



July 4, 2023

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Attention: Nancy Martins, Committee Administrator  
Members of Council

**Re: Draft Official Plan Amendment 591 and Draft Site and Area Specific Policy 793  
4570 and 4630 Sheppard Avenue East  
Planning and Housing Committee Meeting | July 5, 2023 | Item 2023.PH5.3**

We are the lawyers for CT REIT, the owner of 4630 Sheppard Avenue East. Together with 4570 Sheppard Avenue East (collectively the “**Subject Property**”), these lands form the subject of Draft Site and Area Specific Policy 793 (the “**Draft SASP**”). The Subject Property is improved with a Canadian Tire retail store and garden centre, gas station, a Mark’s clothing store, and related parking. Our client has been engaged with City staff regarding the Draft SASP and draft Official Plan Amendment 653.

The Draft SASP proposes the split designation of the Subject Property, with an Area “A” remaining designated as *General Employment Areas* and an Area “B” to its south, where all uses permitted under *General Employment Areas* and *Regeneration Areas* will be permitted, including interim uses, with the exception of residential uses, overnight accommodation, and live-work uses, prior to the completion of a Secondary Plan or Site and Area Specific Policy (the “**Further Instrument**”). The exact depth of Area “A” will be determined through the Further Instrument, to further ensure that any future development is compatible with nearby employment uses, including in particular Dufferin Concrete to the north.

While CT REIT had sought conversion to *Mixed Use Areas*, CT REIT is pleased that the City is granting a conversion request that recognizes portions of the Subject Property as having the potential to accommodate residential intensification in response to nearby rapid transit investment. It looks forward to supporting the City as it undertakes an area study leading to the Secondary Plan.

CT REIT also supports the City’s goal to bring more affordable housing to the market. However, CT REIT has concerns with the Draft SASP’s proposed affordable housing policies to be applied to lands located outside of the City’s inclusionary zoning market area, in the absence of the required inclusionary zoning assessment report or any other study. It is unclear what authority

the City is relying upon to achieve the affordable housing outcomes sought in the Draft SASP, particularly as the Draft SASP imposes outdated inclusionary zoning percentages relative to the Province's more recent inclusionary zoning provisions. Also, with reference to this particular Draft SASP, where the ultimate determination of land uses will only be made upon further study and the completion of a secondary plan, prescribing affordable housing metrics in the Draft SASP is premature. The determination of an appropriate affordable housing strategy should be subject to proper review and study as part of the secondary plan process.

We request notice of all further meetings and decisions related to this item and related to the development of the relevant Secondary Plan. Please provide such notice to the undersigned.

Yours truly,

Cassels Brock & Blackwell LLP



Signe Leisk

SL/CEG/nv

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