

March 11, 2020

North York Community Council
5100 Yonge St, North York,
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nycc@toronto.ca

Attention: Marie Grieg, Administrator, North York Community Council

Dear Members of Toronto City Council,

**RE: 1650 Sheppard Avenue East - Final Report
16 270525 NNY 33 OZ
Agenda Item NY14.5**

Our File: 17.673

Walker, Nott, Dragicevic Associates Limited (“WND Associates”) is the planning consultant for Nuberg & Dale Construction Limited / Anspor Construction Limited (“Nuberg”), the owner of the lands municipally known as 25 Leith Hill Road in the City of Toronto (“the subject property”). The subject property is one of a group of four properties within the block bounded by Leith Hill Road to the north, Don Mills Road to the east, Sheppard Avenue East to the south, and St. Timothy's Catholic School to the west (“the Block”), which have been the subject of a comprehensive block planning exercise since 2018. This exercise was triggered as a result of two site specific applications within the block at 1650 Sheppard Avenue East, and 2600 Don Mills Road. As the City is aware, the City required that the two owners complete a block plan exercise as a component of their respective applications for amendments to the Official Plan and the City’s applicable zoning by-laws.

In response, the Local Planning Appeal Tribunal determined that the block planning exercise would be converted into a block-wide Official Plan Amendment so as to set certain fundamental development parameters for the block.

We are specifically writing with respect to the proposed adoption of Official Plan Amendment 476 (“OPA 476”) which is being recommended for approval in conjunction with the site-specific Zoning By-law Amendment for 1650 Sheppard Avenue East.

OPA 476 proposes policies that will affect the entirety of the Block including the subject property. Since 2017, our client has played an active role as party to the appeals at the LPAT relative to appeals by the owners of 1650 Sheppard Avenue East and 2600 Don Mills Road.

We, together with our client's transportation and servicing engineers, architect and legal counsel have actively participated in the block planning exercise resulting in OPA 476. This also includes participation in several, multi-day mediation sessions with the Local Planning Appeal Tribunal. We note that, other than the 2 owners with pending and appealed site specific applications, our client was the only private party to participate in the block planning exercise which required our client to prepare, review and revise various drawings to inform the concept plan now before Council. This included several iterations of drawings demonstrating the massing (footprint and height) for a tower on our client's site. Such materials were requested by staff in order to conceptualize the block plan now before Council.

While we have no concerns with the site-specific application for 1650 Sheppard Avenue East, and are generally satisfied with the overall intent of proposed OPA 476, we are of the opinion that proposed OPA 476 should incorporate additional revisions prior to endorsement by Council. More specifically, we recommend the following revisions be incorporated:

- A new map schedule, appropriately referenced within the text of the policy, should be added to illustrate the locations and heights of towers (using geodetic heights and not storeys) at 1650 Sheppard Avenue East, 2600 Don Mills Road, and 25 Leith Hill Road. Such a schedule is entirely consistent with the Block Context Plan Diagram prepared by staff and included as Attachment 8 of the staff report and already presented to the public through a public consultation meeting earlier this year. This diagram will provide clarity and certainty to applicants, the City, and area residents, that development will proceed in accordance with the Block Context Plan and/or the proposed site-specific zoning approvals. We note that this type of approach has previously been used by the city (for instance in OPA 297 and OPA 365). While we recognize there is some language in the draft design guidelines about future development, such language has yet to be refined and adopted by Council and provides inadequate comfort;
- Section b. should be revised to read "the distribution of building heights will **generally** provide for the tallest **new buildings** located closest to the Don Mills Road and Sheppard Avenue East intersection ...". This revision will provide appropriate flexibility for future development on lands owned by those who elected not to participate in the block planning process; and,
- Section e. should be revised to include reference to the potential that funding for the provision of affordable housing and/or community services and facilities on lands other than within the Block (but in a location which still serves the community) can be provided. This revision would provide the necessary flexibility to facilitate alternative arrangements to provision of community services and affordable housing, where appropriate. As the new Bill 108 Community Benefits Charge regime continues to remain in flux, the suggested revision will provide more flexibility to the City where any community benefits must be provided pursuant to a Community Benefits Charge by-law.

We respectfully submit this letter for the consideration of Community Council, and request that staff be directed to work with us to revise the form of proposed OPA 476 to reflect the revisions noted above, which we believe will provide the necessary certainty and flexibility to support appropriate forms of development within the Block.

We thank you for the opportunity to provide these comments. Should you have any questions, please do not hesitate to contact the undersigned at (416) 968-3511, extension 120.

Yours very truly,

WND associates
planning + urban design

A handwritten signature in black ink, appearing to read "A Ferancik". The signature is written in a cursive, slightly stylized font.

Andrew Ferancik, MCIP, RPP
Principal

