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June 24, 2025

Without Prejudice

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File No. 0070704.0978

Mr. Nathan Muscat
Solicitor, Planning & Administration Tribunal Law
City of Toronto Legal Services
Metro Hall, 55 John Street, 26th Floor
Toronto ON M5V 3C6

Dear Mr. Muscat:

**Re: Without Prejudice Settlement Proposal – Downsview Secondary Plan
Downsview Power Centre Appellants
OLT File No. OLT-24-000829**

We are writing to provide the City with a formal settlement proposal with respect to appeals of the City's Official Plan Amendment 716, enacted as By-law Number 708-2024 (the "**Downsview Secondary Plan**").

The City adopted the Downsview Secondary Plan on June 27, 2024. On July 26, 2024, First Long Weekend Developments Inc., Costco Wholesale Canada Ltd., and Home Depot Holdings Inc. (the "**Downsview Power Centre Owners**") each appealed the Downsview Secondary Plan.

The Downsview Power Centre Owners have scoped their appeals to the lands known as the Wilson South area of the Downsview Secondary Plan. Policies applying to the Wilson South area are included in Section 12.4 of the Plan.

On behalf of the Downsview Power Centre Owners, we are proposing the addition of four Policies into Section 12.4, as set out in **Attachment "A"** to this letter. The inclusion of these policies in the Downsview Secondary Plan, if accepted by the City, would finally resolve the appeals of each of the Downsview Power Centre Owners.

We look forward to working with you to complete the settlement of this matter. If you have any questions, require any further information, or would like to discuss any of the above, please contact the undersigned, copying counsel to each of the Downsview Power Centre Owners.

Yours very truly,

MILLER THOMSON LLP

Jesse White
Associate
JW/jw

c.
Roslyn Houser, Goodmans LLP
Jason Park, Kagan Shastri DeMelo Winer Park LLP
David McKay, MHBC
David Tang, Miller Thomson LLP

Enclosure



ATTACHMENT “A”

Section 12.4 of the Downsview Secondary Plan is amended to include the following policies after policies 12.4.3:

- 12.4.4. Notwithstanding 7.1.1 and 7.1.3, the Maximum Permitted Gross Density of 3.5 FSI shown on Map 7-6 for Wilson South shall be applied on a development site by development site basis.
- 12.4.5. Notwithstanding Policy 6.2.2 and any other policy of this Plan, the existing large scale, stand alone retail stores and their associated surface parking and ancillary uses within Wilson South shall continue to be permitted.
- 12.4.6. New buildings, addition or expansion of a building and/or structure are permitted provided they do not exceed 10 percent of the gross floor area of the existing buildings and structures on the lot as they existed on the date of adoption of this Plan.
- 12.4.7. Complete applications to introduce sensitive land uses, including residential uses, will be required to submit a Compatibility/Mitigation Study in accordance with the Compatibility/Mitigation Policies set out in Section 2.2.4 of the Official Plan. In addition to the requirements identified in the Official Plan, the Compatibility/Mitigation Study will include identifying and evaluating options to achieve appropriate design, buffering and/or separation distances between the proposed sensitive land uses and large scale, stand alone retail uses in Wilson South and ensure the liveability of the proposed residential living units or occupancy of other sensitive land uses will not be adversely impacted with respect to noise, odour, vibration and air quality.