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File No. 702863

WITHOUT PREJUDICE

January 23, 2023

By E-Mail

Laura Bisset, Deputy Director and Cameron McKeich, Solicitor
Planning & Administrative Tribunal Law
City of Toronto, Legal Services
55 John Street, 26th Floor
Toronto, Ontario
M5V 3C6

Dear Ms. Bisset and Mr. McKeich:

**Re: Without Prejudice Settlement Offer
Appeal of City of Toronto Official Plan Amendment No. 231
Appeal by 2130254 Ontario Inc. re: 51 Manstor Road, Toronto
OLT Case No.: OLT-22-002343**

We are counsel to 2130254 Ontario Inc. ("213"), the owner of 51 Manstor Road, Toronto ("51 Manstor"), and an appellant of City of Toronto Official Plan Amendment No. 231 ("OPA 231").

As you know, the Ontario Land Tribunal (the "OLT") has scheduled a 10-day hearing for our client's appeal of OPA 231, together with an appeal by Amexon Realty Inc., with the hearing to commence on April 24, 2023.

We are writing to propose a settlement to resolve 213's appeal of OPA 231 in its entirety on the following terms:

1. 213 and the City of Toronto (the "City") will jointly request that the OLT allow 213's appeal of OPA 231, in part, by modifying OPA 231 as adopted by City Council and approved by the Minister of Municipal Affairs and Housing ("MMAH") to redesignate 51 Manstor as "*General Employment Areas*", rather than "*Core Employment Areas*".
2. 213 and the City will cooperate in leading evidence and making submissions to the OLT in support of the redesignation of 51 Manstor as "*General Employment Areas*".

3. City staff will report on 213's outstanding request to the City for an employment land conversion through the City's current Municipal Comprehensive Review ("MCR") process, which request was submitted to the City on July 30, 2021 and assigned Request No. 63 (the "MCR Request"). It is acknowledged and agreed that 213 may continue to pursue any designation for 51 Manstor, including a "Mixed Use Areas" designation, through the MCR Request.
4. 213's outstanding site-specific appeal of portions of City of Toronto Official Plan Amendment No. 469 (Sherway Area Secondary Plan) under OLT Case No. OLT-22-001933 ("OPA 469") shall remain adjourned *sine die*, pending a final decision of the MMAH in respect of the MCR Request.
5. In addition, 213 and the City agree that Policies 12.1 and 12.2 of OPA 469, as approved by the OLT, shall continue to apply to 51 Manstor and that 213's appeal of Policy 10.4 of OPA 469 on a Plan-wide basis shall remain adjourned *sine die* pending the outcome of appeals by others of City of Toronto Official Plan Amendment No. 536 under Case No. OLT-22-003472.

This settlement offer is conditional upon it being considered and accepted by City Council at its meeting that is currently scheduled to begin on February 7, 2023.

We look forward to hearing from you following the City Council meeting next month. In the meantime, please do not hesitate to contact us if you have any questions regarding this settlement offer or if you require anything further prior to this matter being considered by City Council.

Yours truly,
DAVIES HOWE LLP



Mark R. Flowers
Professional Corporation

copy: Client
Rosemarie Humphries, Humphries Planning Group Inc.