

**EMPLOYMENT AREA
CONVERSION REQUEST**

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File No.: 11265
July 2021

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This correspondence formally requests the conversion of the Subject Property from Employment Area to Mixed Use Area to permit non-employment uses. This Report considers the Conversion Request in the context of Provincial, and Local Planning Policy and Regulatory documents and provides a professional planning opinion and rationale in support of the request.

2.0 SITE AREA CONTEXT

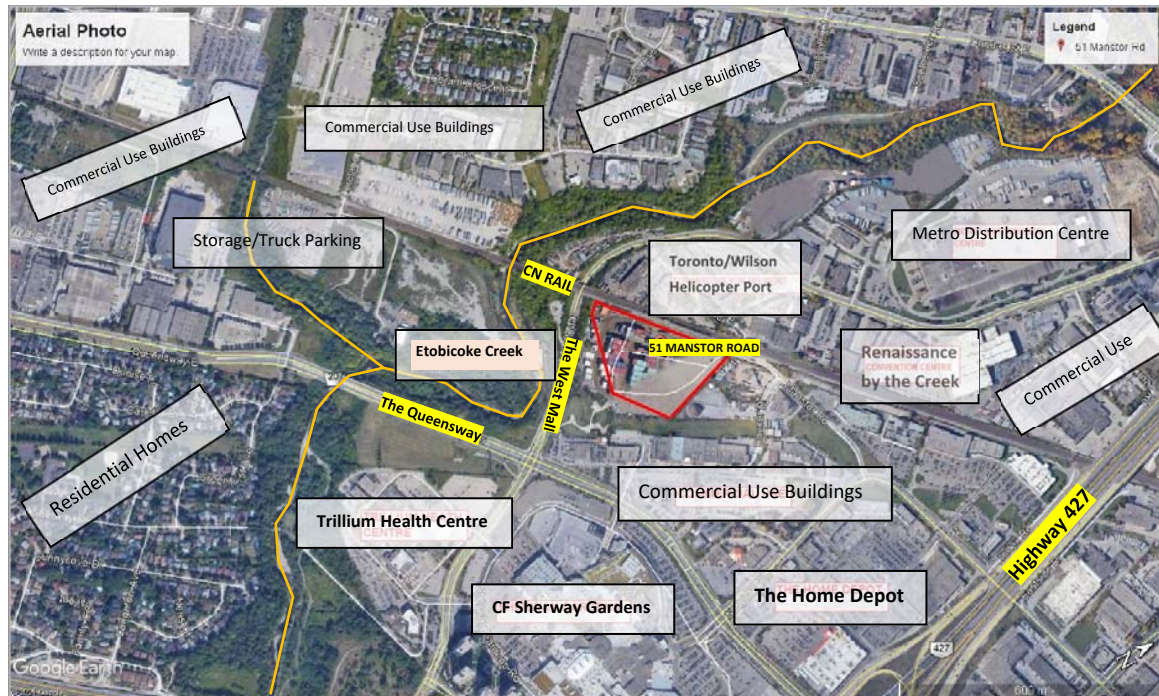


Figure 2 - SURROUNDING CONTEXT MAP (— SUBJECT PROPERTY)

The immediate surrounding area is comprised of the following land uses:

North: North of the Subject Property is the CN Rail line, and the property north of that contains Toronto/Wilson Heliport and it's associated parking and a variety of commercial use buildings.

West: West of the Subject Property is Etobicoke Creek, and a large parcel of land that has some area dedicated to storage and truck parking.

South: South of the Subject Property there are many commercial use buildings; such as Jack Astor's Bar and Grill, Second Cup, The Home Depot and further south of the Queensway is Sherway Gardens and Trillium Health Centre.

East: East of the Subject Property is 'Renaissance by the Creek' (a banquet hall), a GoodLife fitness and other commercial use buildings.

The Subject Property is located on an edge of the employment lands and is bounded by an existing railway line, the West Mall and potentially a planned future major roadway. There are existing shopping opportunities in the area as well as existing public transit in close proximity to the site, including a bus stop at Manstor Road and N. Queen St., Route 123C, which is approximately 500 metres from the Subject Property.

3.0 POLICY ANALYSIS

3.1 PROVINCIAL POLICY

3.1.1 PROVINCIAL POLICY STATEMENT (2020)

The Provincial Policy Statement (the PPS) is the guiding document providing policy direction on matters of Provincial interest related to land use planning and development in the Province of Ontario. The PPS sets the policy foundation to regulate land use and development while also supporting the Provincial goal to enhance the quality of life for Ontarians. The *Planning Act* requires that all decisions affecting planning related matters be consistent with the policy statements issued under the Act, including the PPS.

The PPS calls for the building of strong communities as *“Ontario’s long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns”*. The establishment of healthy, livable and safe communities is facilitated through efficient development and land use patterns and the accommodation of an appropriate range and mix of residential, employment, institutional and recreational uses to meet long term needs.

Managing and Directing Land Use

Section 1.0 of the PPS provides direction related to “Building Strong Healthy Communities” and is applicable to the Subject Property. It encourages a variety of land uses within communities and promotes initiatives that make efficient use of infrastructure.

Section 1.1.1 provides direction for managing and directing land use in order to achieve efficient and resilient development and land use patterns. These policies state:

“1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and*

- long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
 - d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
 - e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
 - f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
 - g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
 - h) promoting development and land use patterns that conserve biodiversity; and,*
 - i) preparing for the regional and local impacts of a changing climate.*

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.

Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.

Nothing in policy 1.1.2 limits the planning for infrastructure, public service facilities and employment areas beyond a 25-year time horizon.”

The proposed conversion of the Subject Property to Mixed Use Area would provide for a greater mix of uses, including uses that would generate employment, and would provide for the opportunity for a range of housing types, which would help in the achievement of healthy and liveable communities. There is existing public transit in close proximity to the site, including a bus stop at Manstor Road and N. Queen St., Route 123C, which is approximately 500 metres from the Subject Property. The proposed Mixed Use Area designation would provide the opportunity for transit-supportive development in an area that has transportation and servicing infrastructure available, as well as public service facilities.

Settlement Areas

Section 1.1.3 of the PPS, focuses and directs growth and development towards designated Settlement Areas. Land use patterns within settlement areas should be based on an appropriate range and mix of land uses and densities that make efficient use of available land and existing infrastructure. Section 1.1.3 includes the following applicable policies:

1.1.3.1 Settlement areas shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) Efficiently use land and resources;*
- b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) Minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) Prepare for the impacts of climate change;*
- e) Support active transportation;*
- f) Are transit-supportive, where transit is planned, exists or may be developed; and,*
- g) Are freight supportive.*

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The Subject Property is located within a Settlement Area as defined by the PPS, and located within the Urban Boundary. The proposed conversion of the Subject Property to Mixed Use Areas would allow for more efficient use of land by providing for future mixed use development, which would also support active transportation and transit use. There is existing public transit in close proximity to the site, including a bus stop at Manstor Road and N. Queen St., Route 123C, which is approximately 500 metres from the Subject Property. A Transit Hub is proposed in the Sherway

Transportation Master Plan, which includes a proposed future subway stop, on the Queensway, just south of the Subject Property. Future mixed use development can be developed at a density that is transit supportive and there is the necessary transportation and servicing infrastructure available to support such future development.

Land Use Compatibility

Policies 1.2.6.1 and 1.2.6.2 of the PPS provides for policies related to Land Use Compatibility. The applicable policies are the following:

1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- a) there is an identified need for the proposed use;*
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;*
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and*
- d) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.*

A Compatibility and Mitigation Study for Air Quality, Dust, Odour and Noise and Vibration has been completed by SLR Consulting (Canada) Ltd. (SLR), which examined and concluded there would be no adverse effects regarding air quality, dust, odour, and noise and vibration impacts from surrounding roadways and nearby industrial land uses to affect the Subject Property and the conversion, if approved, would not result in constraints on surrounding facilities to expand.

Employment

Policy 1.3.1 of the PPS states that planning authorities should promote economic development and competitiveness by:

- a) Providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;*
- b) Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic*

- activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) Encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; and,*
 - d) Ensuring the necessary infrastructure is provided to support current and projected needs*

The proposed conversion is consistent with the PPS, 2020, as it would encourage compact mixed-use development supported by infrastructure and that is compatible with employment uses and support healthy, livable, complete communities. The Subject Property is also located in an area where appropriate infrastructure and utilities exist and are available. A Compatibility and Mitigation Study for Air Quality, Dust, Odour and Noise and Vibration has been completed by SLR Consulting (Canada) Ltd. (SLR), which examined and concluded there would be no adverse effects regarding air quality, dust, odour, and noise and vibration impacts from surrounding roadways and nearby industrial land uses to affect the Subject Property and the conversion, if approved, would not result in constraints on surrounding facilities to expand.

Policy 1.3.2.4 of the PPS states:

1.3.2.4 Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

The City of Toronto is currently going through the Municipal Comprehensive Review exercise, which provides the opportunity to permit the employment area conversion of the Subject Property. The Subject Property is not needed for employment purposes over the long term, as it has not in the past or currently been contributing any employment, but would do so under a mixed use redevelopment scenario. The need for the conversion of the Subject Property is a result of the need of the City to fully realize its comprehensive vision for the redevelopment of the Sherway Area as a vibrant, mixed-use, high-density, complete community centered around significant investments in public transit and infrastructure. The Minister specifically removed the Subject Property as part of his review of the PSEZ mapping from the PSEZ designation, recognizing that the Subject Property is not considered significant, at a provincial level, for future employment purposes or require long term preservation for such purposes. By permitting a greater range and mix of uses on the Subject Property, including service commercial, retail, office and residential, it will better incentivize and operationalize the City's land use framework for the Sherway Area, rather than low density employment uses generating little or no employment.

Infrastructure and Public Service Facilities

The infrastructure policies of the PPS are outlined in Section 1.6. Existing infrastructure and public service facilities are intended to be optimized, wherever possible, before developing new

infrastructure and public service facilities. The following policies are relevant to the proposed development:

1.6.1 Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.

Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they are:

- a) Financially viable over their life cycle, which may be demonstrated through assets management planning; and*
- b) Available to meet current and projected needs.*

1.6.3 Before consideration is given to developing new infrastructure and public service facilities:

- a) The use of existing infrastructure and public service facilities should be optimized; and,*
- b) Opportunities for adaptive re-use should be considered, wherever feasible.*

1.6.6.1 Planning for sewage and water services shall:

- a) accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing;*
 - 1. municipal sewage services and municipal water services; and*
 - 2. private communal sewage services and private communal water services, where municipal sewage services and municipal water service are not available or feasible;*
- b) Ensure that these systems are provided in a manner that:*
 - 1. can be sustained by the water resources upon which such services rely;*
 - 2. prepares for the impacts of climate change*
 - 3. is feasible and financially viable over their life cycle; and,*
 - 4. protects human health and safety, and the natural environment;*
- c) Promote water conservation and water use efficiency*
- d) Integrate servicing and land use considerations at all stages of the planning process; and,*
- e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4. and 1.6.6.5. For clarity, where municipal sewage services and municipal water services are not available, planned or feasible, planning authorities have the ability to consider the use of the servicing options set out through policies 1.6.6.3, 1.6.6.4, and 1.6.6.5 provided that the specified conditions are met.*

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage

service and municipal water service, intensification and redevelopment shall be promoted wherever feasible to optimize the use of services.

1.6.6.7 Planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) minimize, or where possible, prevent increases in contaminant loads;*
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater including the use of green infrastructure;*
- d) mitigate risks to human health, safety, property and the environment;*
- e) maximize the extent and function of vegetative and pervious surfaces; and*
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

The Subject Property is readily serviceable, as there is existing infrastructure with capacity in close proximity to the Subject Property. A Servicing Master Plan for the City-initiated Sherway Study was completed by the Municipal Infrastructure Group, which indicates there is an existing District 3 watermain that connects to Manstor Road, just east of the Subject Property. The Master Plan also confirms that there is an existing sewer that connects to Manstor Road, just east of the Subject Property and ultimately connects to the East Mall Trunk Sewer and notes that this existing sewer has flows at less than 80% capacity. Moreover, the Master Plan concludes that it is expected that the storm sewers will have sufficient capacity to service the overall redevelopment of the Sherway Area, and no upgrades to the municipal systems are anticipated. An existing public service facility in the Sherway Area includes the Sherway Gardens and Trillium Health Centre. Additional public service facilities will be developed in the area, as part of the future redevelopment of the Sherway Area.

Transportation

Section 1.6.7 of the PPS places significant emphasis on creating a pattern of development within existing communities and new development that is capable of supporting increased transit ridership in existing systems and helping to facilitate the establishment of new transit systems. Concentrating densities and a mix of uses in and around transit stops and station areas is an effective way of optimizing transit infrastructure by placing more people and uses within close proximity to transit facilities and supporting higher levels of pedestrian activity. The following transportation policies are applicable to the conversion request:

1.6.7.1 Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

1.6.7.2 Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

The proposed conversion request is consistent with the above noted policies as it would provide for future mixed use development that would make efficient use of existing and planned infrastructure. There is an existing public transit in close proximity to the site, including a bus stop at Manstor Road and N. Queen St., Route 123C, which is approximately 500 metres from the Subject Property. Also, in terms of future planned infrastructure, which in principle has buy-in from TTC representatives, a Transit Hub is proposed per the Transportation Master Plan completed by ARUP Canada Inc. dated September, 2016, which includes a proposed future subway stop, on the Queensway, just south of the Subject Property. Also, the North Queen Street Extension Municipal Class EA recommended a road network alignment that will provide direct frontage and access to the Subject Property, which will in turn lend itself to higher order retail and/or residential uses. With the Subject Property having significant frontage on a major road in the future, it will provide the necessary visibility and access for higher order uses, as there is an opportunity for placement of buildings for retail and/or residential uses next to the street frontage. The diverse mix of uses on the Subject Property and near by complementary uses will minimize the length of vehicle trips and support active transportation, making it consistent with the above noted policies.

Summary:

The proposed conversion request is consistent with policies of the PPS as it:

Provides for more efficient use of land by providing for future mixed use development;

Takes into account the needs of existing businesses as the conversion would not have adverse effects for air quality, dust, odour, and noise impacts from surrounding roadways and nearby industrial land uses. The conversion if approved, would not result in constraints on surrounding facilities to expand;

Is located in an area that has access to municipal servicing infrastructure, including water, wastewater and stormwater services, with existing and planned capacity, as outlined in the Servicing Master Plan - Class EA Report for the Sherway Area Planning Study; and,

Establishes a greater mix of uses along existing transit infrastructure and planned transportation improvements through the North Queen Street Extension Municipal Class EA and public transit improvements proposed in the Transportation Master Plan for Sherway Study and is in proximity

to compatible uses to help achieve sustainable development, meet the long-term needs of residents and support the creation of liveable, resilient and 'complete' communities.

For the reasons stated above, it is our opinion that the proposed conversion is consistent with the Provincial Policy Statement, 2020.

3.1.2 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2020)

The Growth Plan for the Greater Golden Horseshoe ("Growth Plan") provides direction respecting the development and growth of communities within the Greater Golden Horseshoe ("GGH"). The new Growth Plan was prepared and approved under the Places to Grow Act, 2005 and took effect on May 16, 2019 replacing the 2017 Plan. Amendment 1 (2020) to the Growth Plan for the Greater Golden Horseshoe 2019 was approved and took effect on August 28, 2020.

Although many of the policies of the Growth Plan (2019) have remained the same, the changes to the new Growth Plan (2020) are intended to address potential barriers to increasing the supply of housing, creating jobs and attracting investments. The overarching objectives of the Growth Plan (2020) continue to support the achievement of complete communities that are healthier, safer, and more equitable. Additionally, the Growth Plan prioritizes the better use of land and infrastructure by directing growth through a hierarchy of settlement areas and prioritizing infill opportunities.

Managing Growth

Section 2.2.1 of the Growth Plan provides a framework to prioritize, guide and direct population and employment growth. It also implements a strategy for the allocation of growth in order to meet Provincial forecasts through to the year 2051 in accordance with Amendment 1 of the Growth Plan. The Plan's key policies for growth allocation are highlighted below.

2. Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a) the vast majority of growth will be directed to settlement areas that:*
 - i. have a delineated built boundary;*
 - ii. have existing or planned municipal water and wastewater systems; and*
 - iii. can support the achievement of complete communities.*

- b) growth will be limited in settlement areas that:*
 - i. are rural settlements;*
 - ii. are not serviced by existing or planned municipal water and wastewater systems; or*
 - iii. are in the Greenbelt Area;*

- c) *within settlement areas, growth will be focused in*
 - i. *delineated built-up areas;*
 - A. *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and,*
 - B. *areas with existing or planned public service facilities;*
 - d) *development will be directed to settlement areas, except where the policies of this Plan permit otherwise;*
 - e) *development will be generally directed away from hazardous lands; and*
 - f) *the establishment of new settlement areas is prohibited.*
3. *Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:*
- a) *establish a hierarchy of settlement areas, and of areas within settlement areas, in accordance with policy 2.2.1.2;*
 - b) *be supported by planning for infrastructure and public service facilities by considering the full life cycle costs of these assets and developing options to pay for these costs over the long-term;*
 - c) *provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form;*
 - d) *support the environmental and agricultural protection and conservation objectives of this Plan; and,*
 - e) *be implemented through a municipal comprehensive review and, where applicable, include direction to lower-tier municipalities.*
4. *Applying the policies of this Plan will support the achievement of complete communities that:*
- a) *feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
 - b) *improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
 - c) *provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
 - d) *expand convenient access to:*

- i. *a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
 - ii. *public service facilities, co-located and integrated in community hubs;*
 - iii. *an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and*
 - iv. *healthy, local, and affordable food options, including through urban agriculture;*
- e) *provide for a more compact built form and a vibrant public realm, including public open spaces;*
 - f) *mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and*
 - g) *integrate green infrastructure and appropriate low impact development.*

The conversion request supports the growth management objectives of the Growth Plan by accommodating growth, through intensification, within the existing built boundary. The conversion request also contributes to the Province's vision of a well planned and designed built environment by providing greater accessibility and a mix of uses, including a diverse range of housing options and service commercial/retail choices to meet people's needs at all stages of life, and by supporting the creation of a 'complete' community.

Further, the Subject Property benefits from direct access to municipal water and wastewater infrastructure with existing and planned capacity. Also, the proposed conversion request supports an efficient land use by increasing the mix of uses in the area that are complementary.

Employment

Section 2.2.5.1 of the Growth Plan supports economic development and growth through a number of policies including:

- a) *making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;*
- b) *ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan;*
- c) *planning to better connect areas with high employment densities to transit; and*
- d) *integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment.*

The conversion request conforms to the above noted policies as it provides an efficient land use pattern that is intended to attract investment and potential employment, by providing an opportunity for retail use through a future mixed use development in an appropriate location.

The conversion of the Subject Property to a Mixed Use Areas designation provides for appropriate intensification and a mix of uses that allows for efficient land use and limiting required travel distances. Future mixed use development to the south, as contemplated in the Sherway Area Study, and proposed on the Subject Property through this Conversion Request, is also compatible with and can be appropriately integrated with the other surrounding uses which further assists in achieving a complete community.

The Growth Plan in 2019 included the introduction of Provincially Significant Employment Zones (PSEZ) identified by the Minister of Municipal Affairs and Housing, per Policy 2.2.5.12 of the Growth Plan, that must be protected and cannot be converted outside the municipal comprehensive review. The Subject Property was specifically excluded by the Minister of Municipal Affairs and Housing from the PSEZ designation. By doing so the Minister is recognizing that the Subject Property is not considered significant, at a provincial level, for future employment purposes or require long term preservation for such purposes.

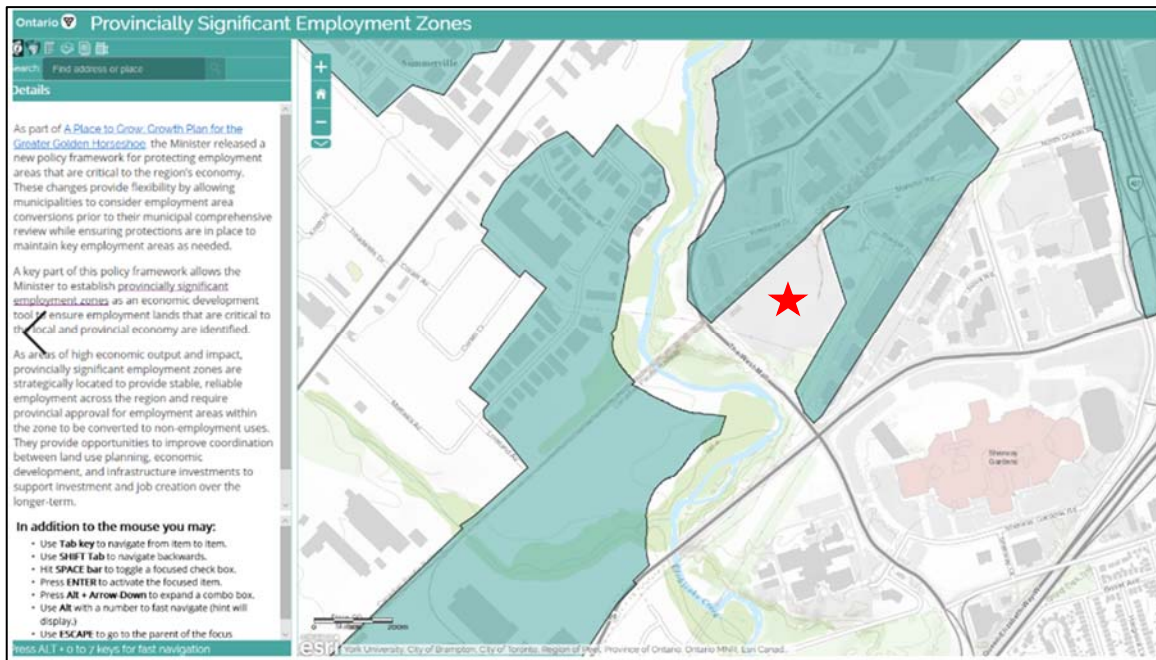


Figure 3 - ONTARIO MAP – PROVINCIALY SIGNIFICANT EMPLOYMENT ZONES (★ SUBJECT PROPERTY)

The conversion request is evaluated in accordance with policy 2.2.5.9 of the Growth Plan. According to policy 2.2.5.9 of the Growth Plan:

9. The conversion of lands within employment areas to non-employment uses may be permitted only through a municipal comprehensive review where it is demonstrated that:

- a) there is a need for the conversion;*

- b) the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;*
- c) the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;*
- d) the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and*
- e) there are existing or planned infrastructure and public service facilities to accommodate the proposed uses.*

The proposed conversion satisfies the requirements of policy 2.2.5.9 as follows:

a) The need for the conversion of the Subject Property is a result of the need of the City to fully realize its comprehensive vision for the redevelopment of the Sherway Area as a vibrant, mixed-use, high-density, complete community centered around significant investments in public transit and infrastructure. The Minister specifically removed the Subject Property as part of his review of the PSEZ mapping from the PSEZ designation, recognizing that the Subject Property is not considered significant, at a provincial level, for future employment purposes or require long term preservation for such purposes. By permitting a greater range and mix of uses on the Subject Property, including service commercial, retail, office and residential, it will better incentivize and operationalize the City's land use framework for the Sherway Area, rather than low density employment uses generating little or no employment.

b) The Subject Lands are not required over the long-term for Employment Land purposes. As noted previously, the Subject Property has not in the past or currently been contributing any employment, as there are no employment buildings on the site and it is being used for open storage. The Subject Property would however contribute towards generating employment under a mixed use redevelopment scenario by providing for possible retail, service commercial and office uses. A future mixed use development would significantly increase the number of jobs that could be accommodated on the Subject Property.

c) The proposed conversion will not impact the City's ability to maintain sufficient employment lands to accommodate forecasted employment growth. A comprehensive analysis was undertaken as part of the City's 2012 Municipal Comprehensive Review to understand the supply and demand for employment land in Toronto and implications for continued growth in employment. Malone Givens Parsons Ltd. Prepared a *Sustainable Competitive Advantage and Prosperity - Planning for Employment Uses in the City of Toronto Study Report* (the 'MGP Study'), which was commissioned to inform the City's Five-Year Review of its 2006 Official Plan. The MGP Study noted that despite a diminishing

supply of Employment Area lands (aside from a small amount of greenfield land in north-east Scarborough, Toronto's employment land supply is nearly fully developed) the nature of Employment Areas is evolving, moving toward higher density employment uses (e.g., office and retail/service commercial), as well as increased re-development of existing underutilized Employment Areas land. By contrast, in a suburban environment, employment growth is accommodated in a relatively predictable manner related mostly to the absorption of greenfield sites. For example, the 905 building stock is new enough that it is not yet experiencing the cycle of use and re-use that is occurring in Toronto.

The MGP Study found that the City had some 686 hectares of vacant land in its Employment Districts and Employment Areas and it was forecast to have between 64 hectares of surplus land or a deficit of 670 hectares to 2041 depending on the forecast land needs demand scenario. The City's Employment Land employment is forecast to decrease to 2051 resulting in a decrease in demand for Employment Areas land and potentially a surplus of Employment Areas land to 2051.

Between the 2041 and 2051 horizon, the City of Toronto will remain a major regional office node within the Greater Golden Horseshoe, and there is a new focus on targeting new office space construction to realize future growth potential. Achieving this growth will depend on an integral alignment of planning, transit, and economic development initiatives in strategic areas, such as Sherway Study Area and the Subject Property. This approach will bring balanced intensification and expanded tax revenues in addition to significant job growth and wealth generation for the City.

Permissions for mixed use re-development on the Subject Property, including residential and community serving uses, in our opinion will potentially leverage new office development, bring walkable street-level vitality and elevate the market attractiveness of the area.

d) The proposed conversion will not adversely affect the overall viability of an Employment Area and will maintain a stable operating environment for remaining business and economic activities within the employment area. A Compatibility and Mitigation Study prepared by SLR in support of the subject conversion request found there are no anticipated adverse effects for air quality, dust, odour, and noise impacts surrounding roadways and nearby industrial land uses to affect the Subject Property.

SLR found there is no indication that the proposed conversion of the Subject Property would have an adverse impact on the ability of the existing industries to continue normal operations and/or expand in the future. The conversion request will not affect the existing industrial facilities' compliance with applicable Provincial environmental policies, regulation, approvals authorizations and guidelines, including the City's noise by-law. The

requirements of MECP Guideline D-6, Regulation 419/05 and Publication NPC-300 are met.

e) There is sufficient existing or planned infrastructure and public service facilities to accommodate the non-employment uses (e.g., sewage, water, energy, transportation and public service facilities). An existing public service facility in the Sherway Area includes the Sherway Gardens and Trillium Health Centre. Additional public service facilities will be developed in the area, as part of the future redevelopment of the Sherway Area. The Municipal Infrastructure Group completed a Servicing Master Plan for the Sherway Area, dated February, 2017. The Master Plan illustrates that there is an existing District 3 watermain that connects to Manstor Road, just east of the Subject Property. The Master Plan recommends Internal Watermains (WW-2) with a project scope of 600m of 300mm watermain along the east of the Subject Property connecting further south to an existing District 2 watermain. The Master Plan also illustrates that there is an existing sewer that connects to Manstor Road, just east of the Subject Property and ultimately connects to the East Mall Trunk Sewer. The Master Plan notes that this existing sewer has flow at less than 80% capacity. Also, the Master Plan recommends a West Mall Sewer (WW-2) with a project scope of 400m of 200mm sewer to the west of the Subject Property. This is part of the recommended sewer improvement to service the complete build-out of the Sherway Area. Moreover, the Master Plan concludes that it is expected that the storm sewers will have sufficient capacity to service the proposed redevelopment, and no upgrades to the municipal systems are anticipated.

Policy 2.2.5.15 of the Growth Plan states:

15. *The retail sector will be supported by promoting compact built form and intensification of retail and service uses and areas and encouraging the integration of those uses with other land uses to support the achievement of complete communities.*

The conversion request conforms to the above noted policies as it provides an efficient land use pattern that attracts investment and potential employment, by providing an opportunity for retail, service commercial and office uses through a future mixed use development in an appropriate location. The conversion of the Subject Property to a Mixed Use Areas designation provides for an appropriate intensification and mix of uses that allows for efficient land use and limiting required travel distances. Future mixed use development is also compatible with and can be appropriately integrated with the other surrounding uses which further assists in achieving a complete community.

Infrastructure to Support Growth

Section 3.2 of the Growth Plan contains policies for integrated approaches to planning in order to optimize existing and future planned infrastructure to support growth. Section 3.2 states that:

1. *Infrastructure planning, land use planning, and infrastructure investment will be coordinated to implement this Plan.*
2. *Planning for new or expanded infrastructure will occur in an integrated manner, including evaluations of long-range scenario-based land use planning, environmental planning and financial planning, and will be supported by relevant studies and should involve:*
 - a. *leveraging infrastructure investment to direct growth and development in accordance with the policies and schedules of this Plan, including the achievement of the minimum intensification and density targets in this Plan;*
 - b. *providing sufficient infrastructure capacity in strategic growth areas;*
 - c. *identifying the full life cycle costs of infrastructure and developing options to pay for these costs over the long-term; and*
 - d. *considering the impacts of a changing climate.*
3. *Infrastructure investment and other implementation tools and mechanisms will be used to facilitate intensification and higher density development in strategic growth areas. Priority will be given to infrastructure investments made by the Province that support the policies and schedules of this Plan.*

The Subject Property is located in an urban area where appropriate infrastructure and public service utilities exist and are available to accommodate mixed use development. An existing public service facility in the Sherway Area includes the Sherway Gardens and Trillium Health Centre. Additional public service facilities will be developed in the area, as part of the future redevelopment of the Sherway Area. The Subject Property is readily serviceable, as there is existing infrastructure with capacity in close proximity to the Subject Property. A Servicing Master Plan for Sherway Study has been completed by the Municipal Infrastructure Group, which illustrates that there is an existing District 3 watermain that that connects to Manstor Road, just east of the Subject Property. The Master Plan also illustrates that there is an existing sewer that connects to Manstor Road, just east of the Subject Property and ultimately connects to the East Mall Trunk Sewer and notes that this existing sewer has flows at less than 80% capacity. Moreover, the Master Plan concludes that it is expected that the storm sewers will have sufficient capacity to service the proposed redevelopment, and no upgrades to the municipal systems are anticipated.

Transit Corridors and Station Areas and Moving People

Sections 2.2.4 and 3.2.3 provide policies related to Transit Corridors and Station Areas and Moving People respectively. Specifically:

Section 2.2.4.10 of the Growth Plan states that:

“Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities. “

Section 3.2.3.2 of the Growth Plan states that:

“All decisions on transit planning and investment will be made according to the following criteria: d) expanding transit service to areas that have achieved, or will be planned to achieve, transit-supportive densities and provide a mix of residential, office, institutional, and commercial development, wherever possible;”

The proposed conversion request conforms to above noted policies as it would provide for future mixed use development that would help to make efficient use of existing and planned infrastructure investments. There is existing public transit in close proximity to the site, including a bus stop at Manstor Road and N. Queen St., Route 123C, which provides service every 10 to 20 minutes during business hours and is approximately 500 metres from the Subject Property. A Transit Hub that in principle has TTC’s buy-in is proposed in the Sherway Transportation Master Plan, which includes a proposed future subway stop, on the Queensway, approximately 300 metres south of the Subject Property., which would be considered within the radius of a Major Transit Station Area. Also, in terms of planned infrastructure, the North Queen Street Extension Municipal Class EA recommended a road network alignment that will provide direct frontage and access to the Subject Property, which will in turn lend itself to higher order retail and/or residential uses. With the Subject Property having significant frontage on a major road in the future, it will provide necessary visibility and access for higher order uses, as there is an opportunity for placement of buildings for retail and/or residential uses next to the street frontage.

A Transportation Master Plan for the Sherway Study was completed by ARUP Canada Inc. dated September, 2016, which provided a Preferred Alternative of transportation improvements, which included the addition of the approved North Queen extension as the major additional connection, as well as a new street connection south to the Queensway, that will line up with the realigned Sherway Garden Road. The Preferred Alternative will accommodate the full build out of the Sherway Area and ARUP recommended a series of minor transportation improvements required to support the demand on the network as the area becomes more developed, such as: forging a strong transit hub in the central part of the area, implementing an extensive active transportation network throughout, incorporating a grid of local streets, and creating complete streets with excellent connectivity between residential and other uses.

The requested conversion to a Mixed Use Areas designation conforms to the Growth Plan, 2020, as it would encourage transit-supportive mixed-use development supported by infrastructure that is compatible with employment uses and support the achievement of complete communities. Through a more diverse range and mix of uses, it would achieve convenient access to local stores, services and facilities, inclusive of existing and new public transit facilities.

Summary:

The Growth Plan supports land use intensification by encouraging more optimal use of land, infrastructure, resources and services. A summary of how the proposed conversion request implements the key policies of the Growth Plan is provided as follows:

- Satisfies applicable conversion criteria, including demonstrating there being a need for the conversion, not being required over the long-term for Employment Land purposes, not impact the City's ability to maintain sufficient employment lands to accommodate forecasted employment growth, appropriate infrastructure availability to support the conversion and not affecting the viability of employment areas;
- The Subject Property is not within a PSEZ, which recognizes that the Subject Property is not considered significant, at a provincial level, for future employment purposes or require long term preservation for such purposes;
- Establishes a greater mix of uses in proximity to compatible uses to meet the long-term needs of residents and support achieving 'complete' communities;
- Establishes a greater mix of land uses which contributes to climate change mitigation by making more efficient use of land and infrastructure and reducing distance of and overall potential of automobile trips and encourages transit ridership in an area where significant investments are being proposed and encourages active transportation; and,
- Is located in an area that that has access to municipal servicing infrastructure, including water and wastewater services, with existing and planned capacity.

Based on the above analysis, it is our opinion that the proposed conversion request conforms to the applicable policies of the Growth Plan.

3.2 LOCAL POLICY

3.2.1 City of Toronto Official Plan

The Subject Property is currently designated "Employment Areas" under the currently in-force (i.e., pre-OPA 231) City of Toronto Official Plan. Within this designation, offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, accessory retail outlets, restaurants and small-scale stores and service uses are permitted.

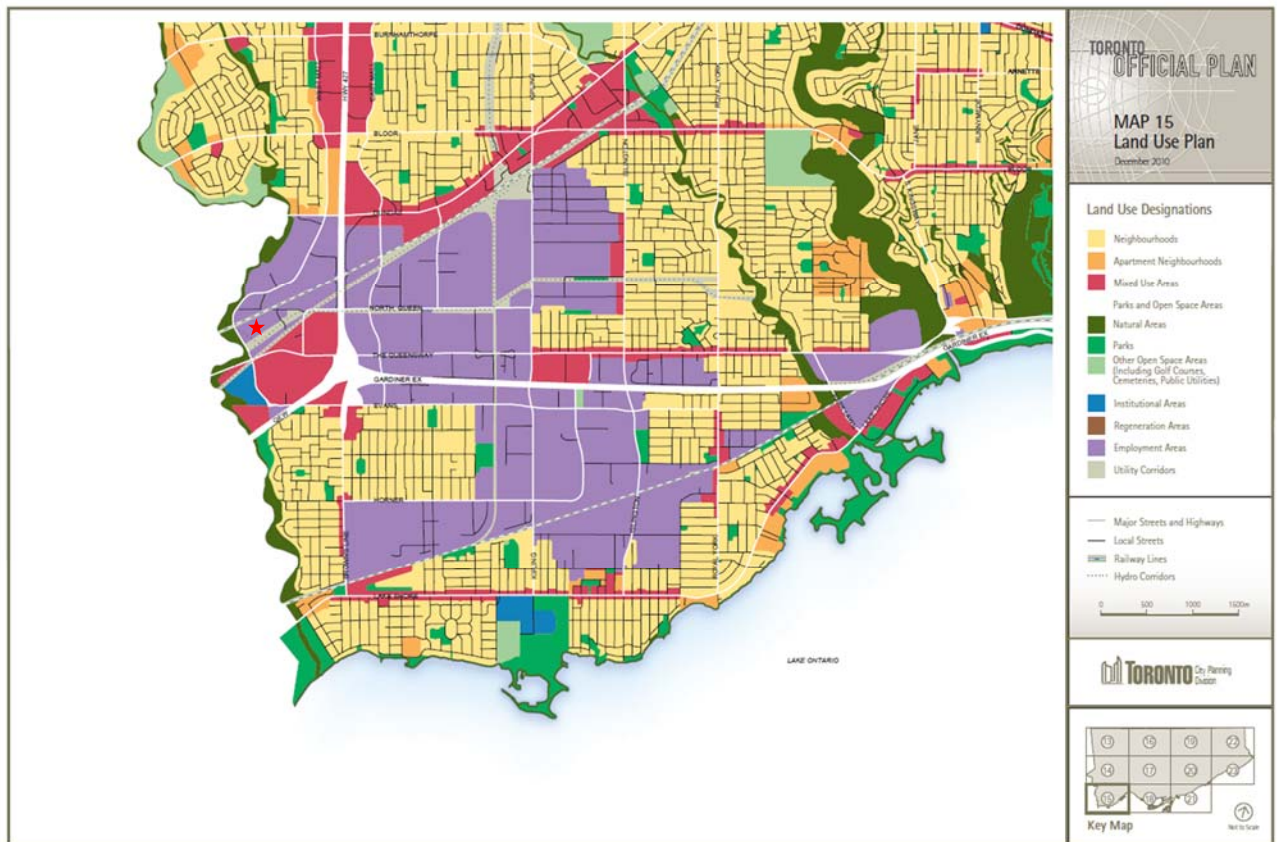


Figure 4 - MAP 15 – LAND USE PLAN – TORONTO OFFICAL PLAN (★ SUBJECT PROPERTY)

The Subject Property is also subject to the current in-force Site and Area Specific Policies (SASP) 19 and 20. SASP 19 applies to the Sherway Area and includes policies respecting retail permissions, density, transportation infrastructure, community infrastructure, parks and housing. SASP 20 applies only to the Subject Site and immediate surrounding properties and allows for large scale, stand-alone retail stores and entertainment, recreation, social and cultural facilities.

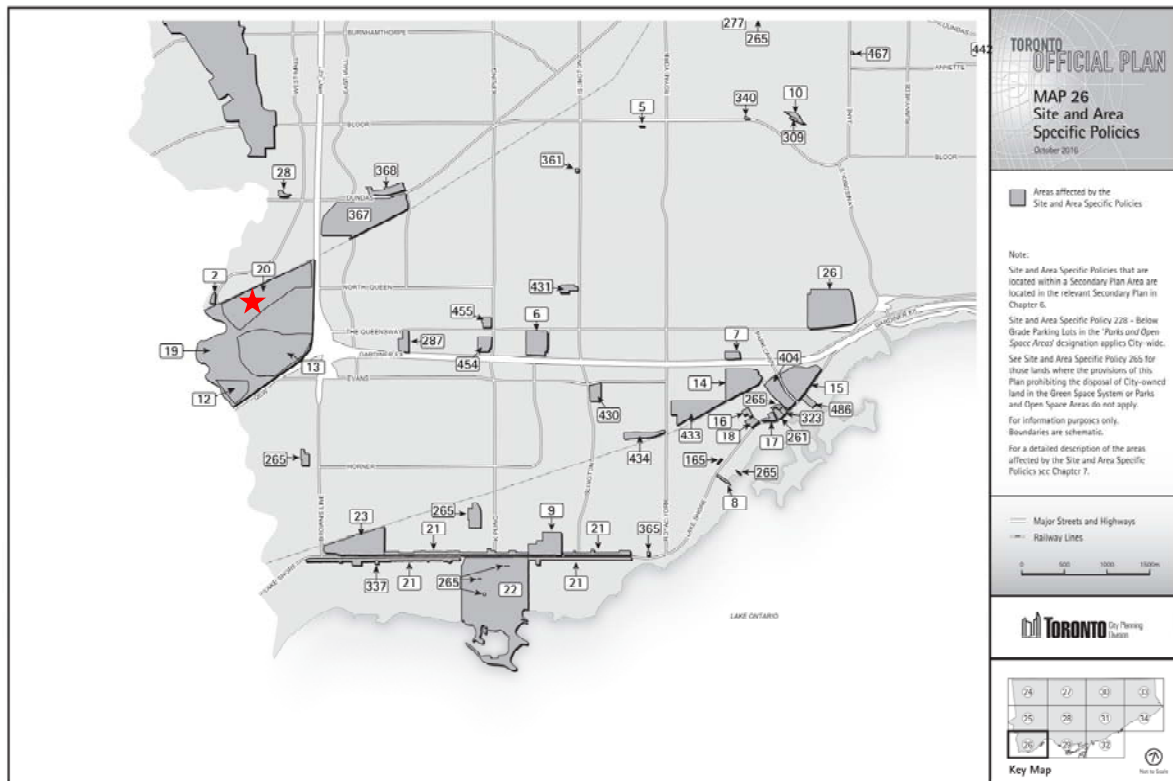


Figure 5 - MAP 26 – SITE AND AREA SPECIFIC POLICIES – TORONTO OFFICIAL PLAN (★SUBJECT PROPERTY)

Within Section 2.2.4 – Employment Areas: Supporting Business and Employment Growth of the City of Toronto Official Plan, Subsections 2.2.4.14 through 2.2.4.18 provide for specific policy direction related to the Conversion and Removal Policies for Employment Areas, specifically:

14. *The redesignation of land from an Employment Area designation to any other designation, by way of an Official Plan Amendment, or the introduction of a use that is otherwise not permitted in an Employment Area is a conversion of land within an Employment Area and is also a removal of land from an Employment Area, and may only be permitted by way of a Municipal Comprehensive Review. The introduction of a use that may be permitted in a General Employment Area into a Core Employment Area or the redesignation of a Core Employment Area into a General Employment Area designation is also a conversion and may only be permitted by way of a Municipal Comprehensive Review.*

15. *The conversion of land within an Employment Area is only permitted through a City-initiated Municipal Comprehensive Review that comprehensively applies the policies and schedules of the Provincial Growth Plan.*

16. *Applications to convert lands within an Employment Area will only be considered at the time of a municipal review of employment policies and designations under Section 26 of the Planning Act and a concurrent Municipal Comprehensive Review under the Growth Plan for the Greater Golden Horseshoe. Applications to convert lands within an*

Employment Area received between such City initiated Official Plan Reviews will be not be considered unless Council directs that a Municipal Comprehensive Review be initiated.

17. The City will assess requests to convert lands within Employment Areas, both cumulatively and individually, by considering whether or not:

- a) there is a demonstrated need for the conversion(s) to: i. meet the population forecasts allocated to the City in the Growth Plan for the Greater Golden Horseshoe; or ii. mitigate existing and/or potential land use conflicts;*
- b) the lands are required over the long-term for employment purposes;*
- c) the City will meet the employment forecasts allocated to the City in the Growth Plan for the Greater Golden Horseshoe;*
- d) the conversion(s) will adversely affect the overall viability of an Employment Area and maintenance of a stable operating environment for business and economic activities with regard to the:
 - i. compatibility of any proposed land use with lands designated Employment Areas and major facilities, as demonstrated through the submission of a Compatibility/ Mitigation Study in accordance with Policies 2.2.4.5, 2.2.4.7 and 2.2.4.8 and Schedule 3 for any proposed land use, with such policies read as applying to lands within Employment Areas;*
 - ii. prevention or mitigation of adverse effects from noise, vibration, and emissions, including dust and odour;*
 - iii. prevention or mitigation of negative impacts and minimization of the risk of complaints;*
 - iv. ability to ensure compliance with environmental approvals, registrations, legislation, regulations and guidelines;*
 - v. ability to provide appropriate buffering and/or separation of employment uses from sensitive land uses, including residential;*
 - vi. ability to minimize risk to public health and safety;*
 - vii. reduction or elimination of visibility of, and accessibility to, employment lands or uses;*
 - viii. impact upon the capacity and functioning of the transportation network and the movement of goods for existing and future employment uses;*
 - ix. removal of large and/or key locations for employment uses;*
 - x. ability to provide opportunities for the clustering of similar or related employment uses; and*
 - xi. provision of a variety of land parcel sizes within the Employment Area to accommodate a range of permitted employment uses;**
- e) the existing or planned sewage, water, energy and transportation infrastructure can accommodate the proposed conversion(s);*
- f) in the instance of conversions for residential purposes, sufficient parks, libraries, recreation centres and schools exist or are planned within walking distance for new residents;*

- g) *employment lands are strategically preserved near important transportation infrastructure such as highways and highway interchanges, rail corridors, ports and airports to facilitate the movement of goods;*
- h) *the proposal(s) to convert lands in an Employment Area will help to maintain a diverse economic base accommodating and attracting a variety of employment uses and a broad range of employment opportunities in Toronto; and*
- i) *cross-jurisdictional issues have been considered. 18. When assessing proposal(s) to convert lands within Employment Areas, the City will:*
 - a) *notify all major facilities whose influence area(s) includes any portion of the lands proposed to be converted; and*
 - b) *notify all facilities that store, distribute or handle propane whose required separation distances by law and/or regulation may include any portion of the lands proposed to be converted.*

Although the above policies are not in force for the Subject Property by virtue of the outstanding appeal of OPA 231, and recognizing that these policies were approved in the context of the 2006 Growth Plan rather than the current Growth Plan, we have nonetheless assessed the proposed conversion request in the context of these recently approved policies. The proposed conversion of the Subject Property satisfies the criteria in Sections 2.2.4.14 to 2.2.4.18 of the City of Toronto Official Plan based on the following:

14. On August 4, 2020, City of Toronto Council authorized the commencement of the City's next MCR exercise. The City is required to undertake an MCR to bring its Official Plan into conformity with the Province's *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (the Growth Plan) by July 1, 2022, with the result being City adopted Official Plan amendment(s). One key aspect of an MCR is the opportunity for municipalities to re-designate (convert) employment areas to non-employment uses under policy 2.2.5.9 of the Growth Plan. As part of its adopted MCR work plan, the City will be considering written requests (accompanied by a newly established fee) to convert lands designated *Core Employment Areas* or *General Employment Areas* to non-employment uses until August 3, 2021.
15. *See response above (14).*
16. *See response above (14).*
17. a) The need for the conversion of the Subject Property is a result of the need of the City to fully realize its comprehensive vision for the redevelopment of the Sherway Area as a vibrant, mixed-use, high-density, complete community centered around significant investments in public transit and infrastructure. The Minister specifically removed the Subject Property as part of his review of the PSEZ mapping from the PSEZ designation, as such recognizing that the Subject Property is not considered significant, at a provincial level, for future employment purposes or require long term preservation for such purposes. By permitting a greater range and mix of uses on the Subject Property, including

retail, service commercial, office and residential, it will better incentivize and operationalize the City's land use framework for the Sherway Area, rather than low density employment uses generating little or no employment.

From a land use compatibility perspective, the proposed conversion will not introduce incompatible land uses to the surrounding employment area lands and will not create future land use conflicts. As demonstrated in the Compatibility and Mitigation Study prepared by SLR in support of the subject conversion request, no adverse effects for air quality, dust, odour, and noise impacts from surrounding roadways and nearby industrial land uses are anticipated to affect the Subject Property and the conversion of the Subject Property is unlikely to constraint near-by facilities from expanding.

b) The Subject Property is not required over the long-term for Employment Land purposes. Employment in the City is expected to continue to grow to 2051, but per the Sherway Area Study Guiding Principles the Sherway Area Study Area is shifting to a balanced mix of uses. Such a shift accommodates more higher density employment in Major Office and Population Related Employment that the City has been experiencing for quite some time, rather than industrial-type employment, which is generally expected to decrease. As such, it is apparent that the City's future planned vision for the Sherway Area is to transition away from the low-density, 1-storey, single-user format industrial buildings to higher-density mixed use related employment uses geared toward retail, service commercial and office type uses. The Subject Property is located on an edge of the employment lands and is bounded by an existing railway line to the north. Surrounding uses are compatible with retail and/or residential uses and the railway is a logical edge to the industrial-type employment area to the north.

c) The proposed conversion will assist the City in meeting its employment forecasts prescribed in the Growth Plan. The increase in the non-residential GFA, as well as the transition of mixed use related employment uses away from low-density industrial to higher-density office, service commercial and retail uses is anticipated to significantly increase the number of jobs that can be accommodated within the proposed conversion area. The increased density of the Subject Property will result in better utilization of the recommended significant investment by the City of Toronto in public transit that is recommended in the Sherway Transportation Master Plan. Enabling such growth is seen as critical to supporting forecast and potential retail, service commercial and office employment growth, balancing population growth and mitigating potential impacts from out-commuting by new residential units.

d) The proposed conversion will not adversely affect the overall viability of an Employment Area and will maintain a stable operating environment for remaining business and economic activities within the employment area.

- i. SLR was retained by the Owner to complete a Compatibility and Mitigation Study prepared in support of the subject conversion request to review compatibility of the requested Mixed Use Area designation with the surrounding land uses in terms of air quality, dust, odour, and noise and vibration impacts.
- ii. The Compatibility and Mitigation Study prepared by SLR in support of the subject conversion request found there are no anticipated adverse effects for air quality, dust, odour, and noise and vibration impacts from surrounding roadways and nearby industrial land uses to affect the Subject Property.
- iii. The Compatibility and Mitigation Study prepared by SLR in support of the subject conversion request found there is no indication that the proposed conversion of the Subject Property would have an adverse impact on the ability of the existing industries to continue normal operations and/or expand in the future, and risk of complaints is minimized.
- iv. The Compatibility and Mitigation Study prepared by SLR in support of the subject conversion request found that the conversion request will not affect the existing industrial facilities' compliance with applicable Provincial environmental policies, regulation, approvals authorizations and guidelines, including the City's noise by-law. The requirements of MECP Guideline D-6, Regulation 419/05 and Publication NPC-300 are met.
- v. The proposed conversion request is strategically located on the edge of the employment lands and is bounded by an existing railway line to the north. Surrounding uses are compatible with retail and/or residential uses and the railway is a logical edge to the employment area to the north and provides for distance separation/buffering.
- vi. The proposed conversion has been evaluated from a public health and safety perspective. The Compatibility and Mitigation Study prepared by SLR for the proposed employment area conversion for the Subject Property has demonstrated that it is compatible with the surrounding industry and transportation sources for air quality, odour, dust, noise and vibration emissions, in accordance with provincial guidelines and standards, and does not pose any risk or threat to human health or safety.

See enclosed SLR Study for additional details and comprehensive assessment.

- vii. The Employment Areas lands located north of the rail line are currently not readily visible from the Sherway Area. Therefore, the development of mixed-uses on the Subject Property will not reduce or eliminate the visibility of these businesses.
- viii. Based on the Transportation Master Plan prepared by ARUP in support of the Sherway Area Study, it is expected that the additional vehicle trips generated by the Mixed Use redevelopment scenario for the Sherway Area can be accommodated by the Preferred Alternative Road Network for the Area. Also, the Master Plan notes that signal coordination can be achieved and would provide considerable relief and reduction of the existing delay at intersections in the study area. With Scenario One that was explored in the Master Plan, the existing intersections will operate close to capacity. With Scenario Two that was explored in the Master Plan, through signal improvements modal shift and additional roadway connections, instances of congestion can be managed and limited.
- ix. The proposed conversion would not remove a large and/or key location for employment uses, as the site has been specifically excluded by the Minister from the PSEZ designation and, as such, it is the Province's position that it is not provincially significant employment lands or a key strategic location. The Subject Property is a 5.045-hectares (12.46 acre) in size and the majority of the Sherway Area is proposed for Mixed Use Area designation through the Study. Also, office, retail or service commercial uses are uses that generate employment that could still be accommodated on the Subject Property, as the Mixed Use Areas designation would still permit office, retail or service commercial uses.
- x. Within the requested Mixed Use Area designation, the proposed supply of office space for the conversion area, combined with ground floor retail/service commercial units provide an opportunity to significantly increase the number of businesses operating in the Study Area.

Office clusters in intensified environments require higher order transit to facilitate the efficient movement of people to and from work. To achieve growth expectations or potential over the next 30 years, a coordinated approach to the development of service commercial, retail and office employment land in transit friendly locations is paramount to success.

The Transportation Master Plan prepared by ARUP recommends a central Transit Hub in the Sherway Area, which includes a future subway stop. Building transit without connection to these population related employment uses will limit the opportunity to deliver ridership for the transit. The Subject Property represents an ideal location for office, retail and service commercial based employment, which can be integrated and aligned with population supportive residential uses to ensure a market friendly and desired mixed-use outcome.

- xi. The vision for the Sherway Area is to shift to a balanced mix of uses. The proposed conversion to Mixed Use Areas is intended to accommodate future development that would contribute to the Sherway Area as a destination for shopping, dining, employment and recreation. It is envisioned as a hub of activity that supports high levels of job growth and social interaction.

- e) There are sufficient existing or planned infrastructure and public service facilities to accommodate the non-employment uses (e.g., sewage, water, energy, transportation and public service facilities). An existing public service facility in the Sherway Area includes the Sherway Gardens and Trillium Health Centre. Additional public service facilities will be developed in the area, as part of the future redevelopment of the Sherway Area. The Municipal Infrastructure Group completed a Servicing Master Plan for the Sherway Area, dated February, 2017. The Master Plan illustrates that there is an existing District 3 watermain that connects to Manstor Road, just east of the Subject Property. The Master Plan recommends Internal Watermains (WW-2) with a project scope of 600m of 300mm watermain along the east of the Subject Property connecting further south to an existing District 2 watermain. The Master Plan also illustrates that there is an existing sewer that connects to Manstor Road, just east of the Subject Property and ultimately connects to the East Mall Trunk Sewer. The Master Plan notes that this existing sewer has flow at less than 80% capacity. Also, the Master Plan recommends a West Mall Sewer (WW-2) with a project scope of 400m of 200mm sewer to the west of the Subject Property. This is part of the recommended sewer improvement to service the complete build-out of the Sherway Area. Moreover, the Master Plan concludes that it is expected that the storm sewers will have sufficient capacity to service mixed use redevelopment, and no upgrades to the municipal systems are anticipated.

- f) The Sherway Area Study provides for policies that require the coordination of future development in the area with enhanced community service facilities. Any future development is required to examine the community services and facilities in the area and provide for new community services and facilities within walking distance.

Community service and facility priorities identified for the Sherway Area include but are not limited to: child care centres; a community recreation centre; library enhancements; community agency space; and schools.

The Sherway Area Study also introduces a system of interconnected parks and open space areas. These parks can offer a variety of passive and active recreation opportunities for existing and future planned residents, employees and visitors. These high-quality parks will help increase the inventory and supply of recreational space in the community and benefit the Subject Property. Further, new greenspace will contribute to the creation of a vibrant, welcoming and sustainable space which will help to achieve a sense of place in the neighbourhood and in the city overall.

- g) The proposed conversion area is not located in proximity to ports or an airport. However, the Subject Property is located next to a rail line and approximately 700 metres from the QEW and Highway 427. The Subject property is on the edge of an employment area and the railway is a logical edge to the industrial-type employment area to the north. This employment area will continue to be preserved with the conversion of the Subject Property. Moreover, the conversion of the Subject Property will still provide for employment generating uses through future mixed use development, such as office, service commercial and retail
- h) The re-designation of the Subject Property to Mixed Use Areas will support the development of new retail, service commercial and office space which will accommodate jobs and increase the Study Area's retail, service commercial and office space inventory and diversify the employment opportunities in the area. Furthermore, additional residents will ensure a healthy labour force is located close to the greater variety of employment opportunities. The nearby retail/service commercial uses, including those proposed for the conversion area, and broader surrounding Sherway Area, will receive additional market support with the additional residents. The diversity of the land uses and building stock proposed through the employment conversion, combined with other advantages such as proximity to a recommended future Transit Hub, make the supply attractive to a very wide range of economic uses allowing flexibility in responding to economic changes.
- i) Matters of cross-jurisdictional concern should be considered in spatial and geographic terms (i.e., whenever land is located close to another municipal boundary) or in consideration of other levels of government control or regulation. With regard to the former, there are no spatial or geographic concerns associated with the proposed conversion. The Subject Property is located in close proximity to the border between the City of Toronto and City of Mississauga; however, the boundary is to the west of The West Mall along Etobicoke Creek. As such, City of Mississauga has no ownership

related to the right of way of The West Mall and there are not anticipated to be any cross-jurisdictional issues.

Summary:

Based on the above analysis, the proposed employment conversion request for a Mixed Use Area designation and associated Mixed Use development satisfies the City of Toronto's conversion and removal Policies for Employment Areas found in Sections 2.2.4.14 to 2.2.4.18 of the Official Plan.

3.2.2 Employment Lands Study (OPA 231)

On behalf of 2130254 Ontario, HPGI monitored and commented on the Employment Lands study, which the City undertook as part of the Municipal Comprehensive Review of its Official Plan, and which ultimately led to the adoption of Official Plan Amendment No. 231 (OPA 231).

HPGI filed a written submission with the City, dated November 6, 2013, outlining 2130254 Ontario's concerns with the recommendations of the Employment Lands Study and draft OPA, including its opposition to the proposed designation of the Subject Site as "Core Employment Area". The submission letter provided our opinion that higher-order retail and residential uses are appropriate for the Subject Site.

At the conclusion of the Employment Lands study, City Council adopted OPA 231 on December 18, 2013. The proposed designation of the Subject Property in OPA 231, as adopted, is "Core Employment Area". The Ministry of Municipal Affairs and Housing made a decision on July 9, 2014 to approve OPA 231 with modifications. The modifications did not affect the proposed designation of the Subject Property as "Core Employment Area".

An appeal of OPA 231 was filed on July 29, 2014 by Davies Howe Partners LLP on behalf of 2130254 Ontario Limited. The grounds of appeal included the proposed designation of the Subject Property as "Core Employment Area". 2130254 Ontario Limited's appeal of OPA 231 has been assigned Appeal No. 27. As part of the OPA 231 appeals, 2130254 Ontario Limited prepared and provided a Preliminary Issues List to the City and the other parties, dated November 30, 2015.

As set out in the Preliminary Issues List, 2130254 Ontario Limited seeks to have the Subject Property designated "Mixed Use Areas", rather than "Core Employment Areas" as proposed in OPA 231 (Issue 1), and to have the Subject Site removed from the "Employment Area" on Map 2 – Urban Structure (Issue 2).

3.2.1.1 Sherway Area Study (OPA 469)

The Subject Property is within the Sherway Area Secondary Plan area which encompasses the area bounded by Highway 427 to the east, the Queen Elizabeth Way to the south, Etobicoke Creek to the west and the Canadian Pacific Rail Corridor to the north.

In 2014, the City commenced the Sherway Area Study to review and update the applicable SASPs policies in the area. HPGI submitted comment letters on behalf of 2130254 Ontario Limited, dated May 1, 2015 and July 7, 2015, regarding the City-initiated Sherway Area Study. Through those submissions, 2130254 Ontario Limited requested, among other things, that the Subject Property be designated “Mixed-Use Areas”.

On October 30, 2019, the City adopted Official Plan Amendment No. 469 (“OPA 469”) to establish the Sherway Area Secondary Plan. The Subject Property was included within the North Queen Employment District and designated as “Core Employment” in OPA 469.

On November 28, 2019, 2130254 Ontario appealed OPA 469 to the Tribunal. The grounds for the appeal include, among other things, opposition to the proposed designation of the Subject Property as “Core Employment” in OPA 469, and the appeal of OPA 469 also referred to the outstanding appeal by 2130254 Ontario Limited of OPA 231. Multiple appeals of OPA 469 were filed and the Tribunal has assigned these appeals LPAT Case No. PL190596, and a Case Management Conference has been scheduled to occur mid-August, 2021.

3.3 ZONING BY-LAW 569-2013

The Subject Property is currently zoned Employment Industrial (E) Zone in Zoning By-law 569-2013. Chapter 60.20 of Zoning By-law 569-2013 outlines the permissions and provisions that apply to the Employment Industrial (E) Zone.

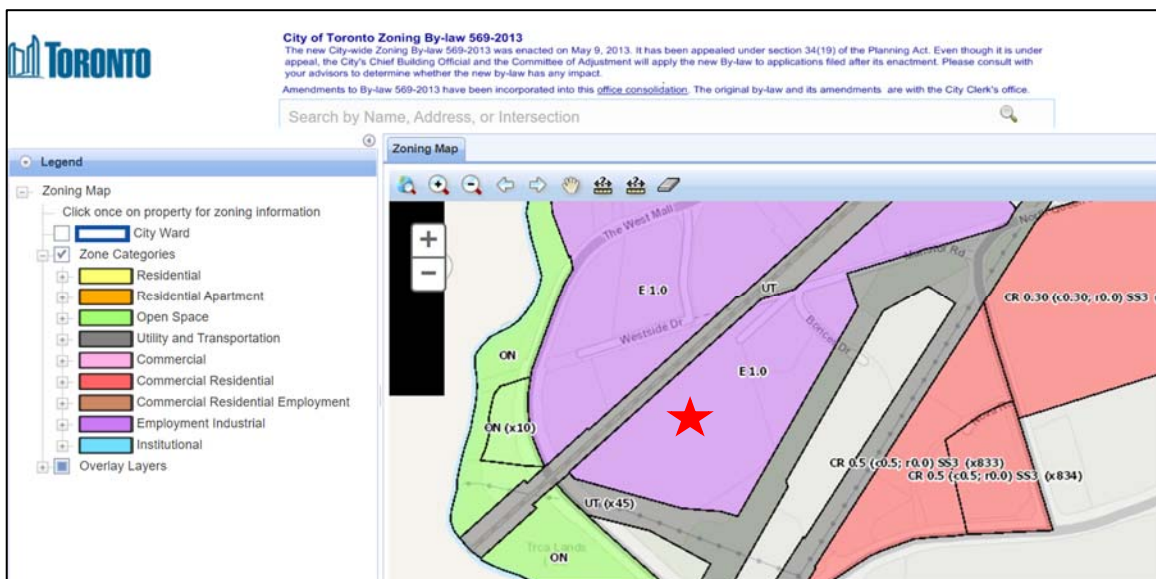


Figure 6 - ZONING MAP – ZONING BY-LAW 569-2013 (★ SUBJECT PROPERTY)**4.0 LAND USE COMPATIBILITY**

A Compatibility and Mitigation Study for Air Quality, Dust, Odour and Noise and Vibration has been completed by SLR, which examines the potential for air quality, dust, odour, and noise and vibration impacts from surrounding roadways and nearby industrial land uses to affect the Subject Property. The Study concluded there would be no adverse effects regarding air quality, dust, odour, and noise and vibration impacts from surrounding roadways and nearby industrial land uses to affect the Subject Property and the conversion, if approved, would not result in constraints on surrounding facilities to expand.

The Subject Property is located on an edge of the employment lands and is bounded by an existing railway line, the West Mall and potentially a future major roadway. There are existing shopping opportunities in the area as well as existing public transit in close proximity to the site, including a bus stop at Manstor Road and N. Queen St., Route 123C, which is approximately 500 metres from the Subject Property. Retail and/or residential uses on the site would have a positive effect upon the economic health of nearby retail shopping areas and will make use of the existing public transit in close proximity to the site.

The existing Sherway Area specific policies permit retail uses on the subject site and residential uses in the surrounding area. The surrounding land within the Sherway Study Area is expected to develop and intensify with commercial/retail and residential uses overtime to which similar land use permissions for the Subject Property would be complementary and compatible.

5.0 SUPPORTING STUDIES

Several Master Plans have been completed as part of the Sherway Area Planning Study and a technical report has been completed in support of the conversion request. The main conclusions and recommendations of these studies have been summarized in the subsections below, as it relates to the Conversion Request.

5.1 COMPATIBILITY & MITIGATION STUDY: AIR QUALITY, DUST, ODOUR & NOISE

A Compatibility and Mitigation Study for Air Quality, Dust, Odour and Noise and Vibration has been completed by SLR, which is a technical report that examines the potential for air quality, dust, odour, and noise and vibration impacts from surrounding roadways and nearby industrial land uses to affect the Subject Property. The assessment included a review of the major industrial facilities in the area. SLR concluded that, based on their assessment, the proposed conversion request will not affect the industrial facilities' compliance with applicable Provincial environmental policies, regulations, approvals, authorizations and guidelines, including the City's

Noise Bylaw. The requirements of MECP Guideline D-6, Regulation 419/05, and Publication NPC300 are met. As the applicable policies and guidelines are met, the proposed conversion is unlikely to: result in increased risk of complaint and nuisance claims, result in operational constraints for the major facilities, result in constraints on major facilities to reasonably expand, intensify or introduce changes to their operations.

5.2 SHERWAY AREA STUDY TRANSPORTATION MASTER PLAN

ARUP Canada Inc. completed a Transportation Master Plan for the Sherway Area Study, dated September, 2016. Based on ARUP's assessment of the existing traffic data and turning movements they found that signal coordination can be achieved without significant capital cost and could provide considerable relief in reducing existing delay at intersections in the study area. However, depending on the amount of development proposed, localized widening of roadways, increase in storage lanes, etc. may be necessary in conjunction with signal coordination to accommodate additional trips.

However, due to physical constraints presented by the site boundaries, it is not anticipated that significant improvements to overall network connectivity will be achieved through signal control improvements alone. With regards to the Queensway, ARUP note there are three closely spaced un-signalized access points along The Queensway (distance between intersections is 150m and 75m respectively). This may require further analysis if they are used for new development access in the future. With regards to the West Mall and Evans Avenue, a northbound channelized right turn at Evans Avenue and The West Mall from the Gardiner Expressway, which had presented challenging conditions for pedestrian movement at this intersection, was removed in 2015. Also, there is no pedestrian crossing on the south side of The West Mall and Evans Avenue to minimize any potential conflicts with the dual westbound left turn lane.

ARUP provided for a Preferred Alternative of transportation improvements, which included the addition of the approved North Queen Street extension as the major additional connection. The Subject Property is at the centre of the approved North Queen Street extension, which has frontage across the Subject Property.

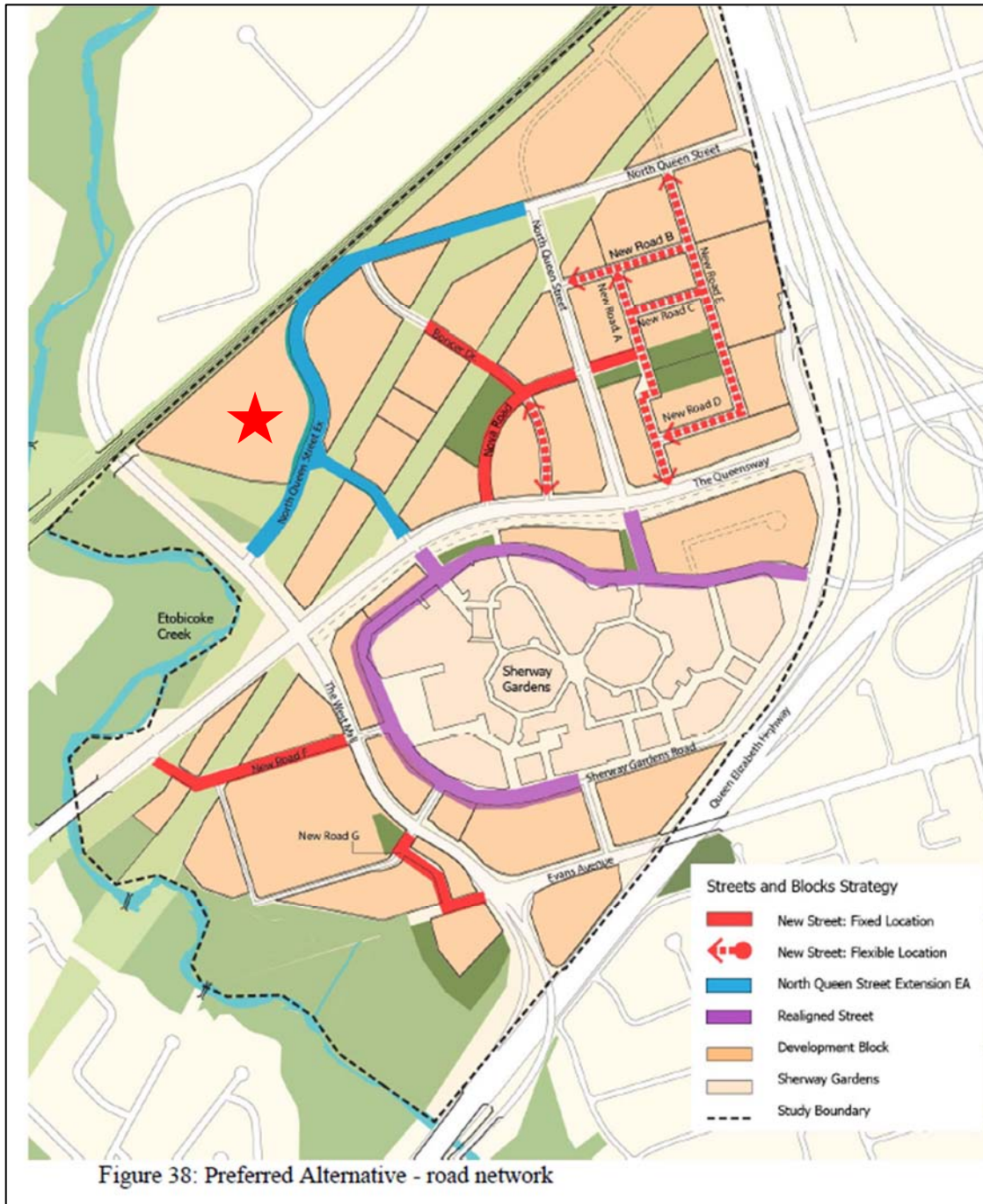


Figure 7 - FIGURE 38: PREFERRED ALTERNATIVE – TRANSPORTATION MP (★ SUBJECT PROPERTY)

The City also has property requirements for the approved North Queen Street extension, which include a portion of the Subject Property. The Preferred Alternative also proposes a new street connection south to the Queensway, that will line up with the realigned Sherway Garden Road. The preferred alternative also includes the extension of Boncer Drive and Nova Road to the Queensway, both of which are east of the Subject Property.

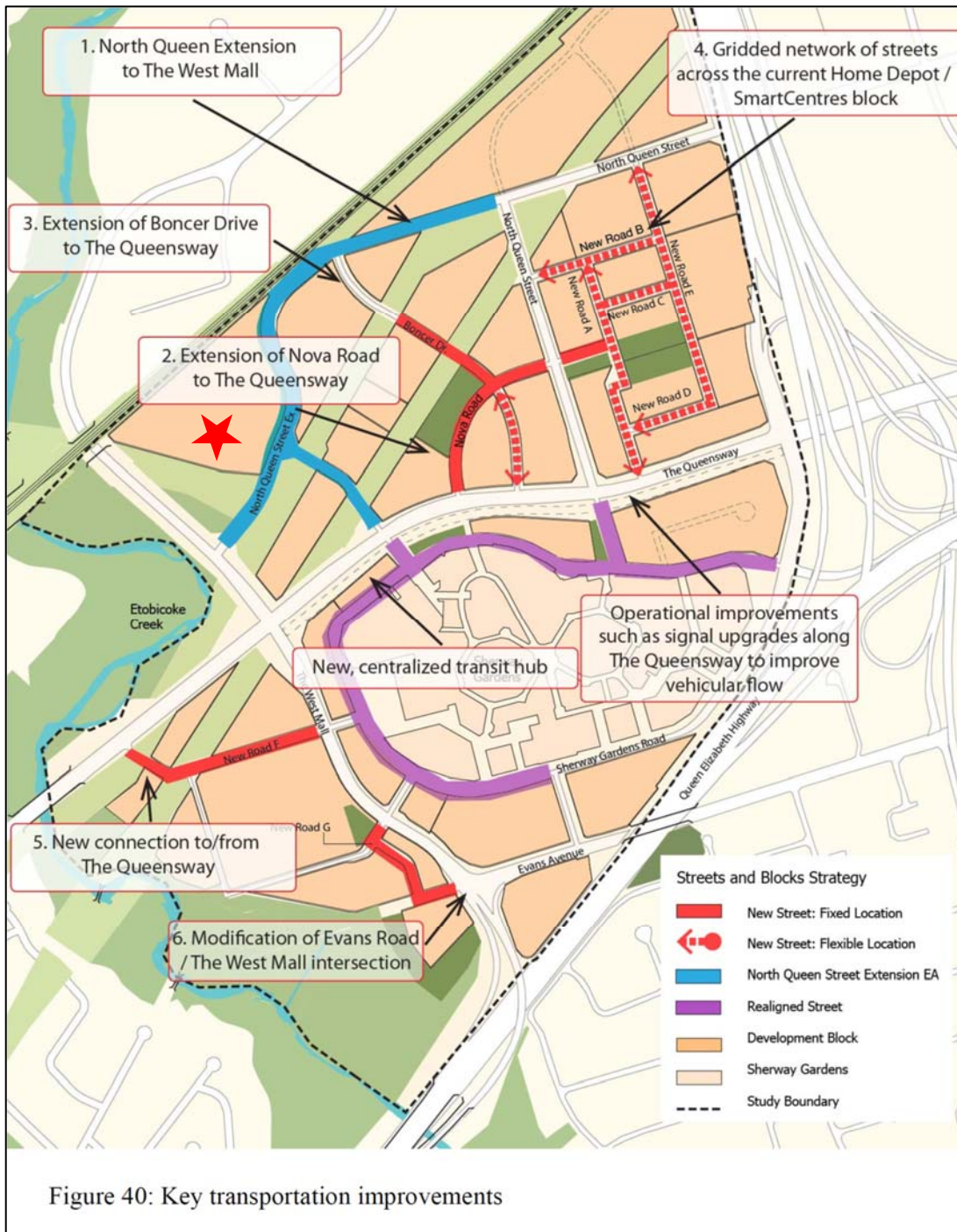


Figure 40: Key transportation improvements

Figure 8 - FIGURE 40: KEY TRANSPORTATION IMPROVEMNTS– TRANSPORTATION MP (★SUBJECT PROPERTY)

ARUP also recommends that the Preferred Alternative should incorporate a series of minor transportation improvements required to support the demand on the network as the area becomes more developed, such as: forging a strong transit hub in the central part of the area, implementing an extensive active transportation network throughout, incorporating a grid of local

streets, and creating complete streets with excellent connectivity between residential and other uses. Per Figure 40 – Key Transportation Improvements, ARUP recommends a new centralized transit hub on the Queensway, just south of the Subject Property. A 10 minute walk from this proposed transit hub includes the entirety of the Sherway Area.

A summary of improvements to the Transit Hub include:

- Creating a new transit terminal at the proposed future subway station site location;
- Improving transit connections by means of additional routes and / or improved frequency. An example of this is the TTC route 123 branch along the North Queen Extension to provide transit service to new developments to the north of the hydro corridor;
- Shuttle services to transit hubs (i.e. GO Stations) as part of development approvals, similar to those operating to Oriole GO Station; and,
- Investigation into transit signal priority for key routes, particularly The Queensway as well as improved signal coordination.

5.3 SHERWAY AREA PLANNING STUDY - SERVICING MASTER PLAN - CLASS EA REPORT

The Municipal Infrastructure Group (TMIG) completed a Servicing Master Plan – Class EA Report for the Sherway Area Planning Study, dated February, 2017. The Master Plan illustrates in Figure 6-1: Recommended Water Projects, that there is an existing District 3 watermain that connects to Manstor Road, just east of the Subject Property. The Master Plan recommends Internal Watermains (WW-2) with a project scope of 600m of 300mm watermain along the east of the Subject Property connecting further south to an existing District 2 watermain.

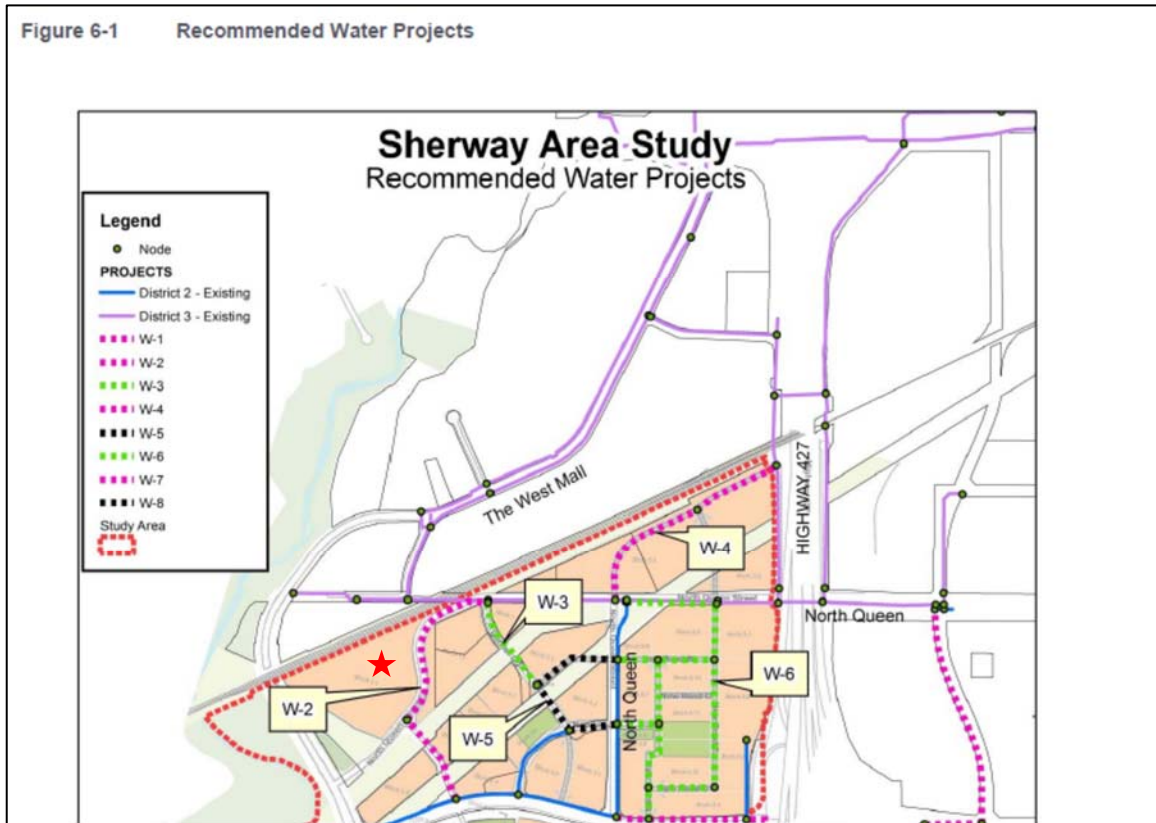


Figure 9 - FIGURE 6-1: RECOMMENDED WATER PROJECTS – SERVICING MP (★ SUBJECT PROPERTY)

The Master Plan illustrates in Figure 6-4: Recommended Wastewater Projects, that there is an existing sewer that connects to Manstor Road, just east of the Subject Property and ultimately connects to the East Mall Trunk Sewer. The Master Plan notes that this existing sewer has flow at less than 80% capacity. Also, the Master Plan recommends a West Mall Sewer (WW-2) with a project scope of 400m of 200mm sewer to the west of the Subject Property. This is part of the recommended sewer improvements to service the complete build-out of the Sherway Area.

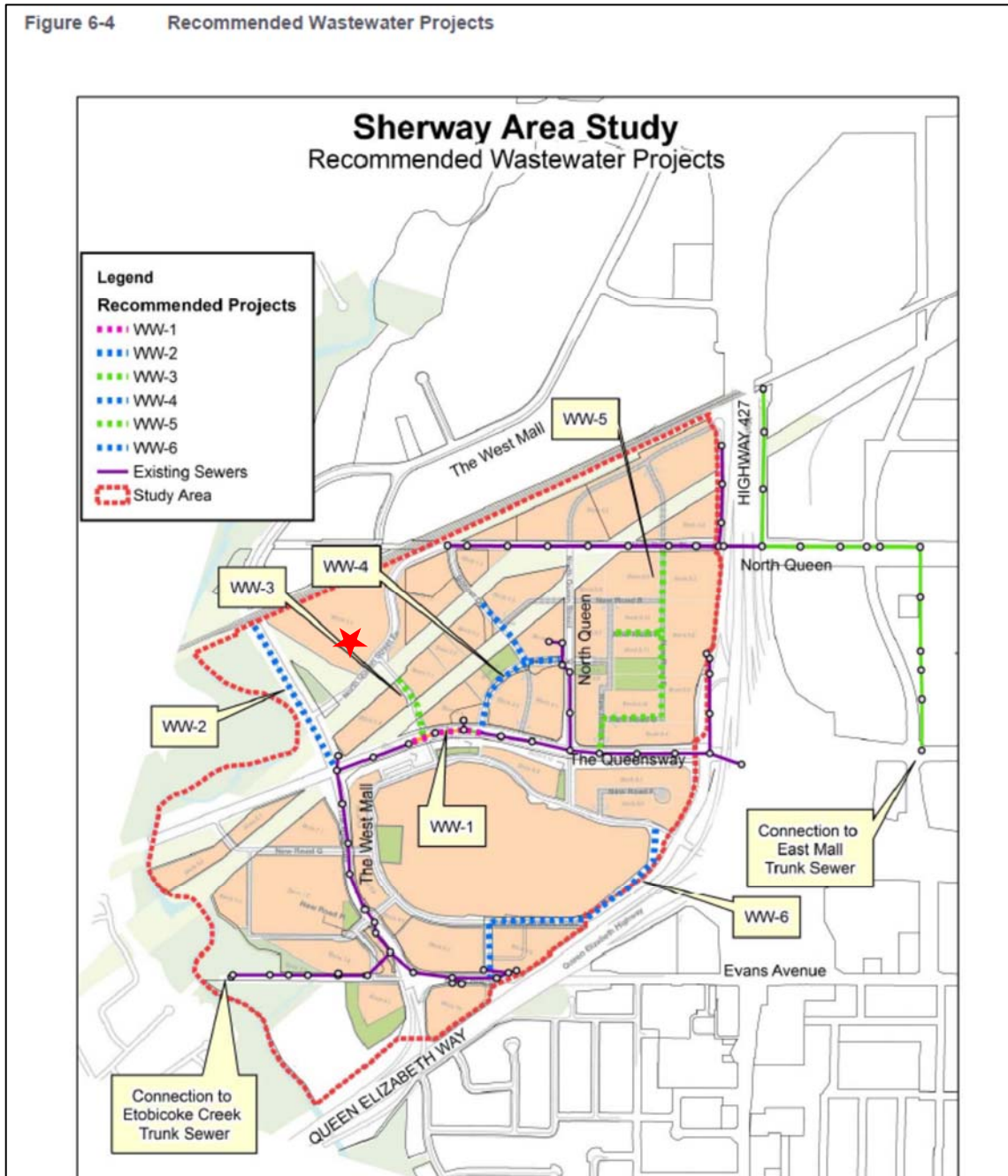


Figure 10 - FIGURE 6-4: RECOMMENDED WASTEWATER PROJECTS – SERVICING MP (★SUBJECT PROPERTY)

The Master Plan also found that almost all of the development blocks will have no net increase in the uncontrolled paved surface area. The potential increase in stormwater runoff is expected to be off-set by the anticipated reductions in the upstream development blocks. As such, the Master Plan concludes that it is expected that the storm sewers will have sufficient capacity to service the proposed redevelopment of the Sherway Area, and no upgrades to the municipal systems are anticipated.

6.0. CONCLUSION

In summary, the Subject Property represents an appropriate opportunity for an employment land conversion that would provide for appropriate and compatible future development that conforms to the relevant policies of the Growth Plan and is consistent with the Provincial Policy Statement. The Subject Property is outside of the Province's PSEZ designation and as such is not considered significant for employment purposes at the Provincial level.

The conversion request also meets the criteria established by City of Toronto to evaluate conversion requests, as outlined in this Report. As such, the conversion of the Subject Property from Employment Areas to Mixed Use Areas is appropriate.

As outlined throughout this Report, it is our professional planning opinion that the proposed conversion represents good planning, achieves conformity and consistency with applicable policy regimes and the City should proceed with an employment land conversion through the municipal comprehensive review process, as part of the periodic updating of the Official Plan as prescribed by the *Planning Act*.