

January 28, 2020

Our File No.: 183346

City Council
12th Floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Marilyn Toft, Secretariat

Dear Sirs/Mesdames:

**Re: City Council Item SC12.10 –Golden Mile Secondary Plan Study
1900 Eglinton Avenue East**

We are solicitors for Calloway REIT (1900 Eglinton) Inc. in respect of the property known municipally in the City of Toronto as 1900 Eglinton Avenue East (the “**Property**”). We are writing to provide our client’s preliminary comments in respect of the above-noted matter so that City Council is aware of our client’s high level concerns at this time.

As background, on August 20, 2019, our client submitted an official plan amendment application in respect of the Property to permit the future development of the Property for a mixed use community comprised of low rise, mid rise and tall building components with opportunities for street-related commercial, residential uses, park and open space uses, and a public/private road system. Our client has been an active participant in the Golden Mile Secondary Plan Study process and attended numerous meetings with City staff.

Our client appreciates that one of the recommendations in the staff report is to undertake stakeholder consultations on the draft secondary plan. As part of providing initial feedback, our client has the following high level concerns:

- Our client continues to believe that the staff direction for permitted densities would unduly constrain the redevelopment of the Property, and the larger study area, in conflict with the directive policies of the Growth Plan for the Greater Golden Horseshoe (2019). In addition, the draft secondary plan recognizes the potential for additional density in close proximity to transit stops but has not done so for the Property.
- Similarly, the proposed heights are limited with no ability for additional height absent an official plan amendment. Again, this approach would unduly constrain the redevelopment of the Property without any meaningful rationale for the proposed height limits.

- The draft secondary plan appears to prohibit major retail uses, even if such a use is located within the podium of a mixed-use building. This policy approach not only fails to recognize the opportunity to deliver major retail uses in a mixed-use building's podium but also will have a significant impact on our client's ability to relocate existing tenants on the Property as part of the long-term redevelopment of the Property. In particular, our client's ability to move tenants within the Property, having regard for existing contractual obligations, is a significant aspect of ensuring the long-term optimization of the Property.
- The draft secondary plan proposes that all parks and roads be in public ownership. Our client would urge a more flexible approach to enable opportunities for privately-owned publicly accessible open spaces and private roads.
- The draft secondary plan appears to require many matters to be in the first phase of any development, without appropriate regard for whether such an approach is warranted and possible. In addition, the proposed approach to implementation fails to recognize the impacts of recent amendments to the *Planning Act*.
- In general, the draft secondary plan proposes many policies, including those related to built form; that use mandatory language that is inappropriate in a policy document. Consideration should be given to enable flexibility in implementation without the need for an official plan amendment.

Our client would welcome the opportunity to meet with City staff at their earliest opportunity to discuss these concerns, many of which have been raised previously and remain outstanding. In the meantime, we would appreciate receiving notice of any decision of City Council in respect of this matter.

Yours truly,

Goodmans LLP



David Bronskill
DJB/

cc: Client