

THOMSON ROGERS

LAWYERS

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SENT BY EMAIL

February 21, 2018

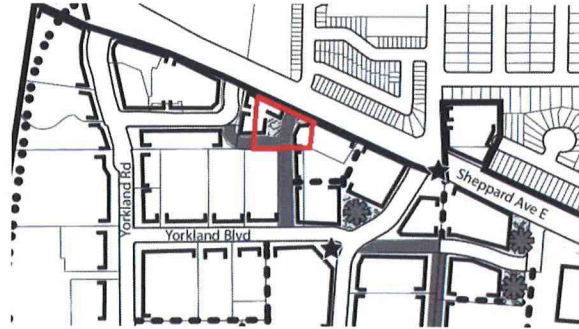
City Clerk
c/o Ms. Nancy Martins
Administrator
Planning and Growth Management Committee
100 Queen Street West
10th Floor, West Tower
Toronto, Ontario
M5H 2N2

Dear Ms. Martins:

**ConsumersNext Secondary Plan, North York
2075, 2011 and 2015 Sheppard Avenue East, Toronto
Our File No. 500518**

We are the solicitors for Heritage Seven Properties Limited (“Heritage”), the owner of the above captioned land. Heritage’s land comprises approximately 1.47 acres and currently is developed with a Tim Hortons’ restaurant, Captains Catch restaurant and Active Green and Ross Tire and Auto Centre.

Heritage learned of the ConsumersNext Secondary Plan Study in the Spring of 2017 as a result of an unsolicited inquiry from a real estate development company. On May 23, 2017, representatives of Heritage attended the City’s Open House where our client learned that the City proposed to bisect its property with both a North-South and an East-West road and develop 2 parks on either side of the North-South road. The City’s proposal sterilizes our client’s land as the remaining parcel is undevelopable. It is our view that such a result is unjustified and unfair as Heritage is being asked to subsidize the development aspirations of the land owners in the Secondary Plan area.



Location of Heritage's land.

Extract from ConsumersNext Secondary Plan Structure Plan.

Upon review of the background documents forming the ConsumersNext Study, Heritage learned that the proposed streets bisecting its land are proposed to be obtained through redevelopment. However, there is no narrative in the ConsumersNext Transportation Masterplan justifying either new road at this location, or at all. In fact, the North-South road connects Yorkland Rd to Sheppard Avenue at a point at which it is so close to Heron's Hill Way that it cannot be signalized. Due to the proposed LRT, the full turning movements will be prohibited at this intersection. There is no prospect of pedestrian infiltration from the lands to the north of Sheppard Avenue into the ConsumersNext Secondary Plan area at this location because of the LRT and lack of traffic signals.

The decision to place 2 parks on Heritage's small parcel is equally unjustified given the Public Places strategy and recommendations set out in the ConsumerNext Final Report. Under heading "4.1.1 Strategy", it reads "New Parks. Redevelopment of large parcels within the Mixed Use Corridor Districts offer the best, most immediate opportunity to achieve parkland acquisition." Heritage's land is not a large parcel. This goal is carried forward in recommendation R3 which requires that the redevelopment of large parcels in the mixed use corridor districts achieve parkland dedication on site. Recommendation R5 permits smaller sites to contribute cash-in-lieu of the parkland dedication. Notwithstanding the clear strategy and recommendations of the study, the Secondary Plan shows two parks on Heritage's 1.47 acre site. It is noted that the City obtained a new dedicated public park from the neighbouring development (Tribute) that can serve the community at large. Furthermore, it is our experience that the City does not accept small parkettes that are costly to maintain.

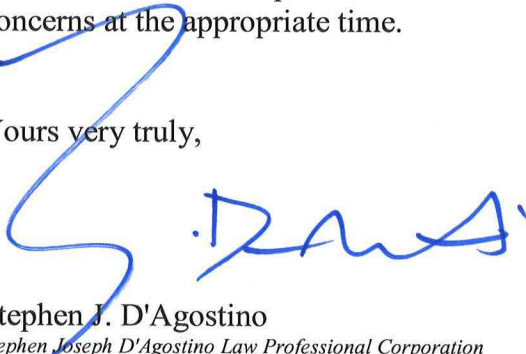
The burdens placed on Heritage's land by the proposed dedication of 2 roads and 2 parks is unfair to Heritage which is being asked to subsidize the development aspirations of other landowners in the Secondary Plan area. More important, these dedications will frustrate the

ConsumerNext Secondary Plan's objectives along this portion of Sheppard Avenue. The proposed parks and roads are to be acquired during the development process. However, the remaining parcel is too small to support development. The end result is that the roads will not be dedicated because development cannot occur.

As a result of the foregoing, we request that Council direct planning staff to revise the ConsumersNext Secondary Plan to remove the roads and parks shown on the Heritage lands.

Heritage has retained a land use planner, traffic engineer and architect to assist it in this matter. We would be pleased to meet with City staff and its consultants to resolve these concerns at the appropriate time.

Yours very truly,



Stephen J. D'Agostino
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SJD/aph
Enclosures