

Stikeman Elliott

Stikeman Elliott LLP
Barristers & Solicitors
5300 Commerce Court West
199 Bay Street
Toronto, ON Canada M5L 1B9

Main: 416 869 5500
Fax: 416 947 0866
www.stikeman.com

Calvin Lantz
Direct: +1 416 869 5669
clantz@stikeman.com

November 28, 2025
File No.: 155272.1002

**With Prejudice
By E-mail**

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

Attention: Ms. Aderinsola (Derin) Abimbola and Ms. Simona Messina:

Dear Ms. Abimbola and Ms. Messina:

**Re: OLT Case No. OLT-25-000228
4875 Dundas Street West, Toronto
With Prejudice Settlement Offer**

We are counsel to 4875 Dundas St. West Residences Limited (the “**Owner**”) in respect of the proposed redevelopment of its property at 4875 Dundas Street West, Toronto (the “**Property**”).

Our client filed appeals of its Official Plan and Zoning By-law Amendment applications (collectively, the “**Applications**”) for the Property on January 13, 2025, which are currently proceeding before the Ontario Land Tribunal (the “**Tribunal**”) under OLT Case No. OLT-25-000228 (the “**Appeals**”), with a 10-day hearing scheduled to commence on April 13, 2026.

As a result of our mediation on October 31, November 6, and November 19, 2025 for the Appeals (the “**Mediation**”) with City staff, we are pleased to present the following settlement offer to resolve the Appeals, which is being submitted on a “with prejudice” basis (the “**Settlement Offer**”):

- Revised plans, dated November 27, 2025, which include the following revisions to the original development plans submitted for the Property (collectively, the “**Revised Plans**”):
 - A maximum building height of 42-storeys excluding mechanical penthouse;
 - A maximum podium height of 5-storeys along Dundas Street West;
 - A maximum streetwall height of 4-storeys along Dundas Street West with a minimum 2 metre step back to floor 5 and above;
 - A maximum tower floor plate of 825 square metres;
 - The following setbacks:
 - The tower is setback a minimum of 10 metres from Dundas Street West and the tower portion of the building face along Dundas Street West will not have any

permitted balcony encroachments; in addition, base building balconies are not permitted to encroach into the ground floor setback to the front lot line;

- Floors 6 and above to be setback a minimum of 10 metres from the front lot line; additionally, floors 6 and above will be setback a minimum of 12.5 metres from the east and west lot lines; and
- A minimum 7.5 metre setback from the rear (south) lot line for floors 3 to 8, and from floors 9 and above to be setback a minimum of 12.5 metres from the east, west, and rear (south) lot lines.
- The podium of the redevelopment will include a notch within the northwest portion of the podium to allow for daylight to the existing building windows to the west of the Property;
- A minimum of 500 square metres of non-residential gross floor area dedicated to “C” uses in the CR Zone, which includes retail;
- A minimum unit mix of the following to adhere to the Growing Up Guidelines:
 - 15% dedicated to 2-bedroom units;
 - 10% dedicated to 3-bedroom units; and
- An updated Shadow Study for the Revised Plans dated November 27, 2025.

Should this settlement offer be accepted by the City, the parties the Parties shall jointly request that the Tribunal issue an interim Order granting “in principle” approval of the Revised Plans with the Tribunal’s final Decision and Order to be withheld until such time that the Tribunal has been advised by the City Solicitor that:

- a. The final form and content of the Zoning By-law Amendment and the Official Plan Amendment are satisfactory to the Executive Director, Development Review, and the City Solicitor, in consultation with other appropriate divisions;
- b. The Owner has, at its sole cost and expense:
 - i. submitted a revised Transportation Impact Study, inclusive of a vehicle maneuvering diagram, acceptable to, and to the satisfaction of the General Manager of Transportation Services;
 - ii. provided a revised Public Utility Plan, including Quality Level A data, to determine and confirm the location of utilities and tree planting to the satisfaction of the Chief Planner and Executive Director, City Planning and the Executive Director, Environment, Climate and Forestry;
 - iii. provided a Soil Volume Plan and a Landscape Plan, showing street trees, and section drawings to the satisfaction of the Chief Planner and Executive Director, City Planning and the Executive Director, Environment, Climate and Forestry;
 - iv. addressed all outstanding issues raised by the Executive Director, Environment, Climate and Forestry, in their memorandum dated September 5, 2024, as they relate to the application, including submitting an application to Injure or Remove Trees, and as it relates to tree planting, to the satisfaction of the Executive Director, Environment, Climate and Forestry;

- v. submitted a revised Functional Servicing and Stormwater Management Report to demonstrate that the existing sanitary 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;
 - 1. If the accepted Functional Servicing and Stormwater Management Report requires any new municipal infrastructure or upgrades to existing municipal infrastructure to support the development, then either:
 - a) 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 identified in the accepted Functional Servicing and Stormwater Management Report, to support the development, in a financial secured agreement, all to the satisfaction of the Director, Engineering Review, Development Review; or,
 - b) the required new municipal infrastructure or upgrades to existing municipal infrastructure to support the development in the accepted and satisfactory Functional Servicing and Stormwater Management Report are constructed and operational, all to the satisfaction of the Director, Engineering Review, Development Review;
- vi. addressed all outstanding issues raised by Development Engineering in the memorandum, dated September 17, 2024, and revised on October 29, 2024, to the satisfaction of the Director, Engineering Review, Development Review;
- vii. submitted a revised Pedestrian Level Wind Study, including a Wind Tunnel Study, that identifies any required mitigation measures to be implemented and secured through the zoning by-law and/or site plan control process to resolve wind safety exceedances and to improve pedestrian comfort, all to the satisfaction of the Executive Director, Development Review and Chief Planner and Executive Director, City Planning; and
- viii. provided a revised Compatibility and Mitigation Study, Air Quality, Dust, Odour, Noise and Vibration study to the satisfaction of the Executive Director, Development Review;
- c. City Council has approved the Rental Housing Demolition application (24 143880 WET 03 RH) in accordance with Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the *City of Toronto Act, 2006*, to permit the demolition of the 56 existing rental dwelling units, and the owner has entered into, and registered on title to the lands, one or more agreements with the City, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, securing all rental housing-related matters necessary to implement City Council's decision including:
 - i. replacement of the existing 56 rental housing units, with the same number of units, bedroom type and size and with similar rents; and
 - ii. an acceptable Tenant Assistance Plan addressing the right for existing and former tenants to return to a replacement rental unit.

The Owner commits to meet the applicable Toronto Green Standard Tier 1 performance measures for all planning processes as per the Schedule 3 Official Plan Application Requirements.

The Owner commits to further investigating two potential streetscape configurations along Dundas Street West, each providing 6-metre-wide minimum sidewalk zone between the building face and the street curb, which will accommodate a public sidewalk (2.1 minimum clearway), space for street furniture and for tree planting. The first configuration will include street tree planting next to the curb edge. The second configuration will include street tree planting between the public sidewalk and the building face. The final streetscape design will be determined through the Site Plan Control application on the Property.

We appreciate City staff's efforts in working with our client to address and resolve the issues related to the proposed development. Should this Settlement Offer be accepted by the City prior to April 13, 2026, we and the City will jointly request that the Tribunal schedule a one-day written settlement hearing as soon as practicable, with a view of requesting that the Tribunal approve the Applications, in principle, withholding its final Order pending confirmation from the City Solicitor that the conditions listed above have been satisfied.

This Settlement Offer supersedes and replaces all prior offers, agreements, negotiations, and understandings in respect of these matters and will remain open until the end of the City Council meeting scheduled to commence on December 16, 2025.

We trust that you will forward the terms of this Settlement Offer for City Council's review and consideration at its meeting commencing on December 16, 2025.

Yours truly,



Calvin Lantz

CL/cj

Enclosures

cc. Caroline Jordan, *Stikeman Elliott LLP*
Client