



Principals

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**December 2, 2024**

**City of Toronto  
North York Community Council  
5100 Yonge Street  
Toronto, Ontario M2N 5V7**

**Attention: Matthew Green, Administrator, North York Community Council  
([nycc@toronto.ca](mailto:nycc@toronto.ca))**

**Re: Public Input – Letter of Concern  
Item NY19.11: December 3, 2024, North York Community Council  
Meeting; Planning Application No. 19 254260 NNY 17 OZ  
Renew Sheppard East Secondary Plan – Final Report and Proposed  
Official Plan Amendment No. 777  
1200, 1210 and 1220 Sheppard Avenue East - Amexon Developments  
Inc. & Heritage York Holdings Inc.**

**Dear Chair and Members of North York Community Council:**

Gagnon Walker Domes Ltd. is the land use planning consultants and agent on behalf of Amexon Developments Inc. & Heritage York Holdings Inc. (“**Amexon**”), the registered owner of the lands known municipally as 1200, 1210 and 1220 Sheppard Avenue East, in the City of Toronto (the “**Property**”). The Property measures approximately 4.8 hectares (11.86 acres) and fronts onto Old Leslie Street (generally located at the northwest quadrant of Sheppard Avenue East and Leslie Street, adjacent to the East Don River valley).

The Property is located within the Leslie Major Transit Station Area (Site and Area Specific Policy 729) in City of Toronto Official Plan Amendment 575, as approved by City Council in July 2022, and within the boundary of the current Sheppard East Subway Corridor Secondary Plan. Leslie TTC Station is located less than 75 metres south of the Property along Old Leslie Street. The Property will also immediately abut the north station platform of Metrolinx’s proposed relocated Oriole GO Transit Station.

The Property is located within the boundary of the proposed ‘Renew Sheppard Secondary Plan’ and therefore would be subject to the proposed policies of City initiated Official Plan Amendment No. 777 (“**OPA 777**”)

**Background – Amexon Site-Specific Development Approvals**

The Property is currently under construction to implement the site specific land use and development approvals initially granted by the Ontario Municipal Board (“OMB”) in 2013



permitting the intensification of the Property for: three (3) new mixed-use buildings featuring a total of five (5) new towers ranging in height from 12 to 31 storeys (12, 19, 31, 31 and 31 storeys respectively); the retention of the two (2) existing office buildings; the construction of new pedestrian connections to the East Don River valley; and the creation of a new public street (Green Trail Court) - (refer to City of Toronto Official Plan Amendment 226 and By-law 218-2022 (OMB))

Amexon's transit-oriented mixed-use development also proposes a direct connection from the Property to the relocated GO Station as well as extensive valley slope remediation and valley stewardship consistent with approvals secured from the City, Metrolinx and the Toronto and Region Conservation Authority.

Amexon submitted Draft Plan of Subdivision and Site Plan Control Applications in 2019. The City of Toronto's Notice of Draft Plan of Subdivision Approval was issued on October 31, 2022. In March 2023, the Site Plan Control Notice of Approval Conditions was issued. Shortly thereafter the City of Toronto began to issue initial building permits facilitating the construction of the underground and proposed building structures. Road construction works pertaining to the Plan of Subdivision are substantially complete and Registration of the Plan of Subdivision is now imminent.

### **Concerns with Proposed Renew Sheppard East Secondary Plan and OPA 777**

We have reviewed the proposed Renew Sheppard East Secondary Plan and OPA 777 that is attached to the Final Report dated November 18, 2024, which is scheduled to be considered by North York Community Council on December 3, 2024. While Amexon supports the general spirit of the proposed Secondary Plan and OPA 777 to provide a updated policy framework that supports greater opportunities for mixed-use intensification within the Sheppard Avenue corridor, Amexon has significant concerns with certain proposed Secondary Plan policies that would be inconsistent with its previously secured development approval for the Property, as well as a concern with OPA 777's removal of the Property from the Transit Station Area Character Area, as initially identified in recent iterations of the proposed Secondary Plan.

For these reasons, Amexon does not support OPA 777 and the proposed Renew Sheppard East Secondary Plan in its current form and requests that Community Council not adopt the recommendations as contained in the Final Report and instead refer the matter back to Community Planning Staff.

#### **1. Character Area Concerns**

Seven (7) Character Areas are identified on Map 51-2 of the proposed Secondary Plan which provide direction to the applicable proposed policies of the Secondary Plan that guide how each specific Character Area is envisioned to evolve. Notwithstanding the fact that the Property had previously been identified as being located within the "Transit Station Character Area" within the previous draft Secondary Plan (Draft October 2024), the final draft of the proposed Secondary Plan now identifies the Property as being located in the "Edge Character Area".



According to Draft Policy 3.2.2, the Transit Station Character Area will contain the tallest buildings within the Secondary Plan Area, primarily on lands located closest to existing and planned transit stations. As the most intensively developed locations, these areas are intended to be busy hubs near transit. Building heights within the Transit Station Character Area are intended to generally transition down from locations adjacent to transit stations where the highest heights are to be located (Draft Policy 7.4.3).

While tall buildings are also permitted in the Edge Character Area, policies associated with this Character Area are inconsistent with other draft Secondary Plan policy direction that sets out to permit the highest building heights around transit stations.

The Property is located within 75 metres of the existing TTC Leslie Station, which is planned as a future interchange station that will also incorporate the relocated Oriole GO Station. Further, Amexon's transit supportive development incorporates a direct pedestrian connection to the north platform of the future Oriole GO Station. The Property has superior access to transit service in the context of the remainder of the Secondary Plan and on that basis should be located within the Transit Station Character Area.

Further, Map 51-2 of the proposed Secondary Plan identifies most other sites with similar geographic proximity to transit stations and contextual considerations as being located within the Transit Station Character Area. The Property is currently being developed with tall buildings and should be recognized in the proposed Secondary Plan as being appropriate as the location of the highest buildings within the Secondary Plan area.

Accordingly, it is our opinion that Map 51-2 should be revised to more appropriately identify the Property as being located within the Transit Station Character Area (as initially proposed by City Staff).

## 2. Overly Prescriptive Policies are Inconsistent with Amexon Development Approvals

The Proposed Secondary Plan outlines a number of built form policies that are overly prescriptive for a Secondary Plan and/or are inconsistent with the development approvals previously secured by Amexon for the Property and its abutting streets. This includes, but is not limited to, proposed policies related to matters such as the following:

- Required building setbacks, step backs and separation distances;
- Development and private/public realm requirements within "Higher Order Pedestrian Zones";
- Development of new and existing streets/bikeways;
- Building height transitions to natural areas; and
- Maximum base building and tower heights.



It is recommended that the Secondary Plan policies be revised to provide more flexible policy language that is intended to guide the implementation of the specific performance standards within the Zoning By-law.

Further, it is our interpretation that the Retail Required Streets policies of Section 4.3 should not apply to the Property considering it fronts onto Old Leslie Street, which is not identified as a Retail Required Street on Map 51-3.

Lastly, OPA 777 is not sufficiently clear as it relates to its effect on the current Sheppard East Subway Corridor Secondary Plan. Specifically, Clause 9 of OPA 777 directs that Chapter 6 of the Official Plan be amended to include the proposed Renew Sheppard East Secondary Plan; whereas Clause 11 of OPA 777 suggests that the existing Sheppard East Subway Corridor Secondary Plan will continue to apply to the lands subject to the proposed Secondary Plan; however the policies of the former will no longer be applicable. OPA 777, as drafted, requires further consideration and clarification.

### **Concluding Request**

As noted above, Amexon does not support OPA 777 and the proposed Renew Sheppard East Secondary Plan as presently drafted and requests that Community Council not adopt the recommendations as contained in the Final Report and instead refer the matter back to Community Planning Staff with direction to address Amexon's concerns as contained herein and as may be further conveyed.

Should you and/or Community Planning Staff require any additional information in connection with the enclosed, please do not hesitate to contact the undersigned. We would be prepared to meet with Community Planning Staff to resolve this matter.

**Regards,**

**Richard Domes  
Partner, Principal Planner**

**C.C.: J. Azouri, Amexon  
M. Flynn-Guglietti, McMillan LLP  
M. Gagnon, Gagnon Walker Domes Ltd.**