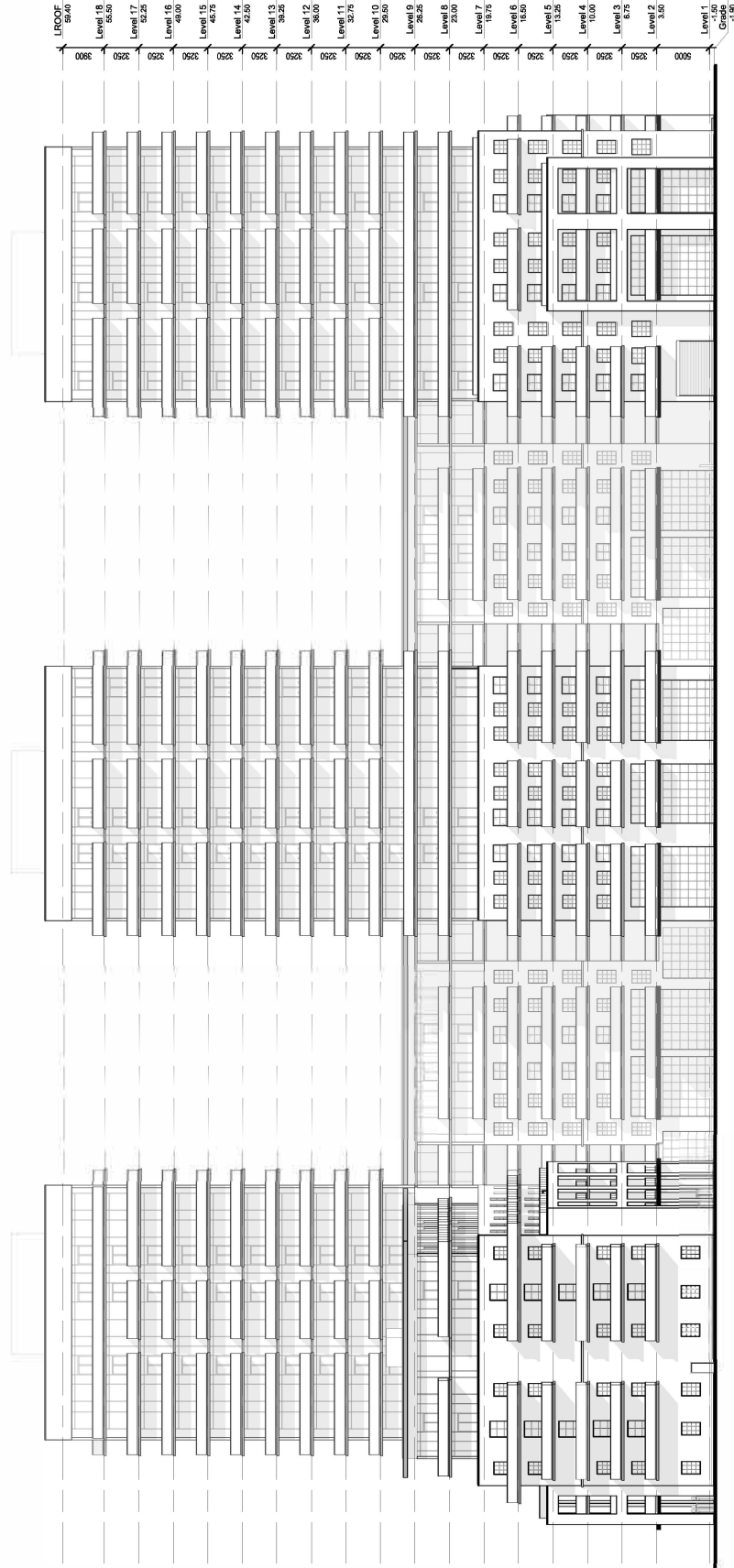
Date

Author

Page No.

Chapter

RZ 401



1
A/100 1:200

BLK A SOUTH ELEVATION - RZ

D

DUNPAR

DESIGN BY DESIGN

4195 Dundas St. W

4195 Dundas Street West

Etobicoke, Ontario

Scale

1:200

North

Drawing Title

BLOCK A SOUTH ELEVATION

Owner/Developer

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Chapter

RZ 402