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File No. 22186

April 19, 2023

WITHOUT PREJUDICE

Mr. Daniel Elmadany
Solicitor, City of Toronto, Legal Services
Planning & Administrative Tribunal Law Section
55 John Street, 26th Floor Metro Hall,
Toronto, ON., M5V 3C6

Dear Mr. Elmadany

**Re: Our client: 333 Sheppard Avenue East Limited
Appeal to the OLT of OPA 560 [OLT Case No. OLT-22-002705]
Subject Property: 327 & 333 Sheppard Avenue East as well as all lands east of those
to the eastern limit of OPA 560**

We thank the City for the ongoing discussions with our client to resolve its above-noted appeal. Our client acknowledges the City's on-going review of a portion of the Sheppard East Subway Corridor Secondary Plan generally from west of Bayview Avenue to the east of Leslie Avenue and that appropriate policies applicable to lands within that updated Secondary Plan will be determined through that review process. Our client intends to participate in that process. It is that process which has provided the opportunity for this settlement offer. On behalf of our client, 333 Sheppard Avenue East Limited, we are pleased to offer to settle the above-noted Ontario Land Tribunal ("OLT" or "Tribunal") appeal on the terms outlined below.

1. The boundaries of OPA 560 will be modified to remove the properties known municipally as 327 & 333 Sheppard Avenue East as well as all lands on the south side of Sheppard Avenue East lying between 333 Sheppard Avenue East and the eastern limit of OPA 560.
2. Upon the City advising our client that this settlement offer is accepted, our client will immediately advise the OLT and all other parties that:
 - a. Our client and the City have settled the appeal and that, accordingly, our client's issues are resolved on the basis of Council's resolution supporting the proposed

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modifications to the OPA 560, that no Witness Statements will be filed by 333 Sheppard Avenue East Limited regarding OPA 560 and that the City will not be submitting Witness Statements respecting our client's appeal (but acknowledging that the City may have other appellants with outstanding concerns); and

- b. The proposed modification will fully resolve our client's appeal and that the balance of the appeal can be dismissed by the OLT.
3. Either the City or our client (at the City's option) will lead land use planning evidence in support of the modification, if requested to do so by the OLT; and
4. Both parties will bear their own costs throughout.

We thank City Council for its careful consideration of this settlement offer at its meeting commencing on May 10, 2023 and look forward to the City's response.

Yours very truly,



Ira T. Kagan

Please reply to the: Yorkville Office