

Patrick G. Duffy  
Direct: +1 416 869 5257  
pduffy@stikeman.com

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By E-mail  
*phc@toronto.ca*

Planning and Housing Committee  
10th Floor, West Tower, City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

Attention: Ms. Nancy Martins, Administrator

Dear Sirs / Mesdames:

**Re: PH4.1 – Don Mills Crossing – Final Report  
Letter of Concern – Secondary Plan Mapping**

We are counsel to 39 Wynford Inc. ("**Brookfield**"), the owner of the property municipally known in the City of Toronto as 39 Wynford Drive (the "**Property**").

Brookfield and its related entities have been actively involved in the planning process for this neighbourhood in general, particularly as it relates to the Property's mixed use development potential, in view of the Growth Plan's direction for coordinated land use planning at transit-supportive densities. Our client's involvement includes, among other things, letters submitted by its planning consultants to the City's Planning Division and the Planning & Growth Management Committee, as well as an appeal of Official Plan Amendment No. 231 as it relates to the requested conversion and redesignation of the Property to permit a broader range and mix of uses.

Our client has reviewed the Draft Don Mills Crossing Secondary Plan (the "**Draft Secondary Plan**") and shares the City's enthusiasm for the emergence of a distinct and complete community at the intersection of Don Mills Road and Eglinton Avenue East. The introduction of the Eglinton Crosstown LRT presents an exciting opportunity for vibrant, transit-supportive, mixed use development, particularly for lands in close proximity to the transit stations along the planned LRT line.

Although generally supportive of the overall vision cast by the Draft Secondary Plan, our client wishes to express certain concerns with the present draft.

As a result of unconventional mapping, the Draft Secondary Plan purports to reach beyond the Secondary Plan Area boundaries, imposing policies and designations on lands located outside the Secondary Plan Area.

For instance, despite Policy 1.1, which states that the "lands subject to the policies of this Secondary Plan are identified on Map 40-1 Secondary Plan Area", Map 40-3a (Public Realm Network), Map 40-3b (Public Realm Structure Plan), Map 40-9 (Views and Vistas), Map 40-10 (Pedestrian Connections), Map 40-11 (Cycling Interchanges), and Map 40-12 (Transit and Travel Demand Management Plan) all contain mapping features and designations—with accompanying policies in the body of the plan—for lands located outside the Secondary Plan Area.

This unconventional mapping gives rise to significant uncertainty and confusion in interpreting the Draft Secondary Plan, particularly as it relates to lands located outside the Secondary Plan Area, including the Property.

**To address this confusion, we request that the Draft Secondary Plan be revised to remove all mapping features and designations for lands located outside the Secondary Plan Area, such that it is clear the policies of the Draft Secondary Plan are limited to the lands located within the Secondary Plan Area.**

If you have any questions or if staff wish to discuss these matters further, please do not hesitate to contact the undersigned.

In addition, please provide us with notice of all upcoming meetings of Council and Committees of Council at which the Draft Secondary Plan and the Don Mills Crossing planning study will be considered, and we ask to be provided with notice of the Committee's and Council's decision with respect to this item.

Yours truly,



For Patrick G. Duffy

PGD/jsc

cc. Jonathan Cheng, *Stikeman Elliott LLP*  
Peter Smith & Mike Dror, *Bousfields Inc.*  
Client