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File No. 23364

November 26, 2025

WITHOUT PREJUDICE

DELIVERED VIA EMAIL (derin.abimbola@toronto.ca)

City of Toronto Legal Services
City Solicitor's Office
Metro Hall
55 John St., 26th Floor
Toronto, ON M5V 3C6

Attention: Derin Abimbola

Dear Ms. Abimbola:

**Re: OLT Case No. OLT-24-001146
110-112 Adelaide Street East & 85 Lombard Street
Planning Application Nos.: 20 120404 STE 13 OZ
Appeal of Rezoning Application
Without Prejudice Settlement Offer**

We are the solicitors for SG Adelaide Ltd., the Applicant/ Appellant in the above-noted proceedings.

Further to the OLT mediation with respect to these appeals and follow up discussions with City staff, we are pleased to provide the following settlement offer on a without prejudice basis in full settlement of these appeals:

(1) Our client would agree to formally revise its development proposal that is the subject of the above noted appeals before the OLT to a mixed use development with a tower that is 66 storeys in height as shown on the attached architectural plans dated November 18, 2025 prepared by Arcadis (the "**Proposed Development**"). The main revisions from the original proposal before the OLT are as follows:

- (a) Overall height has been maintained (from 65 storeys at 209.6 metres to 66 storeys at 210.0 metres, both excluding mechanical penthouse), with an increase in the number of storeys reflecting the mezzanine being relabeled as a second floor;

- (b) The podium has decreased in height and massing, from a general height of 8 to 10 storeys to a predominantly 3 storey height;
- (c) Setbacks have been adapted to address the structural and constructability constraints that result from the reduced podium height and massing;
- (d) Significant public realm improvements have been made with the introduction of a colonnade, coupled with an increased ground floor setback of 0.6 metres on the Adelaide Street East frontage (from 0.4 metres);
- (e) Podium design has been changed to better relate to the heritage context in material and scale, with introduction of red brick, a colonnade at grade, and use of Chicago style with vertical bay windows;
- (f) Overall redesign of parking levels to incorporate additional spaces, including introduction of ramp to access below grade parking level and consequent updates to bike locker locations;
- (g) Overall floor plate size for the tower has increased from 585 square metres to 647 square metres;
- (h) The Gross Floor Area ("GFA") has been increased to 38,500 square metres (previously 37,100 square metres);
- (i) The unit mix continues to have a minimum of 10 percent three-bedroom units and a minimum of 20 percent two-bedroom units;
- (j) The southern façade stepback has been maintained at 2.4 metres from the three-storey base, and the tower setback to the south property line has been maintained at 3.0 metres; and
- (k) The location of balconies within the development are subject to the following requirements:
 - Where permitted, balconies will project not more than 1.5 metres from the building face;
 - Balconies on the north side of the building will only be permitted within the identified areas, at the 12th floor and above;
 - Balconies on the south side of the building will only be located on the 6th floor and above;
 - Balconies on the west and east sides of the building will only be located on the 8th floor and above, save for the identified area on the northwest corner

of the building where west-facing balconies are only permitted on the 12th floor and above;

- No projecting balconies will be permitted within 3.0 metres of the southwest and southeast corners on the west, south and east faces of the tower; and
- A maximum of 55% of the length of the southern façade will incorporate balconies, save for the inclusion of 14 floors where balconies may extend to a maximum of 80% of the length of the southern façade as shown on the architectural plans.

(1) For the outdoor amenity located on the 4th floor, a 4 metre setback is provided at the northwest corner

(2) With respect to the issuance of the final Order for the Zoning By-law Amendment for the Proposed Development, our client is agreeable to the final Order being withheld subject to the following conditions being satisfied:

a. the final form and content of the draft Zoning By-law Amendment is to the satisfaction of the City Solicitor and the Executive Director, Development Review;

b. the owner at their sole cost and expense has:

- i. submitted a revised Functional Servicing Report and Stormwater Management Report, Hydrogeological Review, including the Foundation Drainage Report ("Engineering Reports") to demonstrate that the existing sewer system and watermain and any required improvements to them, have adequate capacity and supply to accommodate the development of the lands, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water;
- ii. secured the design and provided financial securities in respect of any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Engineering Reports, to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water, should it be determined that improvements or upgrades are required to support the development, according to the Engineering Reports accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water;
- iii. ensured that implementation of the accepted Engineering Reports does not require changes to the proposed amending By-law or that any required

changes have been made to the proposed amending By-law to the satisfaction of the Executive Director, Development Review and the City Solicitor, including the use of a Holding ("H") By-law symbol regarding any new municipal servicing infrastructure or upgrades to existing municipal servicing infrastructure, as may be required; and

- iv. entered into and registered on title to the lands Limiting Distance Agreements with each of the neighbouring property owners to the immediate west and east fronting on Adelaide Street East, to which the City will be a party, to the satisfaction of the City Solicitor and the Executive Director, Development Review, that ensure the respective setbacks and separation distances shown on the attached architectural plans.

In support of the settlement offer, please find attached the following:

- (1) Architectural Plans dated November 18, 2025, prepared by Arcadis.
- (2) Draft Zoning By-law Amendment, prepared by Bousfields.

The Settlement Offer closes at 5:00 pm on Friday, December 19, 2025 if this offer is not accepted by City Council.

If you have any questions regarding the above, please do not hesitate to contact me at 416.645.4572 or via email at jpark@ksllp.ca.

Yours very truly,

KAGAN SHASTRI DeMELO WINER PARK LLP



Jason Park
JIP

cc: SG Adelaide Ltd.

Authority: Ontario Land Tribunal Decision issued on [insert date] and Order issued on [insert date] in Tribunal File OLT-24-001146

CITY OF TORONTO

BY-LAW XXXX-2025(OLT)

**To amend Zoning By-law 569-2013, as amended,
with respect to the lands municipally known in the year 2024
as 110-112 Adelaide Street East and 85 Lombard Street**

Whereas the Ontario Land Tribunal Decision issued on [insert date] and Order issued on [insert date] in Tribunal File OLT-24-001146, following an appeal pursuant to Section 34(11) of the Planning Act, R.S.O. 1990, c. P.13, as amended, determined to amend City of Toronto Zoning By-law 569-2013, as amended, with respect to the lands municipally known as 110-112 Adelaide Street East and 85 Lombard Street;

The Ontario Land Tribunal orders:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, as amended, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.1 respecting the lands outlined by heavy black lines to a zone label of CR 4.0 (c2.0; r4.0) SS1 (x####) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11 Exception Number CR ##### so that it reads:

(####) Exception CR #####

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions:

- (A) On lands municipally known as 110-112 Adelaide Street East and 85 Lombard Street, if the requirements of By-law [Clerks to insert By-law number] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with regulations (B) to (S) below;
- (B) Despite Regulations 40.5.40.10(1) and (2), the height of a **building** or

structure is the distance between the Canadian Geodetic Datum of 84.0 metres and the elevation of the highest point of the **building** or **structure**;

- (C) Despite Regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same **storey** as non-residential use portions of the **building**;
- (D) Despite Regulation 40.10.40.10(1), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 3 of By-law [Clerks to insert By-law number];
- (E) Despite Regulations 40.5.40.10(3) to (8) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 3 of By-law [Clerks to insert By-law number]:
 - (i) equipment used for the functional operation of the **building**, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, building damper, elevator shafts, chimneys, and vents, by a maximum of 3.0 metres;
 - (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, including a mechanical penthouse, by a maximum of 3.0 metres;
 - (iii) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 2.5 metres;
 - (iv) **building** maintenance units and window washing equipment, by a maximum of 5.0 metres;
 - (v) planters, **landscaping** features, guard rails, and divider screens on a balcony and/or terrace, by a maximum of 2.0 metres;
 - (vi) antennae, flagpoles and satellite dishes, by a maximum of 5.0 metres; and
 - (vii) trellises, pergolas, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 3.5 metres;
- (F) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey**, is 4.0 metres;
- (G) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of all **buildings** and **structures** is 39,000 square metres, of which:

- (i) the permitted maximum **gross floor area** for residential uses is 38,500 square metres; and
 - (ii) the permitted maximum **gross floor area** for non-residential uses is 1,000 square metres;
- (H) Despite Regulations 40.10.40.70(1) and 600.10.10(1), the required minimum **building setbacks** are as shown in metres on Diagram 3 of By-law [Clerks to insert By-law number];
- (I) Despite Regulations 40.10.40.60(2) to (9) and (H) above, the following elements may encroach into the required minimum **building setbacks** as follows:
 - (i) decks, porches, and balconies, by a maximum of 1.5 metres;
 - (ii) canopies and awnings, by a maximum of 2.0 metres;
 - (iii) exterior stairs, access ramps and elevating devices, by a maximum of 2.0 metres;
 - (iv) cladding added to the exterior surface of the **main wall** of a **building**, by a maximum of 0.5 metres;
 - (v) architectural features, such as a pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 1.6 metres;
 - (vi) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 1.5 metres; and
 - (vii) art and landscape features, pillars, trellises, windowsills, planters, ventilation shafts, guardrails, balustrades, railings, doors, fences, screens, site servicing features by a minimum of 3.0 metres;
- (J) Despite Regulation 40.10.40.60(1) and (H) above, balconies may encroach into the required minimum **building setbacks** by a maximum of 1.5 metres, as follows:
 - (i) balconies along the south face of the building are only permitted at or above the 6th storey, to a maximum length of 55 percent of the facade;
 - (ii) despite (i) above, balconies may be permitted to a maximum length of 80 percent of the façade on up to 25 percent of the storeys;
 - (iii) no balconies on the south façade may be located closer than 3.0

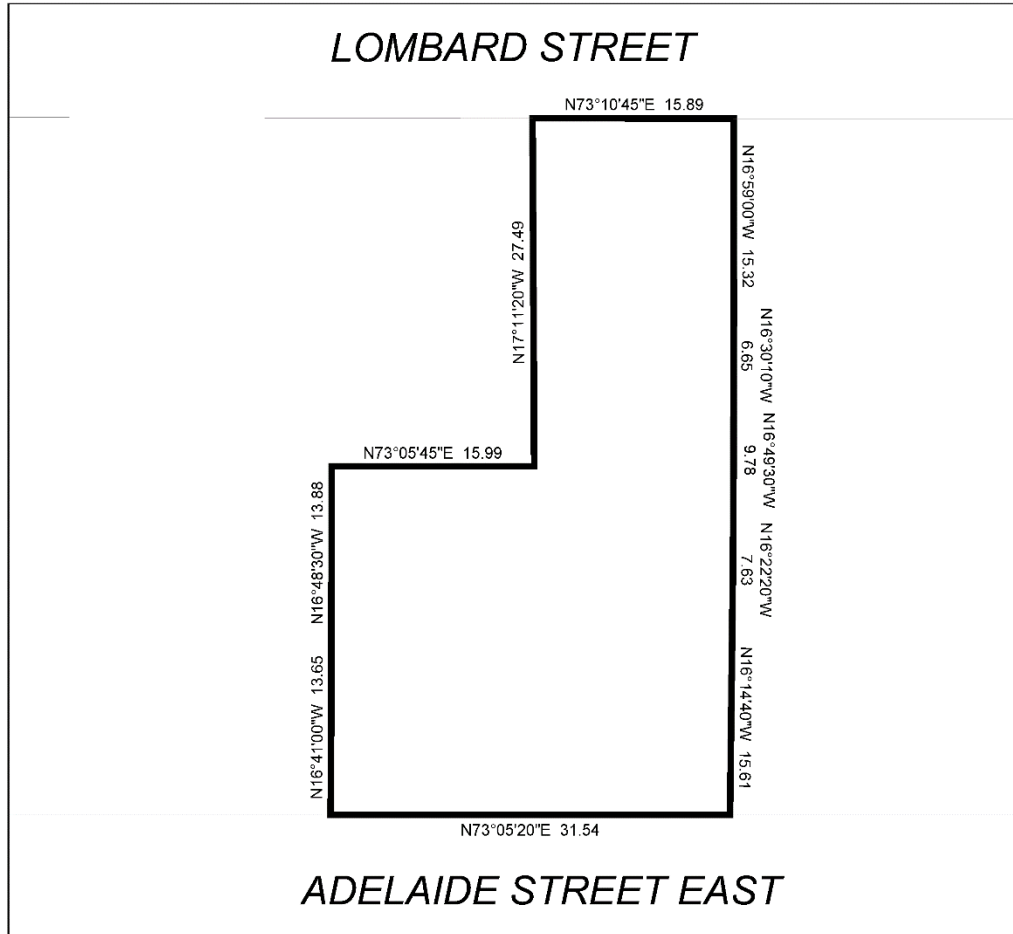
- metres to the southwest or southeast corners of the building;
- (iv) balconies along the east and west faces of the building within 18.5 metres of Adelaide Street East are only permitted at or above the 8th storey, provided that no balconies may be located closer than 3.0 metres to the southwest or southeast corners of the building; and
 - (v) all other balconies are only permitted at or above the 12th storey;
- (K) Despite Regulation 40.10.40.50(1), **amenity space** must be provided at a minimum rate of 3.1 square metres for each **dwelling unit**, of which:
- (i) at least 2.2 square metres for each **dwelling unit** is indoor **amenity space**; and
 - (ii) at least 40.0 square metres is outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**;
- (L) Regulation 40.10.40.50(2) with respect to **amenity spaces** for **buildings** with non-residential uses, does not apply;
- (M) The provision of **dwelling units** is subject to the following:
- (i) a minimum of 25 percent of the total number of **dwelling units** must have two or more bedrooms, of which a minimum of 10 percent of the total number of **dwelling units** must have three or more bedrooms; and
 - (ii) an additional 15 percent of the total number of **dwelling units** must have a combination of two and three bedrooms, or units that can be converted to 2 and 3 bedroom units through the use of accessible or adaptable design measures;
- (N) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, no **parking spaces** are required for residential visitors to the **building**;
- (O) Despite Regulation 200.15.10.10(1), a minimum of 2 accessible **parking spaces** are required;
- (P) Despite Regulation 230.5.1.10(4)(A)(ii), the required minimum width of a **stacked bicycle parking space** is 0.4 metres;
- (Q) Despite Regulation 230.5.1.10(10), both “long-term” and “short-term” **bicycle parking spaces** may be located in a **stacked bicycle parking space**;

- (R) The number of “long-term” **bicycle parking spaces** required by Regulation 230.5.10.1(5)(A) may be reduced, subject to the following:
- (i) the number of “long-term” **bicycle parking spaces** reduced is not more than half the amount required by Regulation 230.5.10.1(5)(A), rounded down to the nearest whole number;
 - (ii) for each “long-term” **bicycle parking space** required by Regulation 230.5.10.1(5) to be reduced, the owner or occupant must provide a payment-in-lieu to the City of Toronto; and
 - (iii) the owner or occupant must enter into an agreement with the City of Toronto pursuant to Section 40 of the Planning Act; and
- (S) Despite Regulation 230.40.1.20(2), “short-term” **bicycle parking spaces** may be located more than 30 metres from a pedestrian entrance to the **building**.
5. Despite any existing or future severance, partition or division of the lands shown on Diagram 1 of By-law [Clerks to insert By-law number], the provisions of this By-law shall apply to the whole lands as one lot as if no severance, partition, or division had occurred.

Prevailing By-laws and Prevailing Sections: (none apply)

Pursuant to Ontario Land Tribunal Decision/Orders issued [insert date] and [insert date], in Tribunal File OLT-24-001146.

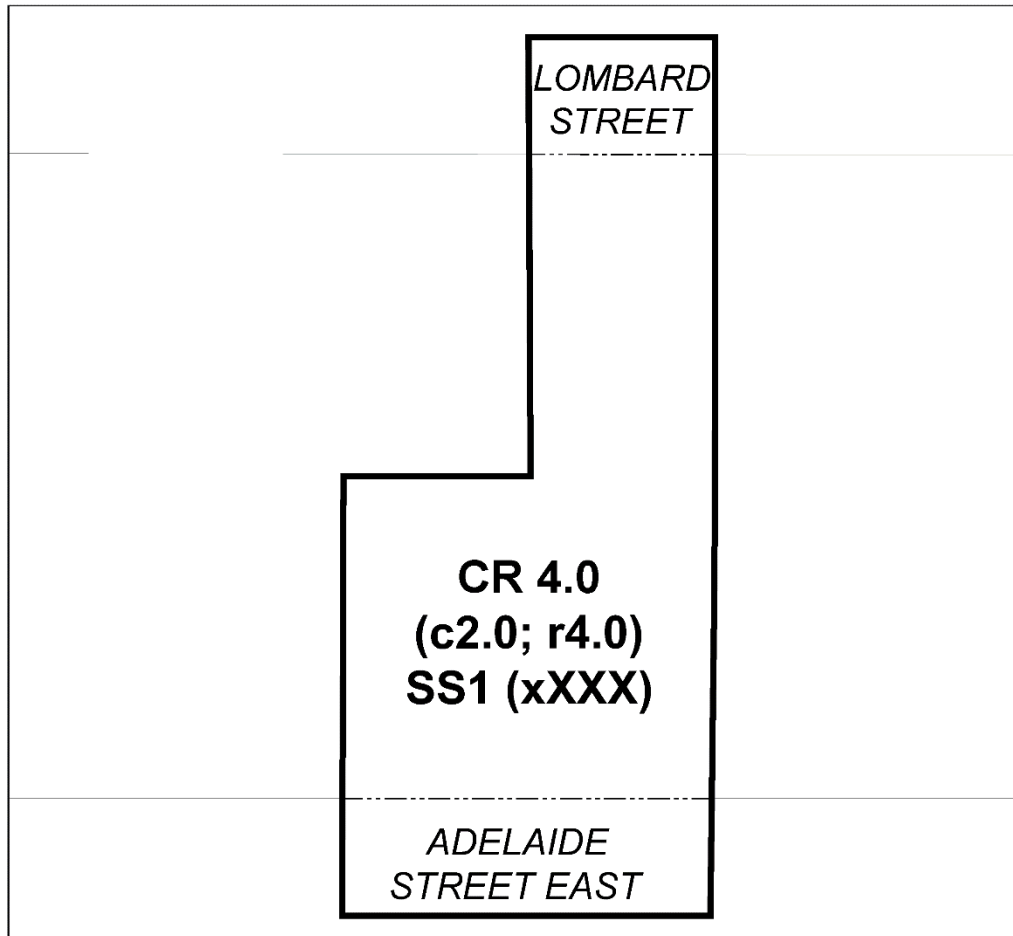
City of Toronto By-law No. ____ - 2025(OLT)

**110-112 Adelaide Street East and 85 Lombard Street****Diagram 1**

File #20 120404 STE 13 OZ

City of Toronto By-law 569-2013
Not to Scale

City of Toronto By-law No. ____ - 2025(OLT)



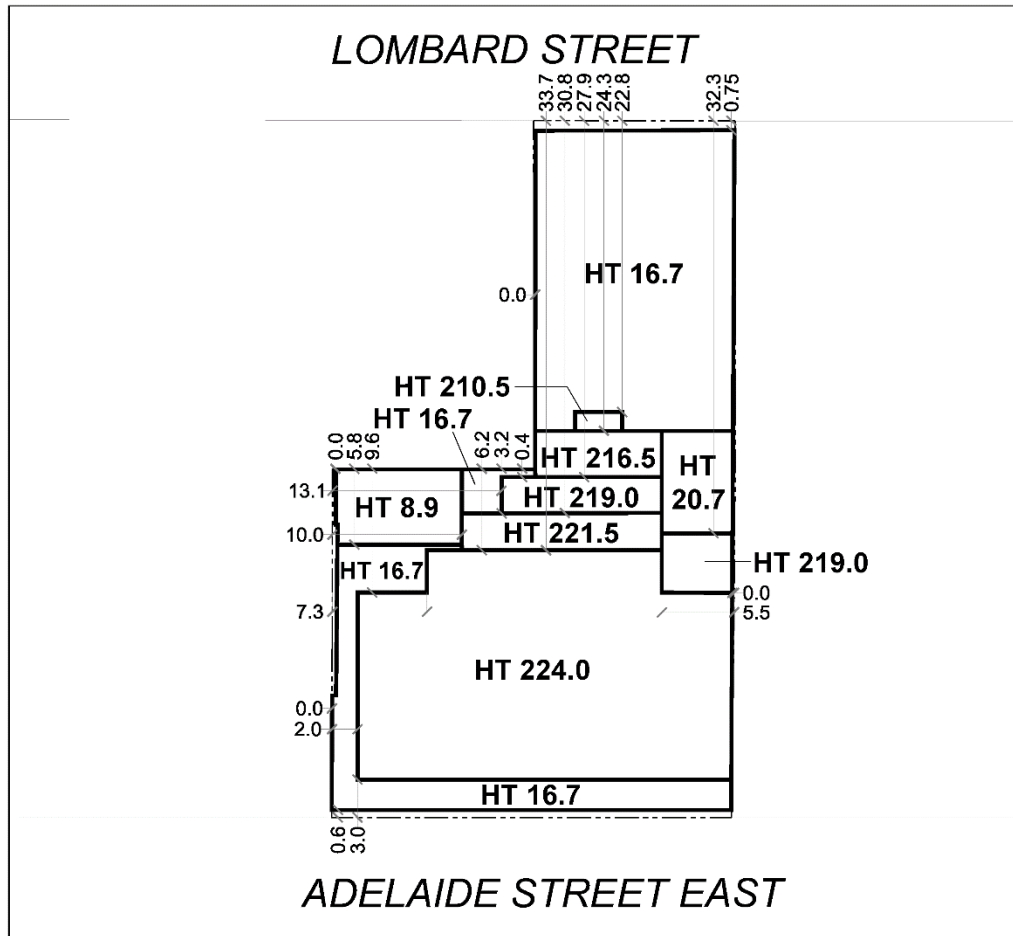
110-112 Adelaide Street East and 85 Lombard Street

Diagram 2

File #20 120404 STE 13 OZ

City of Toronto By-law 569-2013
Not to Scale

City of Toronto By-law No. ____ - 2025(OLT)



110-112 Adelaide Street East and 85 Lombard Street

Diagram 3

File #20 120404 STE 13 OZ