

Whereas on July 6, 2022 Council adopted Resolution 0162-2022, approving the following recommendations:

1. That Council consent to the proposed settlement of the Ontario Land Tribunal appeal pertaining to 420 Lakeshore Road East consistent with the terms outlined in Corporate Report "Instructions on a proposed settlement of the appeal to the Ontario Land Tribunal by 2828778 Ontario Inc. for a non-decision of the Official Plan Amendment and Zoning By-law Amendment applications with respect to the lands located at 420 Lakeshore Road East, (Ward 1)".
2. That the City Solicitor, or her designate, be authorized to execute a Memorandum of Understanding and related documents with 2828778 Ontario Inc. to effect the proposed settlement, on terms generally consistent with Appendix 2.
3. That the City Solicitor, or her designate, be authorized to take such additional steps required to complete and implement the proposed settlement of the Ontario Land Tribunal appeal relating to 420 Lakeshore Road East with the assistance of such City staff or consultants as may be appropriate and that the Commissioner of Planning and Building and the City Clerk be authorized to execute any documents which may be required to complete and implement such settlement, other than the Memorandum of Understanding or Minutes of Settlement.

And Whereas the application under File OZ 20/009 W1, 420 Lakeshore Road East was submitted by 2828778 Ontario Inc. to change the Official Plan designation to Residential High Density and the zoning to H-RA5-Exception and subsequently appealed to the Ontario Land Tribunal for a non-decision.

And Whereas Planning and Building staff have been advised by way of a letter dated March 15, 2024 from Robert Kligerman, Solicitor representing the owner, Keslassy Freedman Gelfand LLP, that the property 420 Lakeshore Road East has since been purchased by S.W.J. Realty Inc. on March 7, 2023.

Now Therefore Be It Resolved:

That Resolution 0162-2022 to be amended to reflect the new owner of 420 Lakeshore Road East as follows:

1. That Council consent to the proposed settlement of the Ontario Land Tribunal appeal pertaining to 420 Lakeshore Road East consistent with the terms outlined in Corporate Report "Instructions on a proposed settlement of the appeal to the Ontario Land Tribunal by S.W.J. Realty Inc. for a non-decision of the Official Plan Amendment and Zoning By-law Amendment applications with respect to the lands located at 420 Lakeshore Road East, (Ward 1)".
2. That the City Solicitor, or her designate, be authorized to execute a Memorandum of Understanding and related documents with S.W.J. Realty Inc. to effect the proposed settlement, on terms generally consistent with Appendix 2.
3. That the City Solicitor, or her designate, be authorized to take such additional steps required to complete and implement the proposed settlement of the Ontario Land Tribunal appeal relating to 420 Lakeshore Road East with the assistance of such City staff or consultants as may be appropriate and that the Commissioner of Planning and Building and the City Clerk be authorized to execute any documents which may be required to complete and implement such settlement, other than the Memorandum of Understanding or Minutes of Settlement.