



December 2, 2024

Via E-Mail: nycc@toronto.ca

North York Community Council
100 Queen Street West, 2nd Floor, West Tower
Toronto, ON M5H 2N2

sleisk@cassels.com

tel: 416 869 5411

file # 057151-00001

Attention: City Clerk

Dear: Chair and Members, North York Community Council

**Re: Renew Sheppard East Secondary Plan Final Report, Proposed OPA 777
North York Community Council: December 3, 2024 | Agenda Item NY19.11
690-720 Sheppard Avenue East**

We are the lawyers for Burbank Heights Development Inc., owner of 690-720 Sheppard Avenue East (the “**Site**”). We are writing to express our client’s concerns in respect of the Renew Sheppard Secondary Plan, the proposed Official Plan Amendment 777.

Burbank and its planning consultant Brutto Planning Consulting have been participating in the City’s Renew Sheppard East Planning Study and on behalf of Burbank and its consultants, we submitted comments to City Planning (dated October 21, 2024, enclosed) on the prior draft of the Renew Sheppard Secondary Plan. These comments were submitted particularly in the context of Burbank’s site-specific complete Official Plan and Zoning By-law Amendment applications (22 217053 NNY 17 OZ, noted in Attachment 3 to the Final Report) which propose a sensitively designed two tower high-density development at 32 and 28 storeys at the Site (the “**Proposal**”).

While Burbank is generally pleased to see that the overall direction in Renew Sheppard aligns with the Proposal, we are disappointed that after two years of collaboration with the City, the Secondary Plan includes policies and maps that conflict with prior City Planning comments and Burbank’s active applications for the Proposal. While minor modifications were made to the prior draft of Renew Sheppard, our prior comments provided October 21, 2024 have not been addressed in OPA 777 and our client is concerned with the degree of flexibility provided in the applicable policies.

The Proposal, as designed, achieves the vision of the Renew Sheppard, providing a transit supportive community, including significant retail at grade along Sheppard Avenue East, tall building/high-density built form, a family friendly unit mix (exceeding targets), and provides the desired parkland dedication at the western edge of the Site with a resilient and welcoming public realm, including at the southeast corner of the Site. However, for reasons including those

outlined in our prior letter, certain proposed policies would undermine the achievement of the broader goals, including at this Site, should they be applied.

Thank you for the opportunity to submit comments. As noted in our prior letter, our client would welcome the opportunity to meet with staff to further discuss its concerns prior to adoption of OPA 77. We also ask that our office be provided with notice of further meetings, decisions, or next steps associated with Renew Sheppard and OPA 777.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in blue ink, appearing to read 'SL', is positioned above the printed name 'Signe Leisk'.

Signe Leisk
SL/AP/nv

Encl. October 21, 2024 Letter to City Planning

cc. Brutto Planning Consulting



October 21, 2024

Via E-Mail: Jenny.Choi@toronto.ca and
Michael.Romero@toronto.ca

Signe Leisk
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tel: 416 869 5411
file # 057151-00001

City of Toronto
City Planning Division
Community Planning, North York District
5100 Yonge Street, Ground Floor
Toronto, ON M2N 5V7

Attention: Jenny Choi, Senior Planner; and
Michael Romero, Planner

Dear Jenny Choi and Michael Romero:

**Re: ReNew Sheppard Secondary Plan (Sheppard Avenue East Planning Review)
690-720 Sheppard Avenue East**

We are the lawyers for Burbank Heights Development Inc., owner of 690-720 Sheppard Avenue East (the "**Site**"). On behalf of Burbank and its planning consultant Brutto Planning Consulting, we are writing to provide comments on the proposed ReNew Sheppard Secondary Plan, particularly in the context of Burbank's site-specific complete Official Plan and Zoning By-law Amendment applications (22 217053 NNY 17 OZ) which propose a sensitively designed two tower high-density development at 32 and 28 storeys at the Site (the "**Proposal**").

Burbank has been collaborating with the City on the Proposal for two years and is generally pleased to see that the overall direction in ReNew Sheppard aligns with the Proposal. The Proposal provides a transit supportive community, including significant retail at grade along Sheppard Avenue East, tall building/high-density built form, a family friendly unit mix (exceeding targets), and provides the desired parkland dedication at the western edge of the Site with a resilient and welcoming public realm, including at the southeast corner of the Site. Detailed design work has responded to City comments received to date while being adaptive to the specific site constraints and location of the Site at the corner of Sheppard Avenue East and Burbank Drive.

However, Burbank is concerned the secondary planning work has not appropriately considered the Proposal and the emerging context for Sheppard East. Burbank has concerns with a number of policies which are inappropriately prescriptive or inappropriate, including but not limited to:

- Map 3 and associated Retail policies. The Proposal has maximized retail at the Site, providing for retail over 60% of the Site's frontage in accordance with the City's Tall

Building Urban Design Guidelines. The remainder of the frontage has been sensitively programmed and designed (with lobby and amenity space) to ensure active use and residents' sense of place in furtherance of the complete communities intended for Sheppard Avenue East. The applicable policies in ReNew Sheppard should provide further flexibility respecting retail and permitted exceptions to ensure both broader and site-specific community goals can be achieved.

- Maps 5 and 7, which show a new mid-block connection through the Site not previously identified by the City in any policy or in its comments on the Proposal. Such connection would prevent or affect the delivery of other aspects of the Proposal sought by staff and would serve no public purpose given the Proposal's layout and the Site's location. Burbank asks that this connection be removed from the mapping.
- Maps 4, 5 and 8, which show a multi-modal mobility hub and potential POPs/public art location at the southeast corner of the Site. The Proposal accounts for an open corner but site constraints, including an existing TTC shaft, prevent the provision of a POPs and Burbank asks that the corner be identified as a potential public art site only. Similar limitations would prevent the provision of more intensive mobility features.
- Parks policies, including 5.9, which render it more difficult to provide on-site parkland dedication as desired. Greater flexibility should be provided to developments which integrate parks on-site, as the Proposal does.
- Policy 7.20a), which generally provides for a 6 storey base building. Greater flexibility should be provided, particularly for locations such as the Site, which has a corner location and extended frontage along Sheppard Avenue and can be sensitively designed as the 8 storey base building and 4 storey street wall provided in the Proposal, consistent with the surrounding context.
- The step back and encroachment policies, including 7.21, 7.23, and 7.24, which are too prescriptive, and may prevent achievement of the transit supportive heights at the Site, despite direction that the site should accommodate the tallest buildings as part of the Transit Station Character Area.
- Floor plate policies, including 7.25 and 7.26, which may limit floor plate area at the expense of design best suited for each location, appropriate density, and the provision of greater mixed uses. Further permissions for larger floor plates would be consistent with existing and approved development in this area.

Overall, the Proposal achieves the vision of the ReNew Sheppard but for reasons including those detailed above, certain proposed policies would undermine the achievement of the broader goals, including at this Site, should they be applied. As such, greater flexibility is requested.

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Thank you for the opportunity to submit comments. Burbank and its planning consultant would be pleased to discuss ReNew Sheppard further with the City and we also ask that our office be provided with notice of further meetings, decisions, or next steps associated with ReNew Sheppard.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in black ink, appearing to read "SL", with a stylized flourish at the end.

Signe Leisk
Partner

SL/AP/jd

cc. Brutto Planning Consulting