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November 4, 2020  
File No.: 129453.1243

**Without Prejudice & Confidential**

**By E-mail**

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City of Toronto, Legal Services  
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Attention: Gabe Szobel and Amanda Hill

Dear Mr. Szobel and Ms. Hill:

**Re: LPAT Case No. PL180544**

**OPA 393 (By-law 494-2018) – ConsumersNext Secondary Plan – Appeal  
Pursuant to Section 17(24) of the *Planning Act*  
Settlement Offer**

As you know, we are counsel to Elad Canada Inc. (“**Elad**”) with respect to its appeal (the “**Appeal**”) to the Local Planning Appeal Tribunal (the “**LPAT**”) of Official Plan Amendment No. 393 (“**OPA 393**”) for the ConsumersNext Secondary Plan (the “**Secondary Plan**”).

Following without prejudice discussions between City staff and Elad, we are writing this letter to present our client’s final settlement offer with respect to the Appeal, which will be in accordance with the following terms:

1. ' The City and Elad agree to support the approval of an amendment to Chapter 6 of the Official Plan—namely, an amendment to the Secondary Plan to introduce a site-specific policy for the property municipally known as 2550 Victoria Park Avenue, and 2, 4, and 6 Lansing Square (the “**Property**”), substantially in accordance with the following (the “**Settlement Policy**”):
  - (a) ' That notwithstanding the policies of the Secondary Plan, development on the Property containing more than 50 residential units will include:
    - (i) ' A minimum of 30 percent of the total number of residential units as 2-bedroom units, with a minimum of 25 percent of these 2-bedroom units having a minimum unit size of 87 square metres of gross floor area; and
    - (ii) ' A minimum of 10 percent of the total number of residential units as 3-bedroom units, with a minimum of 30 percent of these 3-bedroom units having a minimum unit size of 100 square metres of gross floor area.
2. ' Following City Council’s acceptance of this settlement offer, the City and Elad shall, forthwith, jointly request that the LPAT approve the Settlement Policy referenced in paragraph 1 above, in

full settlement of the Appeal, which, for clarity, includes settlement of all issues raised through the Appeal, including Elad's appeal of:

- (a) Policy 7.2 of the Secondary Plan, regarding minimum bedroom counts and unit sizes; and
  - (b) Policies 1.1.3, 3.5, 6 (preamble), 6.4, 6.13, 9 (preamble), 9.16, and 9.17 of the Secondary Plan, regarding the use of holding (H) symbols with respect to certain transportation and infrastructure-related matters.
3. Once the LPAT's approval of the Settlement Policy referenced in paragraph 1 above becomes final and binding and the Settlement Policy comes into force, Elad shall withdraw its Official Plan Amendment application, which is currently proceeding under Application No. 19 147759 NNY 17 OZ.
  4. The City and Elad shall each bear their own costs in connection with the Appeal and shall not make requests to the LPAT for costs in connection with the LPAT Appeal.

As part of accepting this without prejudice settlement offer, City Council would direct the City Solicitor, and other appropriate staff, to attend before the LPAT in support of the settlement and to prepare any required official plan amendment for approval by the LPAT.

The settlement offer presented under this letter supersedes and replaces all prior offers, agreements, negotiations, and understandings in respect of these matters.

This without prejudice settlement offer will remain open until the end of the City Council meeting scheduled to commence on November 25, 2020.

Until such time as City Council accepts this settlement offer, the content and details of this offer are to remain strictly confidential and without prejudice.

We trust that you will forward the terms of this final settlement offer for City Council's review and consideration at its meeting commencing November 25, 2020.

We look forward to receiving your response. Please contact the undersigned if you wish to discuss further.

Yours truly,



Jonathan S. Cheng

JSC/rw

cc. ' Guy Matthew, *City of Toronto*  
Tony Volpentesta, *Bousfields Inc.*  
Client