

August 22, 2018

Our File No.: 182197

Via Email (clerk@toronto.ca)

City Clerk's Office
Toronto City Hall
100 Queen St. W., 13th Floor, West Tower
Toronto, ON M5H 2N2

Attention: Ulli S. Watkiss, City Clerk

Dear Sirs/Mesdames:

Re: Draft Don Mills Crossing Secondary Plan

We are solicitors for Damis Properties Inc. in respect of the properties known municipally as 7-11 Rochefort Drive (“**7-11 Rochefort**”) and 30-34 St. Dennis Drive (“**30-34 St. Dennis**”, together with 7-11 Rochefort, the “**Properties**”) in the City of Toronto. The Properties are located just south and southeast of the major intersection of Don Mills Road and Eglinton Avenue East, in the immediate vicinity of the new LRT station planned for that intersection.

We write on behalf of our client to express its concerns with the Draft Don Mills Secondary Plan (the “**Draft Secondary Plan**”) that City staff have prepared to guide further consultation regarding an appropriate planning framework for the Don Mills and Eglinton area in light of the planned LRT station. As described in more detail below, our client's primary concern is that the proposed boundaries of the Draft Secondary Plan area have been drawn too narrowly. Excluding the Properties from the area of the Draft Secondary Plan unduly limits opportunities to capitalize on the public investment in new transit infrastructure, through intensification of the Properties in a manner consistent with the overall vision outlined in the Draft Secondary Plan.

Accordingly, on behalf of our client, we request that the boundaries of the Draft Secondary Plan be broadened to include the Properties. We also request a meeting with City staff to discuss this request at their earliest convenience.

Background: The Properties

As noted above, the Properties are located in the southeast quadrant of the major intersection of Don Mills and Eglinton. Both are situated in prominent locations, within close proximity to the planned LRT station and with significant visibility from major streets.

7-11 Rochefort has approximately 150 metres of frontage on Don Mills Road and is approximately 1.47 hectares in size. The site is located just one block south of Eglinton Avenue East, approximately 280 metres, or approximately a 4 minute walk, from the planned LRT station. It is currently occupied by two, three-storey rental apartment buildings containing a total of 128 two-bedroom units, and is designated *Apartment Neighbourhoods* in the City's Official Plan. Under the Draft Secondary Plan, the lands immediately north of 7-11 Rochefort are proposed to be designated *Mixed Use Areas A* and fall within the "Core Area" that is intended to accommodate the greatest height and density. The Draft Secondary Plan specifically contemplates tall buildings of up to 32 storeys on the lands immediately north of 7-11 Rochefort.

30-34 St. Dennis, located further east along Rochefort Drive, has a total area of 2 hectares. It comprises the block bounded by Rochefort Drive, Deauville Lane and St. Dennis Drive, and directly abuts the Don Valley Parkway. The site is located approximately 550 metres or approximately an 8 minute walk from the planned LRT station. Designated *Apartment Neighbourhoods* in the City's Official Plan, the site is currently occupied by three, four-storey rental apartment buildings containing 168 two- and three-bedroom units. A significant office building lies immediately north of the site, across Rochefort Drive.

The Boundaries of the Draft Secondary Plan Area Should be Broadened to Include the Properties

Our client is generally supportive of the overall direction of the Draft Secondary Plan, including its direction for intensification to support the significant public investment in new transit infrastructure. However, it is concerned that the boundaries of the Draft Secondary Plan area have been drawn too narrowly and unjustifiably exclude the Properties.

The Properties are both within very close proximity to the planned LRT station, in prominent, highly visible locations, and are capable of accommodating significant intensification in a manner generally consistent with the vision set out in the Draft Secondary Plan. Including the Properties within the boundaries of the secondary plan area – and specifically the "Core Area" – would support the key objectives arising from the Don Mills Crossing study process, including the objective of creating a vibrant, mixed-use community at a walkable scale. As noted above, both Properties are within an 8 minute walk from the planned LRT station, and 7-11 Rochefort in particular is a mere 4 minute walk from the planned station. In these circumstances, excluding the Properties from the boundaries of the area of the secondary plan ultimately approved would appear to be inconsistent with provincial policy direction regarding the efficient use of infrastructure, as well as the City's stated objective of capitalizing on the significant public investment in new transit infrastructure along Eglinton Avenue.

We also note that the lands immediately north of the Properties are either planned for significant intensification under the Draft Secondary Plan or already contain buildings of significant height and density. For example, the lands immediately north of 7-11 Rochefort, across Rochefort Drive, are proposed to accommodate buildings with some of the greatest heights and densities in

the Draft Secondary Plan area. Based on our review of the Draft Secondary Plan and related background materials, adequate justification has not been provided for the different policy approach to the lands on the south side of Rochefort Drive, including the Properties.

Further, although 7-11 Rochefort falls outside the boundaries of the Draft Secondary Plan area, the Draft Secondary Plan itself already recognizes the 7-11 Rochefort block as an integral part of the pedestrian and public realm network along Don Mills Road (see policy 4.4.2(a)). As part of the “Don Mills Crossing” public realm corridor, 7-11 Rochefort is intended to support improved pedestrian circulation patterns, and enhance the area’s identity and character. Staff appear to recognize that 7-11 Rochefort will serve an important connectivity function in the new, walkable community that is planned to grow alongside the new LRT station. This policy approach also reflects the fact that 7-11 Rochefort shares many attributes with the properties within the Draft Secondary Plan area. In these circumstances, it is only appropriate to extend similar policy guidance with respect to intensification to 7-11 Rochefort as is proposed for the adjacent properties within the “Core Area” under the Draft Secondary Plan.

Lastly, we note that the Draft Secondary Plan area covers a much larger area in the northwest quadrant of Don Mills and Eglinton than in the southeast quadrant. As a result, lands that are a similar distance from the planned LRT station are included in the Draft Secondary Plan area in the northeast quadrant, but excluded from the Draft Secondary Plan area in the southeast quadrant. Expanding the boundaries of the Draft Secondary Plan to include the Properties would allow for a more balanced and rational Draft Secondary Plan area that appropriately reflects the potential for lands in the southeast quadrant to contribute to the overall vision of the Draft Secondary Plan and the objective of efficiently using the new transit infrastructure.

Accordingly, on behalf of our clients, we kindly request that the boundaries of the secondary plan area be broadened to include the Properties within the Core Area. In our view, this approach would be consistent with the overall vision of the Draft Secondary Plan, as well as the policy direction contained in applicable provincial plans.

In the spirit of continued consultation on the Draft Secondary Plan, our client would appreciate the opportunity to meet with City staff to discuss this request further. Please contact me at your earliest convenience to arrange a meeting.

Please also accept this letter as a request for notice in respect of any further consultations or decisions on the Draft Secondary Plan or the Don Mills Crossing process.

Yours truly,

Goodmans LLP

Per: Mark Lee

David Bronskill

DJB/

cc: Christian Ventresca, Senior Planner, Strategic Initiatives
(Christian.Ventresca@toronto.ca)
Client

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