

June 23, 2022

Our File No.: 210434

**Via Email: [etcc@toronto.ca](mailto:etcc@toronto.ca)**

Etobicoke York Community Council  
Toronto City Hall  
2<sup>nd</sup> Floor, West Tower  
100 Queen Street West  
Toronto, ON M5H 2N2

**Attention: Nancy Martins**

Dear Sirs/Mesdames:

**Re: Item 33.11 – Mount Dennis Secondary Plan – Final Report  
955-975 Weston Road**

We are solicitors for 955-969 Weston Road Development Limited Partnership in respect of the properties known municipally in the City of Toronto as 955-975 Weston Road (the “**Properties**”). Given that the Properties are assembled, and based on their location, regular shape and good depth, the Properties are well-suited to achieve the City’s intensification objectives in the short term without having to contend with potential issues other properties in the area will face.

We are writing on behalf of our client to provide comments regarding the Picture Mount Dennis Framework and draft Mount Dennis Secondary Plan (the “**Draft Secondary Plan**”). Our client has concerns with respect to the Draft Secondary Plan and would respectfully request that revisions be made or the Properties be exempted from the Draft Secondary Plan.

**Background**

On October 21, 2021, our client submitted official plan amendment, rezoning and site plan approval applications in respect of the Properties to permit the development of two 11-storey buildings connected by a one-storey podium. The City declared the applications complete as of December 13, 2021. As discussed with City staff, our client is preparing revisions to these applications that will result in an increase to the density originally proposed. Those discussions are ongoing with City staff.

**Draft Secondary Plan**

Our client’s concerns with the Draft Secondary Plan are as follows:

- Views: Map 7A and Schedule 4 would be amended to add a view from Weston Road at Lambton Avenue towards tall buildings (including the CN Tower) composing the Downtown/Financial District skyline. Our client is concerned that the proposed addition of this view would contradict other proposed policies in the Draft Secondary Plan related to tall buildings in proximity to the Mount Dennis Station and the rail corridor. The general description of this view could preclude the appropriate permission for tall buildings at the southeast corner of Weston Road and Lambton Avenue, if properly placed within the context of the rail corridor.
- Land Use – Non-Residential: Section 5.3 would require residential intensification to be combined with non-residential uses on lands designated as *Mixed Use Areas*. Section 5.4.1 would require the replacement of all existing non-residential gross floor area (through a variety of mechanisms). Our client is concerned that these policies go further than the land use permissions for *Mixed Use Areas* and would preclude otherwise appropriate redevelopment in the area and on the Properties.
- Land Use – Retail: Section 5.13 (and Map 4) appears to require retail, service and/or non-residential uses at-grade fronting on Weston Road and Eglinton Avenue West. Our client is concerned that this policy is counter to Clause 1 of proposed OPA 571, which would terminate the new Weston Road *Avenue* just north of the Properties, and does not recognize site constraints, as with the Properties, that would preclude the provision of such uses at-grade.
- Rail Safety: Our client is concerned with Section 5.8.4 and is proposing landscaping in the railway setback as part of its development application. This space should be included as part of the outdoor amenity space requirements for the Properties and/or reduction of parkland dedication. Our client is also concerned with the requirements for berms in Section 5.10 and how these requirements are intended to be implemented as part of the overall intent for any derailment protection plan.
- Parkland: Section 6.9 and Map 5 identify locations for potential new public parks and open spaces. Our client does not agree that a park and/or parkette should be provided at the northwest corner of Lambton Avenue and West Road, especially given the close proximity of Westlake Park and Keelesdale Park.
- Built Form – Building Type: Section 8.14.3 refers to 4-storey base buildings and tower setbacks of 5 metres or greater, with the potential for an additional setback above the second storey along Weston Road. Section 8.14.4 would propose a general maximum floor plate of 750 square metres. Section 8.14.5 would require a minimum tower separation of 30 metres. Based on the right-of-way for Weston Road, our client believes that a base building of 5-6 storeys is appropriate, with a setback of 3.0 metres in accordance with the Tall Building Guidelines. Further, the Tall Building Guidelines should continue to be used

to address matters related to floor plate size and tower separation, as opposed to attempting to include these matters as policy in the Draft Secondary Plan.

- Built Form – Tall Building Locations: Section 8.38 refers to the Mixed-Use Main Street District having a predominantly mid-rise character. Our client does not agree that tall buildings should be restricted in this manner with transit-oriented developments in close proximity to transit instead being encouraged to have tall buildings. Section 8.43 further (and inappropriately) impacts tall building placement. Clearly, a tall building can be provided within 50-60 metres of the centreline of Weston Road while still maintaining a mid-rise building form (i.e., in the podium) along Weston Road. Finally, Sections 8.46 and 8.47 could preclude tall buildings with greater heights along the rail corridor. There should be no policy prohibition for greater heights (including 45-storeys) along the rail corridor.
- Shadow/Wind: Our client is concerned that the policies related to shadow and wind require further clarification in the context of the development proposed for the Properties. Our client believes that any shadow and wind impacts from the proposal have been appropriately mitigated.
- Private and Shared Amenity Space: Section 8.20 would preclude opportunities for indoor amenity space below-grade. Our client believes there may be opportunities for amenity space below-grade, subject to appropriate design and programming.
- Parking/Parking Structures: Our client is concerned that Sections 8.24, 8.26 and 8.27 would preclude necessary at-grade parking, such as for accessible parking and/or short-term visitor parking, or preclude appropriate locations for surface parking (such as the rear of the Properties or within the rail safety setback). Further, Section 8.25 unreasonably limits the location of underground parking structures. There are instances where it may be necessary to extend the underground parking structure beyond the building footprint.
- Building Materiality: Section 8.39.6 would require base building facades to be at least 50 percent brick masonry, stone or similar high-quality material. Our client is concerned with the restrictive nature of this policy and its inclusion as part of the Draft Secondary Plan.
- Housing: Section 9.7 should be amended in accordance with the policy direction for unit mix in the approved Downtown Plan and Midtown Plan.
- Urban Design Guidelines: The Draft Secondary Plan would cross-reference urban design guidelines that have not yet been released with sufficient opportunity for comment and feedback. This policy should be deleted.

**Conclusion**

As noted above, the Properties represent an opportunity to achieve the Draft Secondary Plan's intensification objectives (e.g., Section 5.3) in the short term. Given that the Properties are assembled, and based on their relative regular shape, location and good depth, the Properties can be appropriately intensified without some of the constraints facing other properties in the area. For example, many other properties within the boundaries of the Draft Secondary Plan will have to contend with one or more potential issues, including complex lot assembly, road closures, relocation of existing services, angled properties line along Weston Road, and decreased lot depths.

We would also appreciate if this letter could service as our request for notice of any decision made in respect of this matter.

Yours truly,

**Goodmans LLP**



David Bronskill  
DJB/