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June 25, 2020

VIA EMAIL

City Council
100 Queen Street West
City Hall, West Tower, 12th Floor
Toronto, ON M5H 2N2

Attention: Marilyn Toft, Secretariat

Dear Ms. Toft:

**Re: NY14.5 – Request for Direction Report – Official Plan Amendment and Zoning
Amendment Application – 1650 Sheppard Avenue East**

We are solicitors for Macs Convenience Stores Inc., the owner of the property known municipally as 2500 Don Mills Road. We were retained following North York Community Council’s adoption of the above-noted item, which recommends that Council direct City staff to attend the LPAT in support of the revised official plan amendment (the “**Proposed OPA**”), among other things. We write on behalf of our client to request a deferral of this item to allow for further discussions between our client, City staff and area landowners.

As background, our client’s lands are located at the northwest corner of Don Mills Road and Sheppard Avenue East and are currently the site of a gas station and car wash. The Proposed OPA would establish planning policies pertaining to our client’s lands, as well as other lands within the northwest quadrant of the Don Mills/Sheppard intersection.

Although our client’s lands are subject to the Proposed OPA, our client has not been involved in the planning process that was undertaken to prepare it. As indicated in the letter our client’s planning consultant submitted to Community Council in March, our client has concerns with certain aspects of the Proposed OPA that resulted from this process. A copy of that letter is attached for reference.

With our recent retainer, we have only had the opportunity to have preliminary discussions with City staff and the other landowners within the quadrant. In the course of those discussions, we have made clear that we believe there are ways to address our client’s concerns while maintaining – and potentially enhancing – key structural components of the Proposed OPA and the associated context plan, without prejudicing the City’s objectives for the quadrant or the redevelopment plans of the other landowners.

These discussions are only at an early stage, but we believe that additional time could allow for modifications to the Proposed OPA that address our client's concerns while reinforcing key aspects of the City's vision for the quadrant. In the circumstances, we respectfully ask that Council defer this item to allow such discussions to take place prior to endorsing the Proposed OPA.

Yours very truly,

Goodmans LLP



Mark Noskiewicz
MN/MXL

cc. Councillor Carroll
Laura Bissett and Daniel Elmadany, City Solicitors
Clients

North York Community Council

From: Josh Neubauer <jneubauer@urbanstrategies.com>
Sent: March 11, 2020 11:23 PM
To: North York Community Council
Cc: Giulio Cescato; Rodwell, Thomas; Melanie Hare; Warren Price
Subject: Letter Regarding the 2600 Don Mills Rd Official Plan Amendment
Attachments: 2020 03 11_USI Letter to NYCC on Behalf of 2500 Don Mills Rd.pdf

To the Members of the North York Community Council:

Please find attached a letter from Urban Strategies Inc. on behalf of our client Mac's Convenience Stores Inc., the owner of the property at 2500 Don Mills Road. The letter is regarding the Official Plan Amendment application by the owners of 2600 Don Mills Rd and the Final Report being considered by the Community Council on March 12, 2020.

Please contact me with any questions.

Sincerely,

Josh Neubauer MES, MCIP, RPP
Senior Associate

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March 11, 2020

By Email

Mayor and all Members, North York Community Council
Attention: City Clerk
Attending: Marie Greig, Administrator
North York Community Council,
5100 Yonge Street, Ground Floor
Toronto, ON M2N 5V7
Email: nycc@toronto.ca

Dear Sirs/Mesdames:

Re: Official Plan Amendment Application for 2600 Don Mills Road (File no. 17 260070 NNY 33 OZ)

Urban Strategies was recently retained by Mac's Convenience Stores Inc. ("Our Client") to ascertain the development potential of their site at 2500 Don Mills Rd. The site currently operates as an ESSO gas bar with a Circle K convenience retail store and a car wash. We were recently given notice of North York Community Council's consideration of the Official Plan Amendment application from the owners of 2600 Don Mills Rd, who are seeking permission for an infill building of 33 storeys and 15 stacked townhouse units. This specific application proposes to amend Schedule 2: The Designation of Planned but Unbuilt Roads within the Official Plan by adding three new public streets in the block bound by Sheppard Ave E, Don Mills Rd, Leith Hill Rd and St. Timothy's Catholic School.

This Official Plan Amendment Application is linked to another application submitted by the owners of 1650 Sheppard Ave E (File No. 16 270525 NNY 33 OZ) which seeks to designate the entire block defined above as a key development site within the Sheppard East Subway Corridor Secondary Plan, and establish a maximum permitted density of 3.99 times the lot area. The owners of 1650 Sheppard Ave E are also seeking permission for a 31-storey infill in addition to the existing 15-storey building on the site. That application and the related Zoning By-law Amendment Application have been appealed to the Local Planning Appeals Tribunal ("LPAT") (Case Number PL170649). That LPAT appeal is now a consolidated appeal that considers all properties within the block within a proposed context block plan, including our Client's property.

Our Client supports the Official Plan Amendment proposed by the owners of 2600 Don Mills Rd, and the built form and intentions to intensify the area proposed by all of our Client's neighbouring land owners on the same block. We believe this is an appropriate area of the city for transit-oriented residential density and that the sites can accommodate tower forms without undo impacts on sensitive land uses. However, we must note our objection to the 3.99 times lot area density limit being applied to the 2500 Don Mills Rd site through any related planning applications or processes. We believe that the 2500 Don Mills Rd site can appropriately accommodate a similar built form to what has been developed in the area and is being proposed by our Client's neighbours. However, given the dimensions and location of the site the 3.99 times lot area density limit could in fact preclude development at a scale consistent

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with what is proposed on the neighbouring lots of the same block, and with development that has already taken place in the surrounding area. Our Client's site has excellent proximity to Don Mills subway station and road access to and frontage on both Sheppard Ave E and Don Mills Rd. It can also deliver appropriate mixed-use density that creates a gateway condition at this prominent intersection without any adverse impacts on sensitive land uses. Any new density policies applied to this site should support its potential to deliver important housing options at transit-supportive densities.

Again, our Client supports the application and development intentions of the property owners at 2600 Don Mills Rd, but they do not wish to have the 2500 Don Mills Rd site included in any related application which would limit its appropriate potential to deliver transit-oriented development at a scale that is consistent with the surrounding existing and planned context area. We look forward to further discussion with City staff on this matter.

Sincerely,

URBAN STRATEGIES INC.



Melanie Hare, MCIP, RPP, LEED AP
Partner

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Principal

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cc:

Giulio Cescato, Acting Director Community Planning, North York District