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April 3, 2018

VIA EMAIL

Mayor John Tory and Members of Council
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

North York Community Council
City Clerk's Office, Ground Floor
North York Civic Centre
5100 Yonge Street
Toronto, ON M2N 5V7

Attention: City Clerk and Committee Administrator

Your Worship and Members of Council:

**RE: Request for Direction Report
Official Plan and Zoning By-law Amendment Applications
1650 Sheppard Avenue East
City File No. 16 270525 NNY 33 OZ
Item NY29.6**

We are the lawyers for 2076203 Ontario Limited and 2076204 Ontario Limited, being the owners of the property located at 1650 Sheppard Avenue East (the "**Subject Property**") and the Applicant in the above matter.

The Applicant is proposing to develop the Subject Property with a new 35-storey residential building containing approximately 343 dwelling units and a new three-storey commercial/parking structure with at-grade retail uses. The existing 15-storey rental apartment building on the Subject Property will be retained.

This matter has been appealed to the Ontario Municipal Board and a first prehearing conference was held on January 26, 2018. A second prehearing teleconference is to be held on June 5, 2018. A hearing is scheduled for January 7-18, 2019.

We have reviewed the Request for Direction Report dated March 15, 2018 (the "**Staff Report**"), which we understand will be considered by North York Community Council on April 4, 2018.

The Staff Report correctly identifies that the Subject Property is in a location for intensification, in particular given the proximity to higher order transit along the TTC's Sheppard subway line and given the tower-in-the park typology of the original apartment development on the site. In that respect, we disagree with the Staff Report's statements that the proposed development is not consistent with the Provincial Policy Statement and does not conform to the Province's Growth Plan. While we acknowledge that an amendment to the Official Plan is required (and

has been applied for), we do not agree with the Staff Report's conclusion that the proposed development is not consistent with Official Plan policies.

The Applicant has been actively engaged with adjacent landowners at 25 Leith Hill Road and 2600 Don Mills Road in the Context Plan exercise that is referred to in the Staff Report. Subject to some refinements to the built form and massing of the proposed development and appropriate coordination between the sites with respect to road and infrastructure improvements, in our view the concerns and issues that are raised in the Staff Report can be satisfactorily addressed. Further meetings are scheduled in April 2018, including a meeting involving City Staff scheduled for April 24, 2018.

Given the timing of the Context Plan meetings, it may be advisable to defer consideration of the Staff Report until the next meeting of North York Community Council in May 2018.

In any event, we remain open to continued discussions with City Staff in order to address the issues in the Staff Report in advance of the second prehearing and hearing dates at the Ontario Municipal Board.

Please provide us with notice of Community Council and City Council's decision in this matter. Our contact information is set out above and below.

Yours truly,
Overland LLP



Per: Christopher J. Tanzola
Partner
c. Client