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File No. 704175

Without Prejudice

April 26, 2023

By E-Mail Only to daniel.elmadany@toronto.ca

Mr. Daniel Elmadany
Solicitor, Planning and Administrative Law
City of Toronto, Legal Services
55 John Street, 26th Floor, Metro Hall
Toronto, ON M5V 3C6

Dear Mr. Elmadany:

**Re: Settlement Offer
Appeal No. 1 - Double Diamond Capital Inc. (“Double Diamond”)
Official Plan Amendment No. 560 (“OPA 560”)
Sheppard Willowdale Secondary Plan
OLT Case No. OLT-22-002705**

As you know, we are counsel to Double Diamond, the registered owner of the lands known municipally as 280 – 288 and 298 Sheppard Avenue East, 287 and 293-295 Maplehurst Avenue (the “**Subject Lands**”), and Appellant No. 1 to the appeals of OPA 560 (the “**DD Appeal**”).

Background

The Subject Lands are located on the northwest corner of Sheppard Avenue East and Longmore Avenue.

As adopted, OPA 560 designated a portion of the Subject Lands as Mixed-Use Area “A”, with a maximum height and density of 5 storeys and 2.5 FSI, respectively. On March 1, 2022, Double Diamond appealed OPA 560 to the Ontario Land Tribunal (the “**Tribunal**”).

Settlement Offer

Over the past several months, Double Diamond, City Legal and City Planning Staff have worked cooperatively in an attempt to resolve the DD Appeal. As a result, we are pleased to present the following settlement offer which involves modifying OPA 560 to create a new Special Policy Area 4 – Longmore Area (“**SP 4**”) with the addition of policies

appended as **Attachment “A”** to this letter. We understand that the relevant maps will be updated to reflect the necessary amendments to implement this settlement offer.

More specifically, SP 4:

- incorporates the entirety of the Subject Lands within the boundaries of the new Special Policy Area;
- designates the lands fronting onto Sheppard Avenue East and Longmore Street as *Mixed Use Areas “A”* and incorporates certain lands designated *Neighbourhoods* fronting onto Maplehurst Avenue and Longmore Street as identified in SP4, (all of which collective compromise the Subject Lands);
- permits a maximum height of 11 storeys on lands designated *Mixed Use Areas* along Sheppard Avenue East;
- permits a mid-rise building that steps down, which may be a gradation from 11 storeys to no lower than 8 storeys, from certain portions of the lands designated *Mixed Use Areas* along Sheppard Avenue East that are directly adjacent to the rear yards of the *Neighbourhoods* on the south side of Maplehurst Avenue that are not within the SP 4 area;
- permits a low-rise built form along Maplehurst Avenue within the lands designated as *Neighbourhoods* up to 4 storeys; and,
- provides for various built form policies for development within SP 4.

We look forward to hearing from you in response to this settlement offer as soon as possible after City Council has had an opportunity to consider this offer at its meeting scheduled for May 10-12, 2023. In the meantime, please do not hesitate to contact us if you have any questions regarding this proposal.

DAVIES HOWE LLP



Samantha Lampert

SL:SL
encl.: as above

copy: Client
Ryan Guetter and Jessica Damaren, Weston Consulting

Special Policy 4 – Longmore Area

Longmore Area is designated *Mixed Use Areas* fronting onto Sheppard Avenue East and Longmore Street and *Neighbourhoods* on Maplehurst Avenue and Longmore Street and is situated within a High Order Pedestrian Zone on Map 29-4 where future bikeways are proposed. The Longmore Area is directly adjacent to lands designated *Neighbourhoods* to the immediate west commencing at the 285 Maplehurst Avenue within the same block on Maplehurst Avenue, as well as, to the north, across the street along Maplehurst Avenue, to the east along Longmore Street and to the east commencing at 301 Maplehurst Avenue across Longmore Street.

Policies

12.8. Development in the Longmore Area will:

- a.** Acknowledge the street intersection to support commercial and social activity for area residents, workers and visitors through the creation of an active, lively commercial space along Sheppard Avenue East and Longmore Street on lands designated *Mixed Use Areas*.
- b.** Establish the location of mid-block pedestrian connections, where appropriate, to maximize public access and view to park areas and in relationship to the public streets, existing open spaces, POPS, mid-block connection, and at-grade uses and create separation between buildings contemplated in this Special Policy Area.
- c.** Provide additional setbacks at the corner of Sheppard Avenue East and Longmore Street to provide placemaking opportunities to support commercial use at grade or to extend the public realm within the High Order Pedestrian Zone.
- d.** Provide for mid-rise built form that will define, frame and animate the intersection at Sheppard Avenue East and Longmore Street and frame the adjacent streets in general proportion with the adjacent right-of-way widths while maintaining a minimum of 5-hours of sunlight access on the opposite public sidewalk of Sheppard Avenue East, Longmore Street and Maplehurst Avenue to contribute to the pedestrian environment and comfort.
- e.** Provide for mid-rise buildings up to a maximum of 11 storeys on the lands designated *Mixed Use Areas* along Sheppard Avenue East that are:
 - i.** directly adjacent to *Mixed Use Areas* to the north along Maplehurst Avenue (also referred in the Plan as "Special Policy 1 – Willowdale Area"); and
 - ii.** directly adjacent to the *Neighbourhoods* within the Longmore Area along Longmore Street may connect to the low-rise built form contemplated in Policy 12.8. g. below.
- f.** provide for mid-rise buildings that steps down, which may be a gradation from 11 storeys to no lower than 8 storeys on certain portions of the lands designated

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Mixed Use Areas along Sheppard Avenue East that are directly adjacent to the rear yards of the *Neighbourhoods* on the south side of Maplehurst Avenue not included in the Longmore Area, which will transition in scale with appropriate building setbacks and setbacks.

- g.** Provide for low-rise built form along Maplehurst Avenue and within the lands designated *Neighbourhoods* up to 4 storeys, that will fit and be compatible with the scale to the local street and adjacent lands designated *Neighbourhoods* including appropriate building setbacks from the local streets, in particular a front yard setback along Maplehurst Avenue.
- h.** Provide for public art opportunities where an applicant agrees to provide this. This may include the celebration and recognition of Indigenous culture and history.
- i.** Be implemented through an application for Zoning By-law Amendment which will include a comprehensive development plan for all the lands in the Longmore Area to demonstrate how the proposed development will relate to other properties within the block and how the policies are met. As part of a complete application for the Zoning By-law Amendment for the Longmore Area, the applicant shall provide documentation to the City that demonstrates an ownership interest or consent from the owners of the lands in the Longmore Area.
- j.** Through an Official Plan Amendment, be encouraged to consolidate the properties at 273, 279, 283 and 285 Maplehurst Avenue maintained as *Neighbourhoods* and in such event:

 - i. Policy 12.8. e. will be interpreted to permit up to a maximum of 11 storey mid-rise buildings on all lands designated *Mixed Use Areas* along Sheppard Avenue East;
 - ii. Policy 12.8. f. above would not apply to development in the Longmore Area; and
 - iii. The remainder of the policies in Section 12.8 and this Plan would continue to apply.
- k.** If these properties at 273, 279, 283 and 285 Maplehurst Avenue are included in the Sheppard Willowdale Area and not the Longmore Area, Policy 12.8. j. will apply in the same manner to the Longmore Area as if those properties at 273, 279, 283 and 285 Maplehurst Avenue are included in the Longmore Area.