



**Kagan
Shastri** ^{LLP}
LAWYERS

IRA T. KAGAN
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File #: 21194

January 19, 2022

By email [councilmeeting@toronto.ca & clerk@toronto.ca]

Mayor Tory and Members of Council
City of Toronto
100 Queen St. West
Toronto, ON., M5H 2N2

Attn: John Envidge, City Clerk

Dear Worship May Tory and Members of Council:

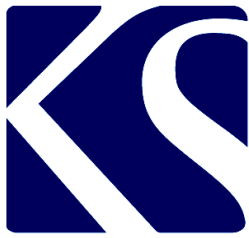
**Re: Proposed OPA 560
Sheppard Willowdale Secondary Plan
Our client: 333 Sheppard Avenue East Limited
Our client's Property: 333 Sheppard Avenue East, Toronto ("Subject Property")**

Attached please find a letter we sent to City Planning on November 4, 2021. The concerns expressed in our letter remain unresolved in the version of the Secondary Plan which is before City Council for adoption. For the reasons provided in the attached letter, we ask that City Council remove the requested lands from the Secondary Plan should City Council be prepared to adopt the Secondary Plan. Kindly ensure that we are provided with notice of any future meetings or decisions.

Yours very truly,

Ira T. Kagan
Encl.

cc. Client



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November 4, 2021

By email

Ms. Jenny Choi, Planner, Jenny.Choi@toronto.ca
City Planning Division
North York Civic Centre,
5100 Yonge Street
Toronto, ON., M2N 5V7

Dear Ms. Choi:

**Re: City of Toronto's Sheppard Avenue Commercial Area Secondary Plan Review – Phase 2
City's Proposed Sheppard Willowdale Secondary Plan Review
Our client: 333 Sheppard Avenue East Limited
Our client's Property: 333 Sheppard Avenue East, Toronto ("Subject Property")**

We are the solicitors for 333 Sheppard Avenue East Limited which is the registered owner of the Subject Property. By way of this letter, we are submitting our client's comments on the draft Sheppard Willowdale Secondary Plan.

The Subject Property is located on the south side of Sheppard Avenue East, at the extreme eastern end of the proposed Secondary Plan. It is less than 200m from the Bayview station on Line 4 of the TTC subway system and thus is within a *Major Transit Station Area* pursuant to *A Place to Grow: The Growth Plan*. It is already designated *Mixed-Use Areas* in the City's Official Plan (Map 16) and is also already included in the Sheppard East Subway Corridor Secondary Plan. The Subject Property is, therefore, already planned at both the provincial and local level.

The Subject Property is located immediately south of two existing fifteen (15) storey apartment buildings (1 & 2 Clairtrell Road).

The draft Sheppard Willowdale Secondary Plan proposes to, among other things:

1. Remove the Subject Lands from the Sheppard East Subway Corridor Secondary Plan.
2. Impose a maximum height of 7 stories for the Subject Lands whereas there is no such height limit in either in City's Official Plan or the Sheppard East Subway Corridor

Secondary Plan.

3. Impose a density limit of 3 FSI for the Subject Property which represents a down-designation from the 3.59 FSI in the Sheppard East Subway Corridor Secondary Plan.
4. Impose other built form constraints which do not presently apply to the Subject Property.

Given the very close proximity to the Bayview Line 4 MTSA and given the existence of two existing 15-storey apartment buildings directly across Sheppard Avenue East, the draft Sheppard Willowdale Secondary Plan's proposed policy changes as they apply to the Subject Property are neither required nor warranted. These proposed changes would fail to be consistent with the *Provincial Policy Statement*, would fail to conform with *A Place to Grow: The Growth Plan*, would fail to conform with the City's Official Plan and do not represent good planning.

Accordingly, our client requests that the Subject Property be excluded, entirely, from the Sheppard Willowdale Secondary Plan.

It appears that there is also an existing bungalow house-form building (335 Sheppard Avenue East), located just east of the Subject Property, which is also within the proposed Sheppard Willowdale Secondary Plan. It appears to be the very eastern most property on the south side of Sheppard Avenue East which is included in the study area. While we do not represent that landowner, for the reasons provided in this letter, the City might consider whether excluding that property is also warranted.

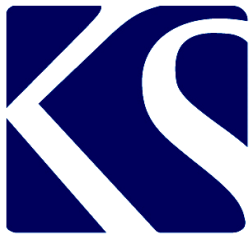
Kindly include my name and contact information in your records so that you can send me notice of all future meetings and decisions respecting the Sheppard Willowdale Secondary Plan. Thank you.

Yours very truly,

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Ira T. Kagan

cc. Client



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Ira T. Kagan

cc. Client