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**VIA EMAIL**

Mayor John Tory and Members of Council  
Toronto City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

**Attention: Secretariat, Toronto and East York Community Council**

**Your Worship and Members of Council:**

**RE: Toronto and East York Community Council Item No. TE11.4  
Planning File No. 18 159105 SPS 00 OZ  
Main Street Planning Study - Official Plan Amendment**

We are the lawyers for 6 Dawes Danforth Inc., being the owner of the lands municipally known as 6 Dawes Road (the "**Property**"), which is within the boundary of the lands subject to the Main Street Planning Study – City-Initiated Official Plan Amendment (the "**Study**").

We are writing to provide our preliminary comments in respect of the proposed Official Plan Amendment as set out in the *Main Street Planning Study – City-Initiated Official Plan Amendment – Final Report* dated November 15, 2019 from the Director, Community Planning, Toronto and East York District (the "**Proposed OPA**"). While our client is generally supportive of the vision to foster a complete and mixed-use community that seeks to utilize and integrate higher order transit, we submit that many of the policy directions set out in the Proposed OPA require further consideration, particularly as it relates to matters of implementation. We are therefore requesting that this matter be deferred and that Staff be directed to undertake additional consultation with stakeholders in order to consider and address the various issues raised in respect of the Proposed OPA.

**Background**

The Property is located on the west side of Dawes Road and south of Danforth Avenue, east of Main Street, and immediately north of (adjacent to) the GO Transit Lakeshore East rail corridor and Danforth-GO Transit station, which is identified as a Priority Transit Corridor in the Growth Plan. The Property is currently occupied by a self-storage facility consisting of 14 single-storey, self-storage warehouse buildings, as well as an ancillary office located along the Dawes Road frontage.

The Property is currently the subject of an application for a zoning by-law amendment to permit the redevelopment of the Property with a mixed-use development that will support the City's vision of creating a transit-supportive, complete community in this area. The redevelopment is comprised of two buildings with 3 towers ranging in height from 40, 46 and 49 storeys, with the tallest height being proposed in the west section of the Property, adjacent to the Danforth GO Transit station in what the Proposed OPA identifies as "Height Peak" on Map-6.

The mix of uses will include an integrated and dedicated entrance off Main Street for the existing Danforth GO Transit station, a City-run community centre and residential uses. The proposal includes the following key features:

- the dedication of land for a new public road to implement the City's anticipated vision to expand the existing road network in order to improve connectivity to the surrounding neighbourhood;
- enhanced connectivity through the Property by introducing a private road/driveway extending from the new public road to Main Street;
- the integration of the Danforth GO Transit station into the redevelopment to improve its street presence along Main Street and to provide improved safe access for transit riders;
- the introduction of a mid-block privately-owned public space (POPS) to improve connectivity and accessibility to the Danforth GO Transit station and to expand the planned parks and open space network; and,
- the inclusion of a new public community recreation centre.

The proposal will consist of approximately 5,234 square metres of non-residential gross floor area, approximately 118,418 square metres of residential gross floor area for a total of 1,425 dwelling units. The proposal has been designed through an iterative pre-application submission process. The design achieves an appropriate transition in scale to ensure compatibility with Neighbourhoods in the surrounding area, and to help frame the immediate context and promote an animated public realm.

### **The Proposed OPA**

At the outset, we submit that the Proposed OPA should include the delineation of the major transit station area boundaries for the two higher order transit stations in the Study area (the Main Street TTC subway station and the Danforth GO Transit station). The Proposed OPA should in turn include a policy framework that specifically implements the intensification policies set out in the Growth Plan to achieve the optimization of this key public infrastructure. We submit that the Growth Plan mandates this active approach to managing change, which includes the prohibition of built form that will undermine the clear policy direction to achieve optimization of land use and infrastructure.

Under the Proposed OPA, a portion of the Property (to the east) is identified as “Transition Area (Midrise)”, which would limit development in this area to a mid-rise building typology. This direction is intended to ensure that shadow impacts to existing and planned parks and open spaces are limited, and to provide an appropriate transition to the low-rise neighbourhood to the south.

The site specific development proposal submitted for the Property demonstrates that a greater intensity of development is appropriate at the location identified as “Transition Area (Midrise)” in the Proposed OPA. The site specific proposal has been designed to ensure that shadow impacts are appropriately mitigated, and to achieve an appropriate transition to the neighbourhood to the south, having regard to the existing and planned context of the Property and its surroundings. To the extent that the Proposed OPA limits the development potential of the Property beyond what would otherwise be achievable based on principles of good planning, it is not consistent with and does not conform with provincial policy.

Several of the proposed policies contemplate specific built-form and land use requirements that involve a more granular assessment best determined at the site specific zoning stage. Examples of these policies include:

- Policy 6.3 (active uses to be located along the ground floor of development with frontages along public streets, parks, and POPS); and,
- Policy 7.3.2 (maximum building height of base buildings within Character Area C is four-storeys, generally 16-18 metres, unless the base building contains non-residential uses in which case the maximum height may be 24 metres with a minimum 3-metre setback generally at 18 metres).

The objectives that inform these proposed policies should be more generally stated and balanced with other City and provincial policy objectives, in order to provide flexibility for property owners to pursue designs that respond to site and area physical characteristics. In the case of the Property, for example, the site specific proposal incorporates a base building that has been designed to address the physical relationship to the rail corridor to the south, which informs the height, the proposed uses and the organization of such uses within the base building.

The Proposed OPA contemplates significant new community infrastructure, including lands to be dedicated for new consolidated public parks. This direction appears to be predicated on an expectation that these objectives will be achieved, notably as it pertains to consolidated public parks, through a coordinated process amongst public and private interests. However, it is unclear how this proposed policy framework will be achieved, particularly given the pending changes to the Planning Act related to parkland dedication and community benefits introduced under Bill 108. In our respectful

submission, this represents a critical flaw in the Proposed OPA, which requires further consideration by City Staff through consultation with interested stakeholders.

In addition to the foregoing, we submit that the Proposed OPA should include a transitional provision to formally recognize pipeline projects, in order to ensure fairness and certainty in the planning process.

Thank you for your consideration of these submissions. Our client and its consultant team remain committed to working with City Staff to address the concerns expressed herein.

We hereby request notice of any decision in respect of this matter by Toronto and East York Community Council and City Council.

Yours truly,  
**Overland LLP**



Per: Daniel B. Arsenosi  
Partner

- c. N.Mansour and H.Spriggs, Carlyle Communities  
S.Dejonckheere, Slate Asset Management