



January 13, 2023

Hon. Steve Clark
Minister of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, Ontario
M7A 2J3

Dear Minister Clark;

**Re: Toronto Official Plan Amendment 591
ERO Number 019-5868
Ministry Reference Number 20-OP-222176**

**Toronto Official Plan Amendment 591
Conversions and Related Matters
Modification for Site and Area Specific Policy 790
347 to 375 Kennedy Road**

Executive Summary

We are the planning consultants for Laurier Paradise CC 347-357 Kennedy Inc. and Laurier Paradise CC 375 Kennedy Inc., owners of the lands municipally known as 347-357 and 375 Kennedy Road (the “**subject site**”). The subject site is 4.3 hectares in size, and is located on the east side of Kennedy Road, between Danforth Road in the north and the Kingston Subdivision Rail Corridor in the south and is currently occupied by three one-storey light industrial warehouse buildings and surface parking.

The subject site forms part of the Scarborough Junction Triangle (the “**Triangle lands**”), which is bounded by St. Clair Avenue East to the north, Danforth Road to the northwest, Kennedy Road to the west and the Kingston Subdivision Rail Corridor to the southeast. The Triangle lands are generally comprised of low-rise light-industrial buildings. The subject site and Triangle lands are located within an approximate 500 metre radius of the Scarborough GO Transit Station and would fall within the City’s delineation of Scarborough GO Station Protected Major Transit Station Area (see Appendix A, Figure 1).

At its meeting of July 22, 2022, City Council adopted Official Plan Amendment 591 (“**OPA 591**”), amending the Official Plan’s Economic Health and *Employment Areas* policies. OPA 591 redesignated approximately one-third of the Triangle lands,

comprising the subject site, and the lands municipally known as 399 Kennedy Road, from *General Employment Areas* to *Regeneration Areas*, and a portion of the remaining two-thirds of the Triangle lands (the “**Harlo-Republic lands**”) from *General Employment Areas* to *Mixed Use Areas* (see Appendix A, Figure 2). It is noted that the lands at 3585-3595 St. Clair Avenue East, which comprise a portion of the Harlo-Republic lands, were redesignated from *Employment Areas* to *Mixed Use Areas* and *Apartment Neighbourhoods* by the Local Planning Appeal Tribunal (“LPAT”), in their order issued on April 4, 2019 in File PL061248 (see Appendix A, Figure 3).

OPA 591 also introduced a number of site and area specific policies (“**SASPs**”), resulting from the City’s review of Official Plan Amendment applications and conversion requests. SASP 790, which is applicable to the subject site and the lands at 399 Kennedy Road, would require the preparation of a scoped local area study leading to a Secondary Plan or Site and Area Specific Policy prior to residential uses being permitted, while SASP 797, applying to the Harlo-Republic lands, would permit residential uses outright and would not require the preparation of a scoped local area study. By virtue of the LPAT order in File PL061248, the lands at 3585-3595 St. Clair Avenue East have existing residential use permissions.

With respect to the subject site, Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications were submitted in November 2021 to facilitate the comprehensive redevelopment of the site with a transit-supportive, mixed-use community, comprised of +/- 2,345 residential units in a mix of unit types. The proposed design concept included new public roads and a public park, as well as multiple development blocks, that would be well integrated with an existing development application on the Harlo-Republic lands (the “**Harlo-Republic Application**”). More specifically, the proposed site configuration and organization, block structure, and built form strategy was informed by the Harlo-Republic Application and developed with the intent that it form part of the larger emerging context for the Triangle lands. As well, the supporting plans and reports submitted in support of the applications for the subject site would, in our opinion, meet many of the objectives of a local area study outlined by SASP 790. Such objectives include the determination of appropriate building heights and densities, and minimum gross floor areas and uses; the identification of transportation, traffic, water, sanitary, stormwater and hydro infrastructure requirements; appropriate community space and facilities need; the location of new parks and the establishment of new streets, development blocks and connections; and an implementation strategy detailing the sequencing of development.

The following Planning Letter, prepared by Bousfields Inc., concludes that SASP 790, as introduced by OPA 591, is inconsistent with the Provincial Policy Statement, does not conform with the Growth Plan, and does not represent good planning. Further,

SASP 790 would create unnecessary barriers to the delivery of housing (including +/- 2,345 residential units on the subject site) and would result in a duplication of work already prepared in support of active Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications for the subject site, which already satisfy the objectives of a local area study.

The policy directions set out in the Provincial Policy Statement (“**PPS**”), the Growth Plan 2019, as amended (the “**Growth Plan**”), the 2041 Regional Transportation Plan (the “**2041 RTP**”) and the City of Toronto Official Plan encourage an integrated approach to transportation and land use planning, promote the development of complete communities, and support the optimization and efficient use of land and infrastructure within the built-up areas, with a focus on areas that are well served by municipal infrastructure, including higher-order public transit.

In our opinion, requiring 33 percent of the Triangle lands to prepare a scoped local area study leading to a Secondary Plan or Site and Area Specific Policy prior to permitting residential uses, whereas there is no such requirement for the remaining 67 percent of the Triangle lands, would not meet the following provincial and municipal objectives:

- the optimization of provincial investments in higher order transit;
- the delivery of new housing supply in accordance with the Housing Supply Action Plan;
- the integration of transportation and land use planning, including focusing development at a Protected Major Transit Station Area along a Priority Transit Corridor as identified in the Growth Plan;
- the achievement of transit-supportive complete communities with a range and mix of housing options; and
- the prioritization of intensification and higher densities in strategic growth areas, as defined by the Growth Plan, to make efficient use of land and infrastructure and support transit viability.

The following Planning Letter provides for the following recommendation:

The Ministry of the Environment and Climate Change, and the Ministry of Municipal Affairs and Housing modify OPA 591 as follows:

- 1. Revise the Table in Section k), OPA 591 (“OPA 591 Land Use Designation”) for the lands municipally known as 347, 357, 375 (e.g., the subject site) and 399 Kennedy Road from *Regeneration Areas* to *Mixed Use Areas*;**

- 2. Expand the boundaries of Site and Area Specific Policy 797 to include the lands municipally known as 347, 357, 375 (e.g., the subject site) and 399 Kennedy Road, in keeping with the remainder of the Triangle lands; and**
- 3. Delete Site and Area Specific Policy 790 in its entirety.**

1.0 Purpose

The purpose of this letter is to evaluate the redesignation of the subject site (and the lands at 399 Kennedy Road) to *Mixed Use Areas* and SASP 797, consistent with the designation applied to the adjacent Harlo-Republic lands.

This letter will provide a review of the subject site and its surroundings, a description of the existing development applications within the Triangle lands, including the proposed development concept for the subject site and the adjacent Harlo Republic lands, a review of the applicable policy and regulatory context (the Provincial Policy Statement (2020), the Growth Plan for the Greater Golden Horseshoe (2019), as amended, the 2041 Regional Transportation Plan, and the Toronto Official Plan) and the planning and urban design analysis (evaluating the redesignation of the subject site and the lands at 399 Kennedy Road to *Mixed Use Areas*).

For the reasons set out below, it is our opinion that the inclusion of the balance of the Triangle lands within SASP 797, and the application of a *Mixed Use Areas* designation is more appropriate in providing for the coordinated and comprehensive redevelopment of the Triangle lands, consistent with provincial and municipal policies.

2.0 Site and Surroundings

2.1 Site

As described above, the subject site is located on the east side of Kennedy Road, within the Triangle lands. The site is currently occupied by three warehouse buildings, constructed between 1950 and 1970:

- 347 Kennedy Road: a 24,100 sq.ft. warehouse building;
- 357 Kennedy Road: a 20,600 sq.ft. warehouse, office, and storage building, which is occupied by a moving company; and
- 375 Kennedy Road: an approximate 204,000 sq.ft. warehouse building, occupied by a skin care wholesaler and a furniture rental company.

A summary of the applicable site statistics and designations is provided below:

Site Area	+/- 42,959 sq.m.
Site Frontage	222.7 m
Existing Building Area	24,100 sq.ft. / 2,230 sq.m. (347 Kennedy Road) 20,600 sq.ft. / 1,915 sq.m. (357 Kennedy Road) 204,000 sq.ft. / 18,950 sq.m. (375 Kennedy Road)

Official Plan Designation	Map 2, Urban Structure – <i>Employment Areas</i> Map 20, Land Use – <i>General Employment Areas</i>
OPA 591 – SASP 790 Designation	Map 20, Land Use – <i>Regeneration Areas</i>
Zoning (569-2013)	E1.0
Zoning (Scarborough)	M (Industrial Zone)

An Employment Area Impact Assessment was prepared by UrbanMetrics Inc., in support of the Employment Conversion Request (see Section 3.3 below). The report concluded that the existing warehouse buildings did not represent high-intensity, nor high value-add type employment activities to the site. Further, the employment area within which the subject site is located has experienced little, if any, employment growth over the last decade, indicating that it no longer represents an ideal location for these types of activities.

2.2 Area Context: Scarborough Junction Triangle

As noted above, the site is located within the Scarborough Junction Triangle, which represents a unique area in Southwest Scarborough. While lands interior to the Triangle are largely comprised of low-rise light-industrial uses, lands exterior to the Triangle (e.g., beyond Kennedy Road, Danforth Avenue, St. Clair Avenue East and the CP rail corridor), include a variety of residential uses, with some low-scale commercial uses.

In October 2020, applications were submitted for the lands to the north and northeast of the subject site, also within the Triangle lands, to amend the City of Toronto Official Plan and Toronto City-wide Zoning By-law 569-2013, as amended. The amendments would facilitate the redevelopment of the lands, municipally known as 411-415 Kennedy Road, 636-643 Danforth Road, 641-663 Danforth Road and 3585-3595 St. Clair Avenue East (e.g., the Harlo-Republic lands), for a master-planned community with 17 residential and mixed-use buildings, with heights ranging from 19-58 storeys, on ten development blocks which would be separated by a number of new public and private streets. Pursuant to OPA 591, and as described above, these lands were redesignated to *Mixed Use Areas*, which would permit residential uses. A portion of these lands have existing *Mixed Use Areas* and *Apartment Neighbourhoods* designations pursuant to an April 2019 LPAT order.

2.3 Immediate Surroundings

To the immediate south and east of the subject site is the Kingston Subdivision Rail Corridor. Beyond the Rail Corridor are low-rise single-detached residential dwellings

in lands designated *Neighbourhoods*. To the southeast is Natal Park, a 2.3-hectare public park providing a variety of amenities including a playground and bike trails.

To the immediate west of the subject site, fronting the west side of Kennedy Road (between Danforth Road and the Kingston Subdivision Rail Corridor) is a one-storey religious institution and surface parking (398 Kenned Road) and low-rise single-detached residential dwellings (386, 380 to 370 Kennedy Road). Further west are lands generally comprised of low-rise residential neighbourhoods.

To the southwest, lands fronting Raleigh Avenue adjacent to the rail corridor are occupied by a number of commercial properties, generally consisting of automotive service uses, as well as several small-scale studios, manufacturing and warehousing operations.

To the northwest, lands fronting the west side of Kennedy Road (between Danforth Road and St. Clair Avenue East) are comprised of one- to two-storey commercial buildings occupied by automotive uses (440-450 Kennedy Road and 526 Kennedy Road), a storage yard (528 Kennedy Road), and a two-storey strip plaza set back behind a surface parking lot and comprised of various retail, restaurant and automotive uses (3547 St Clair Avenue East).

To the immediate north of the subject site is a large-format one-storey non-residential building, occupied by a food production distributor and at-grade parking (Sun Ming Hong (Canada) Ltd.) (399 Kennedy Road). An Employment Conversion Request was submitted for these lands as part of the City's MCR and, similar to the subject site, were redesignated to *Regeneration Areas* and subject to SASP 790 as part of OPA 591.

Further north (and northeast) are the above-mentioned lands (e.g., 411-415 Kennedy Road, 636-643 Danforth Road, 641-663 Danforth Road and 3585-3595 St. Clair Avenue East), which are the subject of Official Plan and Zoning By-law Amendment applications. As noted, these lands are currently occupied by a mix of low-rise large-format industrial and commercial buildings and were redesignated to *Mixed Use Areas* by OPA 591 and have existing residential use permissions by virtue of the LPAT order in File PL061248.

2.4 Transit Context

From a transportation perspective, the subject site has excellent access to bus and rapid transit services. It is located within an approximate 500 metre radius of the Scarborough GO Transit Station on the Lakeshore East GO Rail Line, which provides service between Union Station in Downtown Toronto and the Oshawa GO Transit

station in Oshawa, and on the Stouffville GO Rail Line, which provides service between Union Station and Lincolnville Station in Whitchurch-Stouffville.

As part of the GO Expansion, the Lakeshore East and Stouffville Lines are expected to accommodate two-way, all-day service every 15 minutes as part of the electrification of the GO Regional Express Rail (RER) network. The purpose of these improvements is to promote the use of the GO network for local transit, rather than solely for regional trips.

As well, Warden Station on the Bloor-Danforth Subway Line (Line 2) is located approximately 1.7 kilometres (radial distance) west of the site, at the intersection of Warden Avenue and St. Clair Avenue East.

In terms of surface transit, the site is served by a number of bus routes, including:

- 902 Markham Express Bus
- 102 Markham Bus
- 9 Bellamy Bus
- 113 Danforth Bus
- 16 McCowan Bus
- 300 Bloor-Danforth Blue Night Bus

3.0 Proposed Development

3.1 Description of Proposal

As it relates to the subject site, applications to amend the City of Toronto Official Plan, Toronto City-wide Zoning By-law 569-2013, as amended, and former City of Scarborough By-law 24982 were submitted in November 2021 to facilitate for the comprehensive redevelopment of the subject site with a transit-supportive, mixed-use community comprised of mid-rise and tall buildings on three development blocks. An approximate total gross floor area (“GFA”) of 170,037 square metres is proposed, comprised of residential, retail and office GFA, along with +/- 2,345 residential units in a mix of unit types (including integrated townhouse units).

The proposed design concept also includes the introduction of new public roads that would provide connections to the existing road network within the Scarborough Southwest neighbourhood, and future road networks within the Triangle lands, particularly with the Harlo-Republic lands. As well, at the southwest corner of the subject site is 1.1 hectares of land that is proposed as a new public park. It is the intent that the new public park connect to the proposed park that is part of the development application for the adjacent Harlo-Republic lands to the northeast.

Accordingly, development on the subject site would have consideration for the proposal on the adjacent Harlo-Republic lands, and future development on the 399 Kennedy Road lands.

3.3 Summary of Application History and Chronology

The following provides for a summary of development applications and conversion requests for sites within the Triangle lands:

- On June 29th, 2020, City Council authorized the commencement of the City's next MCR, and requested the Chief Planner and Executive Director, City Planning to receive written requests to convert lands designated *Core Employment Areas* or *General Employment Areas* for non-employment uses, pursuant to the 2019 Growth Plan Policies 2.2.5.9 and 2.2.5.10 until August 3, 2021. City Council also authorized City Planning Staff to review the conversion requests received by applying the Conversion and Removal Policies for Employment Areas, which are outlined in Policies 2.2.4(14) to 2.2.4(18) of the City of Toronto Official Plan.
- On behalf of the owner, Bousfields Inc. submitted a Planning Letter (dated August 2021), requesting that the subject site be converted from a *General Employment* designation to a designation which would permit a variety of non-employment uses, including residential uses, in a mix of built form typologies.
- Employment Conversion Requests were also submitted for the Harlo-Republic lands, and lands municipally known as 399 Kennedy Road.
- With respect to the Harlo-Republic lands, Official Plan and Zoning By-law Amendment applications were submitted in October 2020, to facilitate the redevelopment of lands for a master-planned community with 17 residential and mixed-use buildings, with a mix of residential and non-residential uses, as described in Section 2.2 above. As a result of a previous Official Plan Amendment filed in 1998, a portion of the Harlo-Republic lands were redesignated from an *Employment Areas* designation to *Mixed Use Areas* and *Apartment Neighbourhoods* designations.
- With respect to the subject site, Official Plan and Zoning By-law Amendment applications were submitted in November 2021 to permit the redevelopment of the subject site with a mix of uses, including residential uses, in a variety of built form typologies, as described in Section 3.1 above.
- A City Staff report dated June 20, 2022 recommended the adoption of OPA 591. Attachment 3 to the Staff report included staff's summary of the various employment conversion requests, including their final assessments and recommendations. In their final assessment of the Triangle lands (e.g., the

portion of the Harlo-Republic lands at 3569 and 3577 St. Clair Avenue East; 641, 661, 663, 619, 621, 625, and 627 Danforth Road and 405 Kennedy Road; 399 Kennedy Road; and 347, 357 and 375 Kennedy Road), City Staff recommended a redesignation of the Triangle lands to a *Regeneration Areas* land use designation with a SASP.

- At the July 22, 2022 City Council meeting, a walk-on motion to amend OPA 591 for the Harlo-Republic lands (e.g., 3569 and 3577 St. Clair Avenue East; 641, 661, 663, 619, 621, 625, and 627 Danforth Road and 405 Kennedy Road) was carried. The result was the redesignation of these lands to *Mixed Use Areas* as well as the introduction of SASP 797, while maintaining a *Regeneration Areas* designation for the remainder of the Triangle lands.
- In July 2022, the City introduced Bill 1074 and adopted Official Plan Amendment 591, amending the City of Toronto Official Plan with respect to Economic Health Policies and Policies for *Employment Areas*, and Map 20 of the Official Plan by redesignating the subject site and neighbouring lands municipally known as 399 Kennedy Road from *General Employment Areas* to *Regeneration Areas* and a portion of the Harlo-Republic lands from *General Employment Areas* to *Mixed Use Areas* and introduced SASPs 790 and 797.

4.0 Applicable Policy and Regulatory Framework

4.1 Introduction

The policy directions set out in the Provincial Policy Statement (“PPS”), the Growth Plan 2019, as amended (the “**Growth Plan**”), the 2041 Regional Transportation Plan (the “**2041 RTP**”) and the City of Toronto Official Plan encourage an integrated approach to land use planning and infrastructure investment and promote development of complete communities and the optimization and efficient use of land and infrastructure within built-up areas, particularly in areas that are well served by municipal infrastructure, including higher-order public transit.

4.2 Provincial Policies

4.2.1 Provincial Policy Statement

Part IV of the PPS sets out the Province’s vision for Ontario and promotes the wise management of land use change and efficient development patterns. One of the key policy directions is to build strong communities by promoting efficient development and land use patterns. To that end, Part V of the PPS contains a number of policies that promote intensification, redevelopment and compact built form, particularly in areas well served by public transit.

In particular, Policy 1.1.1 provides that healthy, liveable and safe communities are to be sustained by: promoting efficient development and land use patterns; accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs; and 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.

Policy 1.1.3.2 supports densities and a mix of land uses which efficiently use land, resources, infrastructure and public service facilities and which are transit-supportive, where transit is planned, exists or may be developed. Policy 1.1.3.3 directs planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment, where this can be accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities.

With respect to housing, Policy 1.4.3 requires provision to be made for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents by, among other matters, permitting and facilitating all types of residential intensification and redevelopment, promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities and support the use of active transportation and transit, requiring transit-supportive development and prioritizing intensification in proximity to transit, including corridors and stations.

With respect to transportation systems, Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

Policy 4.6 directs official plans to identify provincial interests and set out appropriate land use designations and policies.

4.2.2 Growth Plan for the Greater Golden Horseshoe

With respect to the Growth Plan, the Guiding Principles, which are important for the successful realization of the Growth Plan, are set out in Section 1.2.1. Key principles relevant to the subject site include:

- supporting the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime;

- prioritizing intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability;
- supporting a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes and ages of households; and
- improving the integration of land use planning with planning and investment in infrastructure and public service facilities.

The subject site is located within a “strategic growth area” as defined by the Growth Plan and would fall within the definition of a “major transit station area”. The Growth Plan defines “strategic growth areas” as those areas identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed-uses in a more compact built form. As well, the City has undertaken its Growth Plan conformity exercises and has delineated the boundaries of “major transit station areas” across the City of Toronto. The subject site is located within the City’s delineation of the Scarborough GO Protected Major Transit Station Area (see Appendix 1, Figure 1). Schedule 5 of the Growth Plan also shows the Lakeshore East GO Line as a “priority transit corridor”.

The Growth Plan includes a number of policies applying to “major transit station areas”. In particular, Policy 2.2.4(1) requires that “priority transit corridors” shown on Schedule 5 be identified in official plans and that planning be prioritized for “major transit station areas” on “priority transit corridors”, including “zoning in a manner that implements the policies of this Plan”. The Growth Plan indicates that “priority transit corridors” are identified to optimize provincial investments in higher order transit and that the Province expects municipalities to complete detailed planning for “major transit station areas” on these corridors to support planned service levels.

As well, Policy 2.2.4(3)(c) goes on to require that “major transit station areas” served by the GO Transit rail network be planned for a minimum density of 160 residents and jobs combined per hectare . With regard to targets, Policy 5.2.5(1) clarifies that the minimum intensification and density targets are minimum standards and municipalities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of the Growth Plan, the PPS or any other provincial plan.

Policy 2.2.2(3) requires municipalities to develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas and ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities.

Policy 2.2.5.9 of the Growth Plan sets out criteria for the conversion of employment areas to non-employment uses. The policy states that:

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.*

These criteria were addressed in detail in our Planning Letter (dated August 3, 2021), prepared in support of the Employment Conversion Request for the subject site as part of the City initiated MCR. In summary, it was our opinion that the subject site responded well to the criteria set out in Policy 2.2.5.9, as follows:

- The proposed conversion would result in a higher density in terms of population and employment in proximity to the Scarborough GO Transit station. It would also contribute to the allocated forecasted employment growth to the horizon of 2051 and would assist in the achievement of the minimum intensification and density targets mandated by the Growth Plan.
- The proposed conversion would continue to provide for a substantial number of jobs. As concluded by UrbanMetrics in its Employment Area Impact Assessment prepared in support of the conversion request, the design concept (as described in Section 3.1 above) could accommodate 287 – 427 full time equivalent employees (“FTE”), which represents an increase of up 1.7 times what can currently be accommodated on the lands (i.e. approximately 246 FTE employees).
- As detailed in the Employment Area Impact Assessment, prepared by UrbanMetrics, while employment in the City is forecast to continue to grow to 2051, *Employment Land* employment is expected to decrease, as detailed in the Technical Report (2020) which accompanied the recent Growth Plan Amendment (i.e., Amendment No.1). Accordingly, it was our opinion that the subject site would not be required solely for *Employment Use* purposes and could accommodate a broader range of land uses.

- Finally, and as described in Section 2.4 above, there are existing and/or planned infrastructure and public service facilities to accommodate the proposed uses.

Despite the proposed *Regeneration Areas* designation, through the MCR process, City Staff were satisfied that the employment conversion for the subject site, and the introduction of uses not currently permitted, including residential uses, was appropriate and conformed to the applicable Growth Plan (and City of Toronto Official Plan) policies.

4.2.3 Regional Transportation Plan

On March 8, 2018, Metrolinx adopted a new Regional Transportation Plan (the “2041 RTP”). The 2041 RTP goes beyond the Growth Plan and is intended to provide more detailed, integrated and multi-modal strategies and actions for the Greater Toronto and Hamilton Area’s transportation systems.

The 2041 RTP provides a vision statement that “the GTHA will have a sustainable transportation system that is aligned with land use and supports healthy and complete communities”. In pursuit of this vision, the 2041 RTP outlines three goals, namely, to create: strong connections, complete travel experiences, and sustainable and healthy communities. In pursuit of this vision and goals, the 2041 RTP sets out a series of strategies, each with different priority actions. In particular, Strategy 4 identifies priority actions to integrate transportation and land use planning, including focusing development at Major Transit Station Areas along Priority Transit Corridors identified in the Growth Plan.

4.2 Municipal Policies

4.2.1 City of Toronto Official Plan

The Official Plan for the amalgamated City of Toronto was adopted on November 26, 2002 and was partially approved by the Ontario Municipal Board on July 6, 2006. Numerous amendments to the Official Plan have subsequently been approved, including amendments arising out of the Official Plan Review initiated in 2011.

In Chapter 2 (Shaping the City), one of the key policy directions is Integrating Land Use and Transportation (Section 2.2). The Plan states that:

“... future growth within Toronto will be steered to areas which are well served by transit, the existing road network and which have a number of properties

with redevelopment potential. Generally, the growth areas are locations where good transit capacity can be provided along frequent bus and streetcar routes and at higher-order transit stations...”.

It further provides that:

“The integration of transportation and land use planning is critical to achieving the overall aim of increasing access to opportunities throughout the City...The policies of this Plan reflect the importance of mutually supportive transportation and land use policies that combine the mechanisms of mobility and proximity to maximize access to opportunities. ”

To comprehensively plan for the redevelopment of the Triangle lands, it is our opinion that the subject site be redesignated to *Mixed Use Areas*. The *Mixed Use Areas* designation permits a broad range of residential, commercial and office uses, in single use or mixed-use buildings, and is one of four land use designations intended to accommodate most of the increased jobs and population anticipated by the Official Plan’s growth strategy. Policy 4.5(2) sets out a number of policy criteria for development within the *Mixed Use Areas* designation, including creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community.

With respect to *Regeneration Areas*, these areas are intended to provide for a broad mix of commercial, residential, light industrial, parks and open space, institutional and live/work uses in an urban form in order to revitalize areas that are largely vacant or underused. As well, they are intended to create new jobs and homes that use existing infrastructure and create and sustain well-paid, stable, safe and fulfilling employment opportunities. Policy 4.7(2) provides that, for each *Regeneration Area*, a framework for new development will be set out in a Secondary Plan. The Secondary Plan will guide the revitalization of the area and will include urban design guidelines related to the unique character of each *Regeneration Area*, as well as environmental policies and transportation policies.

4.2.2 Official Plan Amendment 591

As described above, at its meeting of July 22, 2022, City Council adopted OPA 591, amending the Official Plan’s Economic Health and *Employment Areas* policies. OPA 591 redesignates the subject site, and the lands at 399 Kennedy Road, from *General Employment Areas* to *Regeneration Areas*, while the remainder of the Triangle lands are redesignated from *General Employment Areas* to *Mixed Use Areas*. As well, OPA

591 introduces a number of SASPs, including SASP 790, which is applicable to the subject site and 399 Kennedy Road.

SASP 790 provides that all uses permitted under the *General Employment Areas* designation and *Regeneration Areas* designation, with the exception of residential uses, overnight accommodations, and live-work uses, are permitted on the lands prior to the adoption of a Secondary Plan or Site and Area Specific Policy. SASP 790 further states that the scoped local area study leading to the Secondary Plan or Site and Area Specific Policy may be informed by the review of concurrent site specific applications in the area.

The scoped local area study leading to the Secondary Plan or Site and Area Specific Policy would result in the following:

- a Land Use Plan that provides for the redesignation of *Regeneration Areas* lands to *Mixed Use Areas* and/or *Parks and Open Space* as appropriate and will inform appropriate building heights and densities across the multiple sites, determine the minimum employment gross floor area and determine the list of permitted non-residential uses as well as maximum percentages of these uses;
- An Infrastructure Master Plan that identifies transportation, traffic, water, sanitary, stormwater and hydro infrastructure requirements and development strategy;
- A Community Services and Facilities Strategy that identifies appropriate community space and facilities needs and sets out priorities to support growth which may include potential locations and phasing as well as opportunities for co-location;
- A Parks and Open Space Plan that identifies locations of new public parks;
- A Block Context Plan that applies to the City's "Complete Streets" principles and establishes a network of public streets, development blocks, pedestrian and cycling facilities and connections, and parks and open spaces that contributes to a safe, comfortable and connected public realm.

SASP 790 also includes the requirement of a Housing Plan that identifies a minimum gross floor area secured for affordable housing.

With respect to the remaining Triangle lands (e.g., the Harlo-Republic lands), OPA 591 redesignates these lands to *Mixed Use Areas*, and introduces SASP 797, which includes a requirement for the provision of affordable housing, which would be determined through the review of a Zoning By-law Amendment application. Accordingly, SASP 797 includes none of the provisions requiring a local area study leading to a Secondary Plan or Site and Area Specific Policy.

In the City Staff report recommending adoption of OPA 591, the final assessment of the whole of the Triangle lands (e.g., 3569 and 3577 St. Clair Avenue East; 641, 661, 663, 619, 621, 625, and 627 Danforth Road and 405 Kennedy Road; 399 Kennedy Road; and 347, 357 and 375 Kennedy Road) recommended a redesignation to *Regeneration Areas* with a SASP. However, at the July 22, 2022 City Council meeting, a walk-on motion to amend OPA 591 for the Harlo-Republic lands (e.g., 3569 and 3577 St. Clair Avenue East; 641, 661, 663, 619, 621, 625, and 627 Danforth Road and 405 Kennedy Road) was carried. The result was the redesignation of these lands to *Mixed Use Areas* as well as the introduction of SASP 797, as described above.

As such, while it was staff's initial recommendation to conduct a LAS, the amendment applying to the Harlo-Republic lands in effect redesignates the majority of the Triangle lands to *Mixed Use Areas* allowing for residential use permissions outright and removing these lands from the LAS requirement, resulting in a significantly smaller portion of the Triangle lands to remain and still requiring a LAS be conducted as a prerequisite to determine the appropriateness of a *Mixed Use Areas* land use designation and residential permissions.

5.0 Analysis

Intensification

It is our opinion that the applicable planning framework, as summarized above, is supportive of mixed-use intensification on both the subject site, and the collective Triangle lands, and that the comprehensive redevelopment of the Triangle lands represents a significant opportunity to provide high-quality employment and residential intensification through mixed-use, transit-supportive development, in a manner that supports the achievement of complete communities.

As it relates to the subject site specifically, the opportunity to provide increased intensification and undertake an integrated approach to land use planning and transportation investment was recognized through the preparation of materials in support of the above-mentioned Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications, which envision the Triangle lands as one comprehensive development site, complete with internal road and open space networks and a wide mix of compatible residential and non-residential uses in varying forms. In this respect, the proposed development concept for the subject site, including the proposed site configuration and organization, block structure, heights and densities, and built form strategy, was informed by the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications submitted for the Harlo-Republic lands, and developed with the intent that it forms part of the larger emerging context on the Triangle lands.

In our opinion, the redesignation of all the Triangle lands to a *Mixed Use Areas* designation would best facilitate for the comprehensive redevelopment of the Triangle lands, in a manner that integrates transportation and land use, promotes efficient development patterns, and builds strong and complete communities, in keeping with provincial and municipal policy directives.

Landholdings

The Triangle lands are approximately 156,000 square metres (15.6 ha) in size. The subject site comprises a total gross site area of 42,959 square metres (4.3 ha), representing approximately 28 percent of the total Triangle lands; while the lands at 399 Kennedy Road comprise a total site area of approximately 8,607 square metres or 5 percent of the Triangle lands. In this regard, pursuant to OPA 591, approximately 33 percent of the Triangle lands have a *Regeneration Areas* designation, with a requirement to prepare a scoped LAS. The Harlo-Republic lands, which make up the remainder of the Triangle lands, comprise a total gross site area of 104,540 square metres (10.4 ha), representing approximately 67 percent of the Triangle lands. These lands, which make up the vast majority of the Triangle lands, are designated *Mixed Use Areas* without a requirement to prepare a scoped LAS.

The overall purpose of the scoped LAS, leading to a Secondary Plan or SASP, is to provide for “comprehensive planning” to ensure the development of a complete community. In our opinion, the separation of the Triangle lands into two SASPs, with one SASP requiring 33 percent of the Triangle lands to prepare a scoped LAS, while removing the requirement for the remaining 67 percent of lands, would be inconsistent with, and would not conform to provincial and municipal policies which speak to the wise management of land use change and efficient development patterns, the creation of complete communities, and the integration of transportation and land use planning. In our opinion, such an approach would create a significant disconnect between sites within an established city block and would be contrary to the principles of master planning and the objectives of implementing a Site and Area Specific Policy.

Meeting Objectives of Local Area Study Requirements

With respect to SASP 790, it is our opinion that the development concept and application materials submitted in support of the application on the subject site fulfills many of the objectives of the scoped LAS, as required by SASP 790. As described above, many factors were taken into account as it relates to the application on the subject, and the application on the Harlo-Republic lands, including the location of parks and open spaces, the placement of roads, servicing and loading considerations, the orientation and location of development blocks, the mix of uses, the proposed heights

and densities, and the overall site organization. Pursuant to SASP 790, the scoped LAS is to result in the following:

- A Land Use Plan that includes all of the Scarborough Junction Triangle lands and informs appropriate building heights and densities across the multiple sites, determines the minimum employment gross floor area and determines the list of permitted non-residential uses;
- A Phasing Strategy and Implementation Plan that provides the sequencing of development;
- An Infrastructure Master Plan that identifies transportation, traffic, water, sanitary, stormwater and hydro infrastructure requirements and development strategy;
- A Community Services and Facilities Strategy that identifies appropriate community space and facilities needs;
- A Parks and Open Space Plan that identifies locations of new public parks;
- A Block Context Plan that applies the City's "Complete Streets" principles and establishes a network of public streets, development blocks, pedestrian and cycling facilities and connections, and parks and open spaces that contributes to a safe, comfortable and connected public realm.

With respect to the Land Use Plan and the Block Context Plan, the application submitted for the subject site includes a Planning and Urban Design Rationale report that rationalizes the proposed building heights and densities across the subject site, as well as a draft Zoning By-law Amendment which includes minimum employment and non-employment gross floor areas. As well, the Block Context Plan, also submitted as part of the application, demonstrates a connected network of public streets, development blocks, community facilities, parks and open spaces, as well as appropriate building heights and densities, all of which were informed by, and would be considered together with, the Harlo-Republic lands and the 399 Kennedy Road lands (see Appendix A, Figures 4, 5 and 6). Furthermore, in their application materials, the Harlo-Republic lands note the sites at 347, 357, 375 and 399 Kennedy Road as forming part of the Master Planned community.

In terms of a Phasing Strategy and Implementation Plan, following preliminary (and continued) discussions between the landowners, draft plan of subdivision applications were prepared and submitted by each in support of their respective proposals. Each draft plan includes the public roads and public parks, with consideration made between the two landowners, and which would be conveyed to the City, as well as the development blocks. The purpose of the draft plan of subdivision applications are to provide for the orderly servicing and development of the respective lands in a coordinated effort. The City, in their review of the plans of subdivision, would examine

adequacy of utilities and municipal services and would impose conditions to satisfy the delivery of required infrastructure.

With respect to the Infrastructure Master Plan, servicing and transportation reports were prepared in support of the application for the subject site, and for the Harlo-Republic lands. The reports provide site-specific information with respect to infrastructure required to support the proposed developments, as well as a development strategy to ensure the orderly development of the lands. For example, both applications include a public and private road network, with provision made to allow for connections between the two sites (see Appendix A, Figures 7 and 8), and to a future development on the 399 Kennedy Road lands. From a servicing perspective, both applications contemplate storm and sanitary connections, with eventual discharge into municipal infrastructure.

In terms of the Community Services and Facilities Strategy, both applications include an inventory of existing community service and facility resources available in the area and include an evaluation of the ability of these services to accommodate growth, identify existing priorities, and seek to determine the demand for new services resulting from the development proposals. The intent was for the data collected to inform future community service and facility requirements within the area.

As it relates to the Parks and Open Space Plan, the Architectural and Landscape Plans submitted in support of the two applications both illustrate a comprehensive public park plan, with the proposed 1.1-hectare public park on the subject site connecting to the proposed public park on the Harlo-Republic lands (see Appendix A, Figures 9 and 10). Collectively, the public parks would expand upon the amount of existing park space in the Scarborough Southwest neighbourhood and would be programmed with a mix of compatible active and passive recreation opportunities. The public parks would also provide an additional pedestrian connection between Kennedy Road and the Scarborough GO Station.

The above-referenced plans demonstrate that considerable thought was given to the proposed development concept for the subject site, and for the Harlo-Republic lands to facilitate a coordinated master planned community for the entirety of the Triangle lands. However, through the discrepancy in Site and Area Specific Policies and land use designations, the Triangle lands will not form a comprehensive site, as the implementation of a master planned community for the Triangle lands is not feasible through the *Regeneration Areas* designation that applies to 33 percent of the Triangle lands, and the *Mixed Use Areas* (and *Apartment Neighbourhoods*) designation that applies to the remaining 67 percent of the Triangle lands.

In our opinion, two different land use designations applying to the Triangle lands defeats the purpose of SASP 790, which has the overall purpose of providing for “comprehensive planning” to ensure the development of a complete community. In this regard, 95 percent of the Triangle lands are already subject to complete development applications that are currently under review by the City, both of which have been designed in a manner that considers their respective neighbours, including the property at 399 Kennedy Road. Accordingly, the objectives of SASP 790 have been satisfied and therefore, a LAS is not necessary to achieve “comprehensive planning”. Based on the foregoing, it is our opinion that redesignating the subject site and the lands at 399 Kennedy Road to a *Mixed Use Areas* designation and including these lands as part of SASP 797, similar to the Harlo-Republic lands, will still allow for a comprehensive look at all sites within the Triangle lands and would meet the objectives of SASP 790.

As set out above, it is our opinion that the designation of the entirety of the Triangle lands to a *Mixed Use Areas* designation still allows for a coordinated, integrated, and comprehensive approach to the redevelopment of the Triangle lands, but in a more timely manner which would provide an appropriate level of mixed-use intensification in proximity to the Scarborough GO Transit Station, in keeping with provincial and municipal policies, and reflects an opportunity to create a new, transit-supportive, complete community on the Triangle lands.

6.0 Conclusion

In our opinion, and for the reasons outlined above, SASP 790, as introduced by OPA 591, is inconsistent with the PPS, does not conform with the Growth Plan, and does not represent good planning.

In summary, we recommend that:

The Ministry of the Environment and Climate Change, and the Ministry of Municipal Affairs and Housing modify OPA 591 as follows:

1. Revise the Table in Section k), OPA 591 (“OPA 591 Land Use Designation”) for the lands municipally known as 347, 357, 375 (e.g., the subject site) and 399 Kennedy Road from *Regeneration Areas* to *Mixed Use Areas*;
2. Expand the boundaries of Site and Area Specific Policy 797 to include the lands municipally known as 347, 357, 375 (e.g., the subject site) and 399 Kennedy Road, in keeping with the remainder of the Triangle lands; and
3. Delete Site and Area Specific Policy 790 in its entirety.

We trust that the foregoing is satisfactory. However, if you have any questions or require additional information, please do not hesitate to contact the undersigned.

Yours very truly,

Bousfields Inc.



David Huynh, MCIP, RPP

cc: *Laurier Paradise CC 347-357 Kennedy Inc.*
Laurier Paradise CC 375 Kennedy Inc.

Appendix A - Figures

Figure 1. Aerial



Figure 2. Landholdings

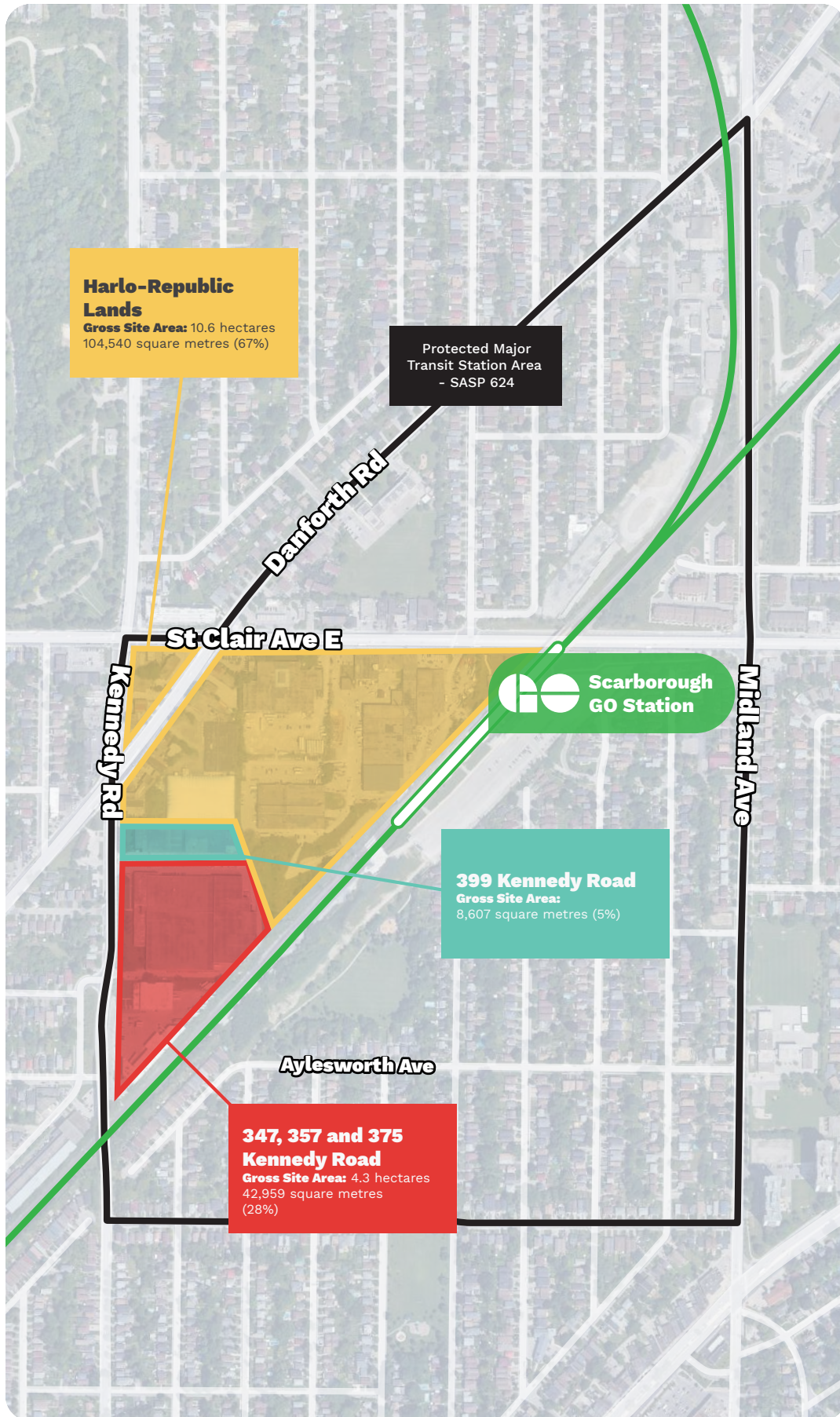
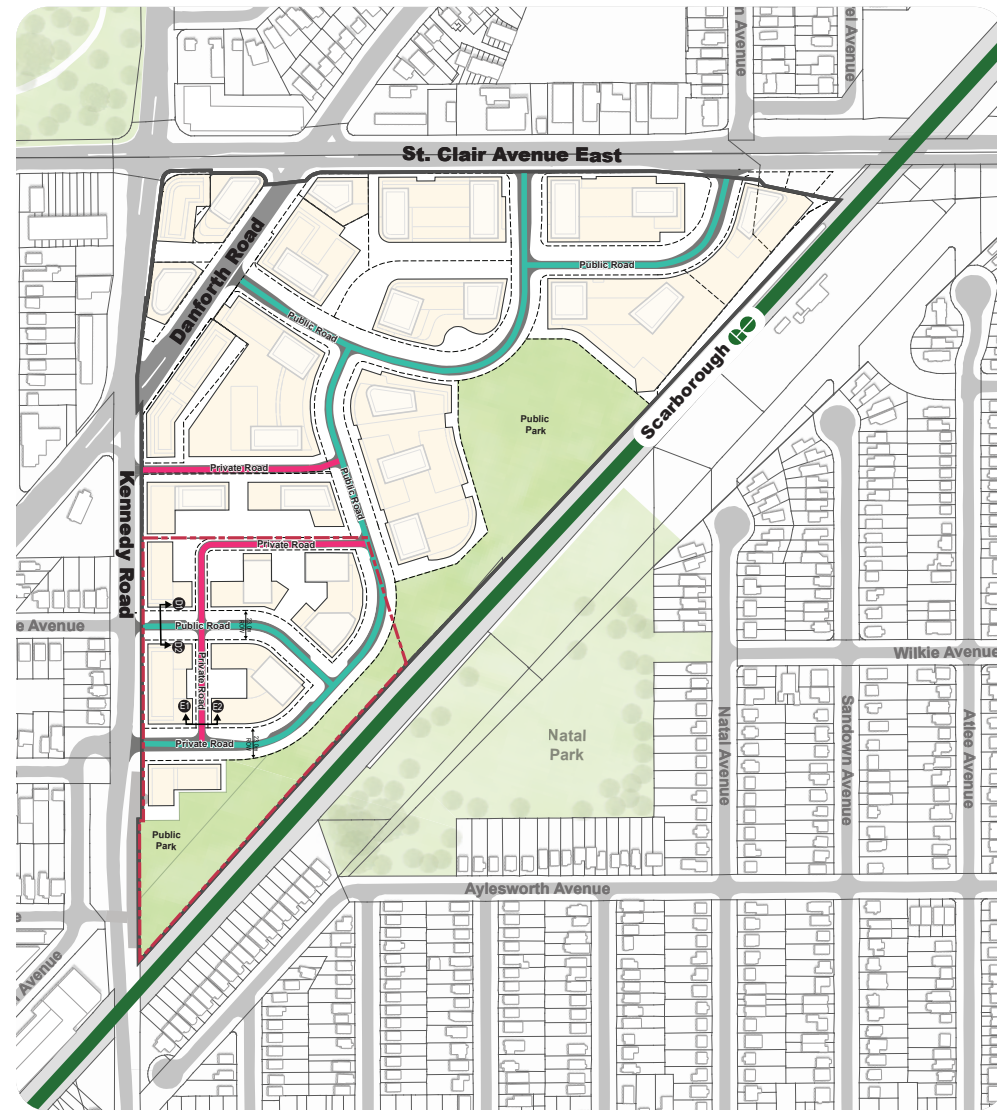


Figure 3. SASP Boundaries



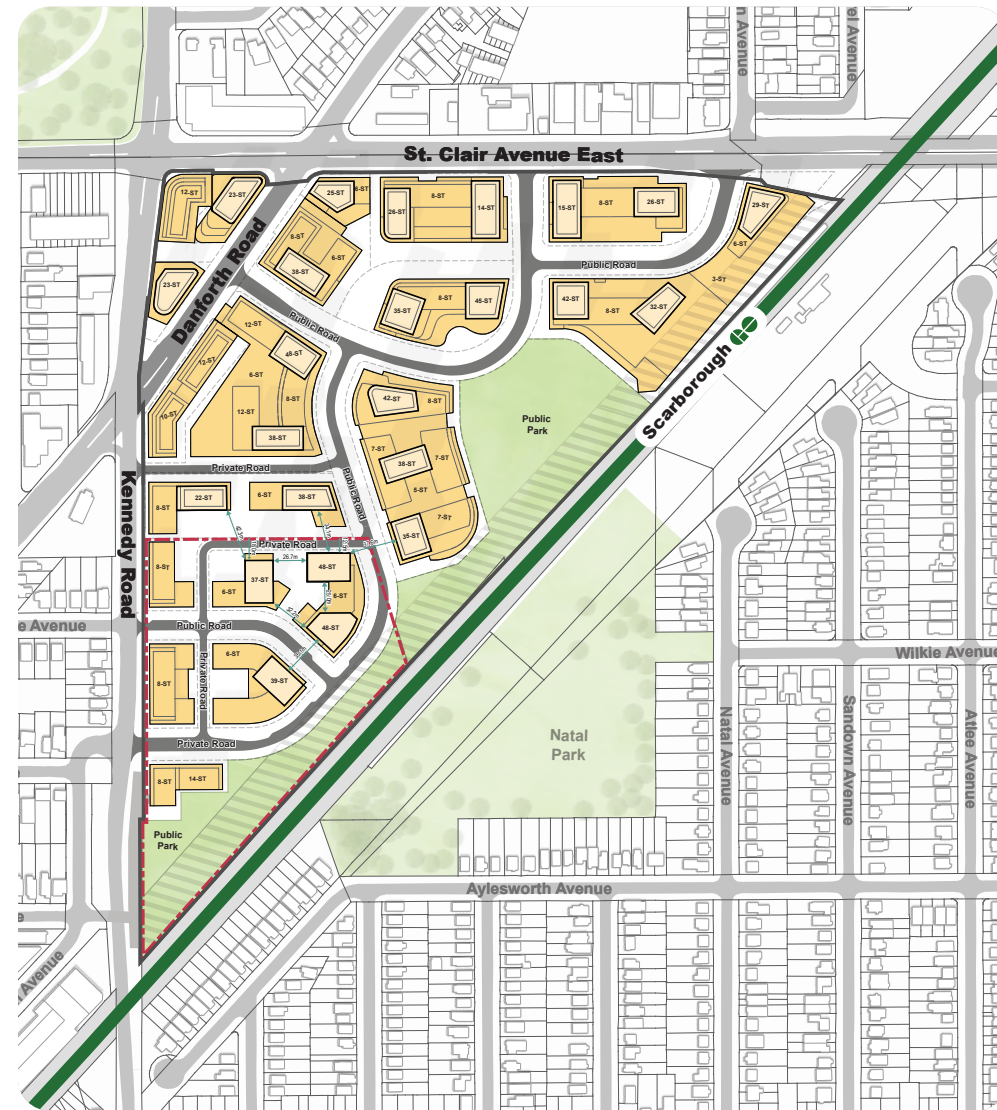
Figure 4. Block Context Plan - Proposed Road Network
(Submitted as part of the application for the subject site, prepared by Bousfields Inc., dated November 2021)



- Legend**
- Subject Site
 - Block Study Boundary
 - Public Road (23.0m Right-of-Way)
 - Private Road
 - Section View



Figure 5. Block Context Plan - Built Form Typology
(Submitted as part of the application for the subject site, prepared by Bousfields Inc., dated November 2021)



- Legend**
- Subject Site
 - Block Study Boundary
 - Mid-Rise Location
 - Tower Location
 - Separation Distance
 - 30.0m Rail Corridor Setback
 - Proposed Parks and Open Space



Figure 6. Block Context Plan - Axonometric View Northeast
(Submitted as part of the application for the subject site, prepared by Bousfields Inc., dated November 2021)



- Legend**
- Block Study Area
 - Proposal
 - Active Development Application (Under Review)
 - Conceptual Massing Scenarios
 - Proposed Parks and Open Space

