

Reply to the Attention of: Mary Flynn-Guglietti  
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Our File No.: 97975  
Date: April 3, 2019

**DELIVERED VIA EMAIL TO: PHC@TORONTO.CA**

**Planning & Housing Committee,  
City of Toronto, Metro Hall  
55 John Street, 22<sup>nd</sup> Floor  
Toronto, ON M5V 3C6**

**ATTN: Nancy Martins, Committee Secretary**

Dear Committee Chair and Members,

**Re: Item PH4.1: Don Mills Crossing - Final Report  
Amexon Property Management Corp.  
Addresses: 1200 Eglinton Avenue East & 150 Ferrand Drive**

We are the solicitors retained on behalf of Amexon Property Management Corp. ("**Amexon**"), owners of the properties municipally known as 1200 Eglinton Avenue East (the "**Eglinton Property**") and 150 Ferrand Drive (the "**Ferrand Property**") located in the City of Toronto, formerly the City of North York (collectively the "**Amexon Properties**"). The Eglinton Property is located at the northeast quadrant of Eglinton Avenue East and Gervais Drive, and is currently developed with a nine (9) storey office building which was constructed in 1971. The Ferrand Property is located west of the southbound Eglinton Avenue East on-ramp to the Don Valley Parkway, and is currently developed with a thirteen (13) storey office building.

The Amexon Properties are located outside of the proposed Don Mills Crossing Secondary Plan boundary as identified in Attachment 2 of the Don Mills Crossing – Final Report (dated March 14, 2019), being draft Amendment No. 404 to implement the Don Mills Crossing Secondary Plan (the "**Secondary Plan**").

Amexon and its Planning Consultant, Gagnon Walker Domes Ltd., have been engaged in the City of Toronto (the "**City**")'s Public Consultation Process leading up to the advancement of the Don Mills Crossing – Final Report. This has included attendance at numerous community and open house meetings, formal submissions to the Planning and Growth Management

Committee, as well as a meeting directly with City Planning Staff to discuss Amexon's specific concerns on the draft Secondary Plan in November 2018.

The Amexon Properties are located in close proximity to a future Major Transit Station Area associated with the immediately adjacent Crosstown Light Rail Transit. This results in intensification opportunities on these underutilized properties. For this reason, Amexon's initial concern pertained to the exclusion of the Amexon Properties from the proposed Secondary Plan and the Secondary Plan's failure to optimize and intensify the Amexon Properties for mixed-use tall buildings.

In November, 2018, Amexon's representatives met with City Planning, wherein Planning Staff further advised that they would not support the expansion of the boundaries of the proposed Secondary Plan Area to include the Amexon Properties. As such, it was the City's position that the policies of the Secondary Plan would not apply to any future potential development applications submitted to the City in relation to the Amexon Properties. Instead, any future potential development applications would be reviewed and considered only in the context of existing policies and recommended guidelines directly applicable to the Amexon Properties at the time of submission.

Amexon requested City Planning Staff to provide confirmation in writing of this position prior to the presentation of the Don Mills Crossing – Final Report to the Planning and Housing Committee on April 4, 2019. By email dated April 3, 2019, City Planning has confirmed that the Amexon Properties fall outside of the Secondary Plan Area and, as such, the City will not directly apply the policies of the proposed Secondary Plan to the Amexon Properties. The City noted, however, that once approved and in force, the Secondary Plan would form part of the planned context for the general area surrounding the Amexon Properties.

The Don Mills Crossing – Final Report (the "**Final Report**")

(i) Staff Recommendations 1 and 3

Staff Recommendation 1 and 3 of the Final Report recommend that City Council adopt the Secondary Plan included as Attachment 2 to the Final Report, and that City Council "direct staff to use the Don Mills Secondary Plan, Attachment 2, in the evaluation of all current and new development proposals within its boundaries".

Amexon supports these recommendations conditional on the understanding that:

- the policies within the Secondary Plan as approved by Council would not apply to any future potential development applications relating to the Amexon Properties, and
- any future potential applications relating to the Amexon Properties will be reviewed and considered by the City only in the context of the applicable policies and design guidelines in full force and effect at the time of submission.

(ii) Staff Recommendation 5

Staff Recommendation 5 of the Final Report recommends as follows:

City Council endorse the Don Mills Crossing Cultural Heritage Resource Assessment, included as Attachment 5, and direct the City Planning staff to use the Cultural Heritage Resource Assessment as a basis for further study of properties identified as potential heritage resources and when warranted bring forward recommendations on those properties that meet the criteria for inclusion on the City's Heritage Register.

At its Open House Meeting of January 30, 2019, the City presented the Don Mills Crossing Cultural Heritage Resources Assessment (dated January 24, 2019, the "**Heritage Assessment**") for public review. The Study Area conducted as part of the Heritage Assessment extended beyond the limit of the Secondary Plan boundary, and included the Amexon Properties. The Heritage Assessment identifies nineteen (19) properties within the Heritage Assessment Study Area as being of heritage value, and recommends their inclusion on the City of Toronto's Heritage Register. Amexon's Eglinton Property has been included as one of these identified properties.

Amexon does not support the inclusion of the Eglinton Property and/or the existing building (constructed in 1971) on the City of Toronto's Heritage Register. Further, having only released the Heritage Assessment to the general public at the end of January 2019, the City has advanced insufficient public and stakeholder engagement pertaining to the Heritage Assessment. The insufficient public engagement and commenting period has restricted Amexon's ability to provide detailed input in response to the City consultant's heritage assessment of the Eglinton Property.

In consideration of the above, Amexon requests that the Planning and Housing Committee defer consideration of Recommendation #5 until such time as additional public and stakeholder consultation is facilitated.

Please provide us with notice of the Committee's and City Council's decision in this matter and of any further reports, meetings, public meetings, or open houses in respect of the Secondary Plan or any other related matters affecting the Amexon Properties.

Yours truly,



Mary Flynn-Guglietti\*

\*A Professional Corporation

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