

NY34.70.1

North York Community Council - 500 Sheppard Avenue East, Item NY34.70

From: "Marc P. Kemerer" <MKemerer@blaney.com>
To: "nycc@toronto.ca" <nycc@toronto.ca>
Date: 08/07/2014 12:03 PM
Subject: 500 Sheppard Avenue East, Item NY34.70
Attachments: image001.jpg; image006.jpg; Letter to NYCC re 500 Sheppard E Item NY34 70.pdf

Good Morning:

We represent Mallpaks Developments Limited, the owner of the above-noted property. Please find attached our letter with respect to the 23 July 2014 Planning Report on the property, which Community Council will consider at its meeting next week as Item NY34.70.

We would be grateful if you could distribute this correspondence to the Members of Community Council and add Blaney McMurtry LLP to the list of deputants for this item.

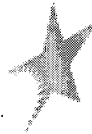
Regards,

Marc Kemerer

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August 6, 2014

North York Community Council
North York Civic Centre
5100 Yonge Street
North York M2N 5V7

Delivered By Email: nycc@toronto.ca

Dear Councillors:

**Re: Official Plan and Zoning By-law Amendment Applications (the
“Applications”)
500 Sheppard Avenue East (the “Subject Property”)
23 July 2014 City Planning Staff Report (the “Report”)
Item NY34.70**

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We represent Mallpaks Developments Limited (“Mallpaks”), the owner of the Subject Property. The Subject Property is located at the north-west corner of Bayview and Sheppard Avenues, adjacent to the Bayview subway station on the Sheppard Subway Line.

At its meeting of 12 August 2014, North York Community Council will have the above-noted Report before it for consideration. We have reviewed the Report with our client and consultants. As the Report notes, the Applications have been revised to propose a terraced mixed use building of up to 29 storeys in height containing 310 apartment dwellings as well as 2,998 m² of commercial floor space in the podium base and the mid-base components of the proposed tower. The 310 residential units proposed include five grade-related (5) live-work units. The revised proposal now stands at a density of 4.76 FSI.

In reviewing the Report, it is important to understand the area and design context for the proposed height and density, and the rationale for the revisions:

1. the Subject Property is located in an area exceptionally well served by TTC bus, subway and GO Transit services. It is also in close proximity to Highways 401 and 404/Don Valley Parkway. The Subject Property is thus an appropriate site for intensification of the scale proposed, which will in turn support the significant public investment in transportation infrastructure in the local area.

2. given that the Subject Property, which currently supports a 3-storey commercial building comprising 3,821 m² of office and commercial space, is located immediately adjacent to the subway line and station, it is under-utilized. Moreover, a portion of the commercial/office space on site has been vacant for at least five (5) years despite the efforts made by our client to market the space. Still more vacancies have occurred recently.

3. the Official Plan and Secondary Plan policies applicable to the Subject Property encourage transit supportive development, and envision the type of higher density mixed use development proposed in the Applications, but with a Secondary Plan Amendment required with respect to density.
4. the proposed development will preserve employment uses at this location. This is a considerable benefit for the City.
5. the revisions to the original design were initiated in response to City staff's requirement that Mallpaks dedicate 700 m² of parkland on site for the purposes of an enlarged City park along Bayview Avenue. The proposed development will thus result in a handsome, expanded, park for area residents.
6. the proposed development will result in the construction of a high quality iconic building at this high profile "gateway" location. The proposed point block design has less impacts than, and is to be much preferred over, the slab building form that would result from the current planning permissions when the non-statutory Clairtrell Area Context Plan is considered.
7. the proposed density and building heights are appropriate in the context of the site's locational attributes, transportation infrastructure and surrounding built form, both existing and as being developed. The emerging built form being approved and constructed along Sheppard Avenue East includes the development at 1200 Sheppard, a far less prominent location, where City planning staff and the OMB recently approved tower heights of 31 storeys.

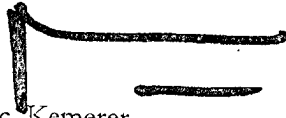
Finally, City staff opine in the Report that a number of improvements with respect to setbacks and other urban design matters, have been made through the revised proposal. The Report also references future, largely urban design, changes (streetscape, ingress and egress, pedestrian connections), that City staff are seeking to accomplish with respect to the revised proposal. Following meetings with staff on these issues, our client is carefully reviewing the possibility of making further changes to the project to reflect these concerns in a collaborative process.

As our client and consultants have been working productively with staff, we support the staff recommendation that Council authorize staff to continue discussions with our client the applicant to address all outstanding issues.

Although the writer will not be able to attend at the Community Council meeting, a member of our firm will be in attendance to respond to any questions you may have regarding the Applications.

Yours very truly,

Blaney McMurtry LLP

A handwritten signature in black ink, consisting of a vertical stroke on the left, a horizontal stroke extending to the right, and a shorter horizontal stroke below it.

Marc Kemerer

MPK/mk

c. Client/Consultants