



Reply to the Attention of: Mary Flynn-Guglietti
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Our File No.: 222681
Date: January 25, 2022

BY EMAIL - cameron.mckeich@toronto.ca and laura.bisset@toronto.ca

WITHOUT PREJUDICE

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

Attention: Cameron McKeich and Laura Bisset

Dear Mr. McKeich and Ms. Bisset,

Re: OLT Case Nos. OLT-22-002343 and OLT-22-001933
Subject Matter: Official Plan Amendment Nos. 231 and 469
of the City of Toronto's Official Plan
Appellant: Amexon Realty Inc.
Re: Without Prejudice Settlement Offer

We are counsel to Amexon Realty Inc. ("**Amexon**"), owner of the lands municipally known as 701-703 Evans Avenue (the "**Properties**") in the City of Toronto (the "**City**"), in connection with the above-referenced appeals.

On behalf of Amexon we filed appeals of OPA 231 and OPA 469 (Sherway Secondary Plan) regarding the Properties. Ontario Land Tribunal hearings in connection with our appeals have been scheduled to commence on April 24, 2023 regarding our OPA 231 appeal (OLT-22-002343 – Phase 6C- South West Etobicoke) and October 30, 2023 regarding our OPA 469 appeal (OLT-22-001933 – Sherway Secondary Plan). We have been engaged in settlement discussions with staff of the City of Toronto with respect to both appeals over an extended period of time.

Amexon is prepared to agree to a comprehensive settlement of both its OPA 231 appeal and its OPA 469 appeal on the basis of the draft modifications to both OPA 231 and OPA 469 attached which set out site-specific policies that would apply to the Properties.

I look forward to hearing from you.

Yours truly,

A handwritten signature in blue ink that reads "Mary Flynn-Guglietti". The signature is written in a cursive, flowing style.

Mary Flynn-Guglietti*

*A Professional Corporation

Cc. Amexon Developments Inc. c/o Joe Azouri
Gagnon Walker Domes Ltd. c/o Richard Domes

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Modifications to OPA 231 and OPA 469 City of Toronto Official Plan

Official Plan Amendment No. 231 is modified as follows:

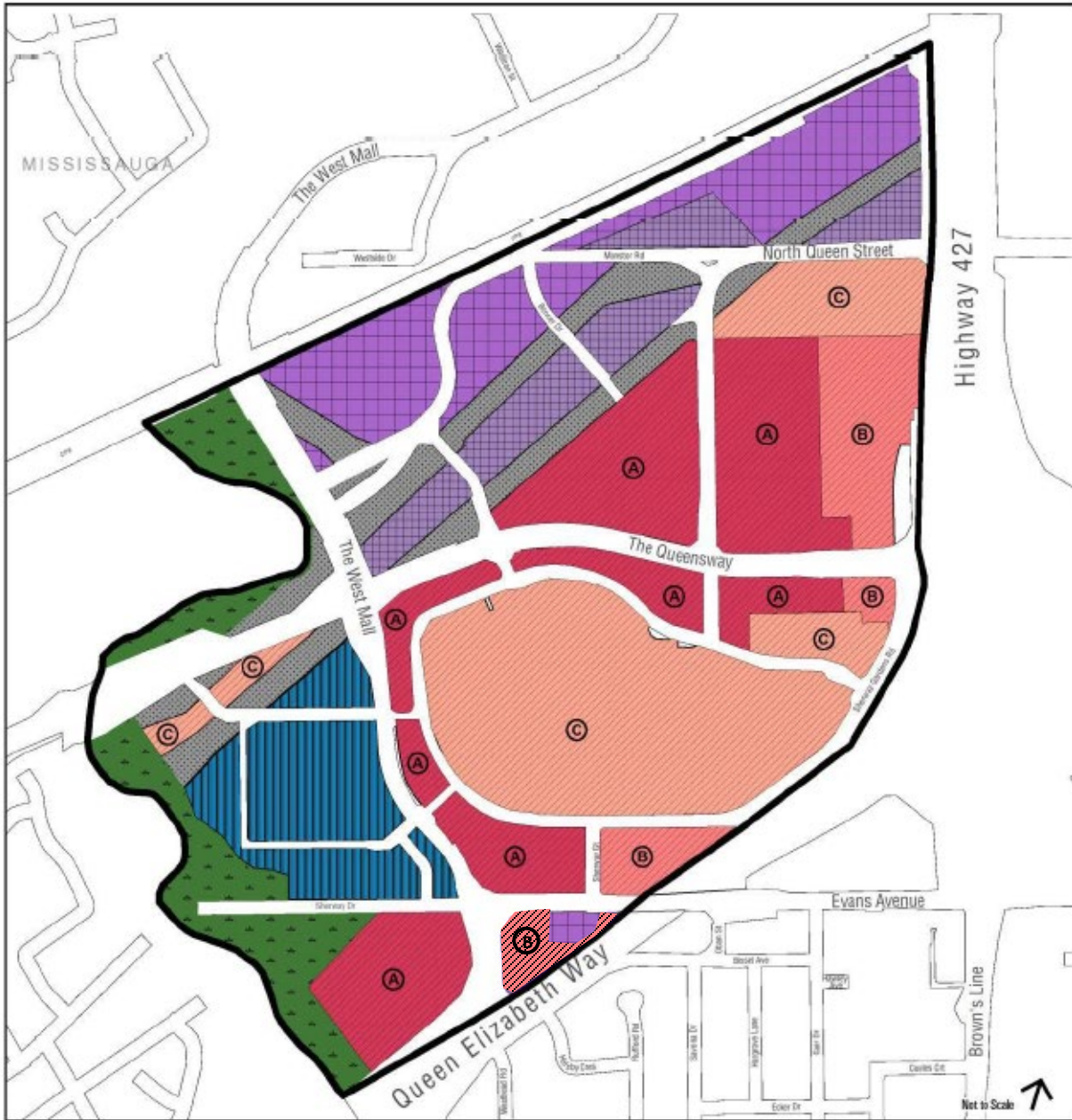
1. Map 2, Urban Structure, is amended by deleting *Employment Areas* for a portion of the lands known municipally in 2022 as 701-703 Evans Avenue.
2. Map 15, Land Use Plan is amended by re-designating the lands known municipally in 2022 as 701-703 Evans Avenue from *Employment Areas* to *Mixed Use Areas*, as shown below.



Official Plan Amendment No. 469 is modified as follows:

1. MAP 43-5 Land Use Plan is amended by re-designating the lands known municipally in 2022 as 701-703 Evans Avenue from *Core Employment Areas* to *Mixed Use Areas B – Office Commercial*, as shown below:

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Sherway Area Secondary Plan
MAP 43 - 5 Land Use Plan

- Sherway Area Secondary Plan Boundary
- Mixed Use Areas A - Residential
- Mixed Use Areas B - Office Commercial
- Mixed Use Areas C - Retail
- Natural Areas
- Institutional Areas
- Core Employment Areas
- General Employment Areas
- Utility Corridors

2. Policy 10.35, QEW Office Precinct, is deleted and replaced with the following:

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'10.35 The QEW Office Precinct will be maintained as an area for employment uses, where office commercial uses will be prioritized pursuant to the policies in the Plan.

3. Policy 12.3, Site and Area-Specific Policies, is deleted and replaced with the following:

'701-703 Evans Avenue

12.3.1 Despite Policy 5.9, on the lands municipally known as 701-703 Evans Avenue, residential and other sensitive land uses may be considered on the portion of the lands identified as Area 'A' on Map 12.3 below, provided that:

12.3.1.1 a minimum office gross floor area of 19,673 square metres or 100 percent replacement of the existing office gross floor area, excluding any floor area associated with the existing above ground parking structure attached to the existing mid-rise building known as 703 Evans Avenue, whichever is greater, will be developed and/or retained on the lands prior to or concurrent with any residential or other sensitive land uses on Area 'A';

12.3.1.2 redevelopment of the remainder of the lands on Map 12.3 below will provide a sufficient non-residential land use buffer on the lands, and separation from adjacent major transportation facilities, to the City's satisfaction;

12.3.1.3 redevelopment of the lands will maintain singular access from Sherway Gate/Evans Court;

12.3.1.4 it is demonstrated that the liveability of the proposed residential dwelling units and/or occupancy of other sensitive land uses will not be adversely impacted by excessive noise, odour, vibration, or poor air quality

12.3.1.5 In addition, to the minimum office gross floor area in 12.3.1.1 above, the maximum floor space index permitted for residential and other sensitive land uses on the lands will be determined in accordance with Policy 6.4 of this Plan through a zoning by-law amendment and in no event will the floor space index for residential and other sensitive land uses exceed 2.5 times the gross site area of the part of the site designated *Mixed Use Areas 'B'*;

12.3.1.6 any new development containing residential units in Area 'A' will secure a minimum amount of affordable housing as follows:

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- i. if a condominium development is proposed, a minimum of 10 percent of the total new residential gross floor area shall be secured as affordable ownership housing or a minimum of 7 percent of the total new residential gross floor area shall be secured as affordable rental housing; or
- ii. if a purpose-built rental development is proposed after 2025, a minimum of 5 percent of the total new residential gross floor area shall be secured as affordable rental housing;
- iii. the affordable housing shall be secured at affordable rents or affordable ownership prices for a period of at least 99 years from the date of first residential occupancy of the unit; and
- iv. the unit mix of the affordable housing shall reflect the market component of the development, as appropriate, to achieve a balanced mix of unit types and sizes and support the creation of affordable housing suitable for families.

12.3.1.7 Where a complete application for a Zoning By-law Amendment has not been filed prior to January 1, 2025, the affordable rental housing required in Policy 12.3.1.6 i. will increase by 1.5 percent per year. Affordable ownership housing requirements will be set at one point four times the affordable rental housing requirements;

12.3.1.8 The provision of affordable housing required by Policy 12.3.1.6 shall be secured through one or more agreements with the City;

12.3.1.9 Conditions to be met prior to the removal of any holding ("H") provision on the lands shall include the following:

- i. Entering into a Municipal Housing Project Facility Agreement or such other agreement(s) as may be satisfactory to the City Solicitor to secure the provision of affordable housing; and
- ii. The submission and acceptance of a Housing Issues Report, to the satisfaction of the Chief Planner and Executive Director, that identifies the unit mix, unit sizes, and how affordable housing requirements will be met;

12.3.1.10 If an Inclusionary Zoning By-law takes effect and is applicable to development on the lands, then the Official Plan Inclusionary Zoning policies and by-law, as may be amended, will prevail, and the affordable housing requirements in Policy 12.3.1.6

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and Policy 12.3.1.7 will no longer apply, but only provided the applicable Inclusionary Zoning policy and by-law requirements meet or exceed the requirements of Policy 12.3.1.6 and Policy 12.3.1.7 above; and,

12.3.1.11 To achieve the intent of Policy 8.7, purpose built rental housing shall be encouraged on the lands'

