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WITHOUT PREJUDICE

January 22, 2026

By E-Mail: jamie.dexter@toronto.ca; matthew.longo@toronto.ca

Mr. Jamie Dexter and Mr. Matthew Longo
Legal Services
City of Toronto
Metro Hall
55 John St., 26th Floor
Toronto, ON M5V 3C6

Dear Messrs. Dexter and Longo:

**Re: Without Prejudice Settlement Offer
250, 252, 254 and 258 Viewmount Avenue, North York
OLT Case Nos: OLT-25-000044 and OLT-25-000045
City File Nos.: 24 185909 NNY 08 OZ
Appeal of Official Plan Amendment and Rezoning Applications**

Aird & Berlis LLP acts on behalf of Signature Hill Corporation (“Signature Hill” and/or the “Applicant”) with respect to its Official Plan and Zoning By-law Amendment applications for the properties municipally known as 250, 252, 254, and 258 Viewmount Avenue (collectively, the “Site”). The Site is located on the north side of Viewmount Avenue, east of the Glencairn Subway Station. The Site currently consists of single detached houses.

Arising from productive and extensive discussions with City staff and in response to comments from Urban Design, Planning, and other divisions, we are pleased to provide this **without prejudice settlement offer** for City Council’s consideration in advance of the Ontario Land Tribunal hearing scheduled to commence on April 13, 2026.

Background

On July 12, 2024, Signature Hill’s planning consultant, Weston Consulting, filed for Official Plan Amendment and Zoning By-law Amendment to permit the redevelopment of the Site for a 40-storey residential building with 477 dwelling units. The applications were deemed complete on August 19, 2024 and a community consultation meeting took place on November 4, 2024.

On January 16, 2025, the applications were appealed to the Ontario Land Tribunal (“**OLT**”), due to Council’s failure to make a decision within the statutory timeframe under the *Planning Act*. Notwithstanding the appeal, Signature Hill and the City have continued discussions to review and revise the proposal in response to those issues raised through the review process. The revised proposal reflects significant changes to address built form, massing, and public realm concerns identified in the staff report dated April 10, 2025.

Summary of the Revised Proposal

Signature Hill is prepared to proceed to a settlement hearing before the Ontario Land Tribunal based on the revised proposal, as reflected in the attached plans and as to be implemented in updated draft Official Plan Amendment and draft Zoning By-law Amendment.

The following material changes have been made to the development proposal, in response to comments from City staff and community members and are illustrated in the attached architectural plans prepared by Kirkor Architects & Planners, dated January 9, 2026.

Tower Setbacks:

- The north tower setback has been increased from 12.5 metres to 13 metres.
- The west tower setback has been increased from 12.5 metres to 12.91 metres.
- The south tower setback is reduced from 6.0 metres to 5.5 metres.
- The east tower setback is reduced from 21.0 metres to 20.54 metres.

The tower floor plate remains at 780m². Projecting balconies are maintained on each elevation.

Balcony Alignment:

- The alignment of the projecting balconies along the eastern elevation has been revised to address massing comments from Urban Design staff and to reflect the alignment on the western elevation.

Ground Floor Plan, Retail Offering and Outdoor Amenity Area:

- In response to a request from City staff, the ground floor plan has been revised by increasing the setback from the western property line from 3.0 metres to 5.5 metres. This has allowed additional outdoor amenity area to be placed in this location at grade.
- Through the reorganization of the ground floor, a new retail space, including an outdoor patio area, will be located at the southeast corner of the building.

Improved Public Realm:

- The public realm will be improved by introducing intentional landscape zones along Viewmount Avenue, including raised planter beds, with details to be considered and secured through the site plan control process. In addition, the pet relief area has been relocated from the south side of the building along Viewmount to the rear.

Parkland Dedication Requirement:

We understand that the City has agreed that the parkland dedication requirement, pursuant to Section 42 of the *Planning Act*, will be satisfied through a payment of cash-in-lieu of parkland, to be made prior to the issuance of the first above-grade building permit for the Site.

The City-owned parkland abutting the Site to the east shall remain free and clear, above and below grade, of all easements, encumbrances and encroachments associated with the proposed development, with the exception of permission for tie backs and any temporary shoring associated

with the installation for such tiebacks and, if necessary, a crane swing agreement to facilitate the construction of the below grade parking garage on the Site, where deemed acceptable by the General Manager, Parks and Recreation, in consultation with the City Solicitor. Such permissions are subject to compensation to be paid by the Applicant to the City prior to the issuance of the first above-grade building permit for the Site, to the satisfaction of the General Manager, Parks and Recreation, and Executive Director, Corporate Real Estate Management. The Applicant shall provide the City with certification issued by a licensed engineer retained by the Applicant evidencing the tiebacks located within Benner Park have been de-stressed and that the temporary shoring has been removed, all at their expense, prior to the issuance of the first above-grade building permit for the Site.

The 5-metre setback between the proposed residential building and the City-owned parkland abutting the Site to the east has been maintained.

Signature Hill and the City will continue discussions with respect to pursuing an on-site parkland dedication along the western portion of the property which is currently designed as private outdoor amenity area. It is acknowledged that such a dedication can only be achieved if the City is prepared to accept a stratified parkland dedication to allow the parkland to be encumbered with a parking garage as per the current plans.

Similarly, Signature Hill and the City will continue discussions with respect to potential in-kind contributions not to exceed the 4% value attributed to the Site which is payable in fulfillment of Signature Hill's obligations to provide a Community Benefit Charge.

This **without prejudice settlement offer** is conditional upon the following:

1. The Settlement Proposal will be the subject of an *in camera* report for consideration by City Council at its next available meeting which we understand to be February 4th and 5th.
2. Should City Council accept the Settlement Proposal the City will advise the Tribunal of the decision of City Council as soon as possible; the City will consent to the approval of the Settlement Proposal by the Tribunal, and confirm that it has resolved its issues such it will no longer be calling any witnesses and that the City's issues may be removed from the Issues List in the Tribunal approved Procedural Order.
3. The City will consent to:
 - a. any required extensions or modifications to the Tribunal approved Procedural Order including but not limited to: the filing of revised plans for adjudication by the Tribunal, any meetings of experts, dates for filing of witness statements and reply witness statements and filing of visual evidence; and
 - b. the issuance of an Interim Decision of the Tribunal approval the OPA and ZBLA in principle, with a Final Order to be withheld until the below conditions of the City have been satisfied to the satisfaction of the City Solicitor and the Executive Director, Development Review:
 - i. the final form and content of the Official Plan Amendment is to the satisfaction of the City Solicitor and the Executive Director, Development Review;

ii. the final form and content of the Zoning By-law Amendment is to the satisfaction of the City Solicitor and the Executive Director, Development Review, which Amendment may include a Holding (H) provision that may include for its removal the following conditions:

- 1) The Owner, at its sole cost and expense, has submitted a revised Functional Servicing and Stormwater Management Report and Sanitary Capacity Analysis 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 Director, Engineering Review, Development Review; and
- 2) If the Functional Servicing and Stormwater Management Report and Sanitary Capacity Analysis accepted and satisfactory from i. above require 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 and Sanitary Capacity Analysis to support the development, in a financially 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 Functional Servicing and Stormwater Management Report and Sanitary Capacity Analysis in i. above are constructed and operational, all to the satisfaction to the Director, Engineering Review, Development Review; and
- 3) All necessary approvals or permits arising from 2) a. or 2) b. above are obtained, where required, all to the satisfaction to the Director, Engineering Review, Development Review;
- 4) The City has received, reviewed and accepted the updated Transportation Impact Study, to the satisfaction of the Executive Director, Transportation Review, Development Review;

iii. The Owner has arranged a site visit with City Planning staff to confirm existing conditions, including the number of rental dwelling units on the subject property;

iv. The Owner has provided a lawyer's legal undertaking to the City, or other documentation, to the satisfaction of the City Solicitor and the Chief Planner & Executive Director, City Planning, to secure the required Tenant Relocation and Assistance Plan pertaining to the existing rental dwelling unit(s) proposed to be demolished.

v. The Owner has satisfactorily addressed the Transportation Services and Engineering and Construction Services matters in the Engineering and Construction Services

Memorandum dated September 19, 2024, and any outstanding issues arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Official Plan and Zoning By-law Amendment application, to the satisfaction of the Executive Director, Transportation Review, Development Review and the Director, Engineering Review, Development Review;

vi. The Owner has satisfactorily addressed matters from the Urban Forestry, Tree Protection and Plan Review, Memorandum dated September 17, 2024, or any outstanding issues raised by Urban Forestry arising from the ongoing technical review (including provision of acceptable reports and studies), as they relate to the Official Plan and Zoning By-law Amendment application, to the satisfaction of the Executive Director, Environment, Climate and Forestry;

vii. The Owner has submitted a revised Travel Demand Management Plan to the satisfaction of the Executive Director, Development Review and the Chief Planner & Executive Director, City Planning;

viii. The Owner has provided a revised wind study including a wind tunnel test, with any with recommended mitigation measures secured in the Zoning By-law Amendment and through the Site Plan Control process, to the satisfaction of the Chief Planner & Executive Director, City Planning; and

ix. The Owner has, at its sole cost and expense, facilitated the City undertaking a peer review of the submitted Noise and Vibration Assessment, and secured any recommended mitigation measures in the Zoning By-law Amendment, all to the satisfaction of the Executive Director, Development Review.

The City agrees to work with Signature Hill and its consultants to address the above conditions in an efficient and expedient manner should Signature Hill seek to minimize the necessity of any holding provisions in the final instruments to be approved by the Tribunal.

This without prejudice settlement offer remains open until the close of the City Council meeting of February 4th and 5th. Should City Council not consider this offer at its meeting or should City Council refuse this offer it should be considered revoked.

Should you have any questions arising from the above, kindly contact the undersigned at 416.865.4740 or ecostello@airdberlis.com.

Yours truly,

AIRD & BERLIS LLP



Eileen P. K. Costello
EPKC
Encl.