



February 2, 2023

Municipal Services Office – Central Ontario  
777 Bay Street, 16<sup>th</sup> Floor  
Toronto, ON  
M7A 2J3

Attention: Alejandra Perdomo

**Re: Planning Justification Letter  
Proposed Modification of OPA 591  
Redesignation of 1350 The Queensway to *Mixed Use Areas***

We are the planning consultants representing YNZ Enterprises Canada Inc., the owner of the property municipally known as 1350 The Queensway (the “subject site”), located at the northwest quadrant, next to the corner site, of The Queensway and Kipling Avenue in the City of Toronto (City).

On July 22, 2022, Official Plan Amendment 591 (OPA 591), amending the City of Toronto Official Plan (“City OP”) related to its Employment Area policies and designations was adopted by Council and enacted as By-law 1106-2022. This amendment represents the Council approval of some Employment Area conversion requests by redesignating either *General Employment Areas* and/or *Core Employment Areas* to *Mixed Use Areas* and *Regeneration Areas*.

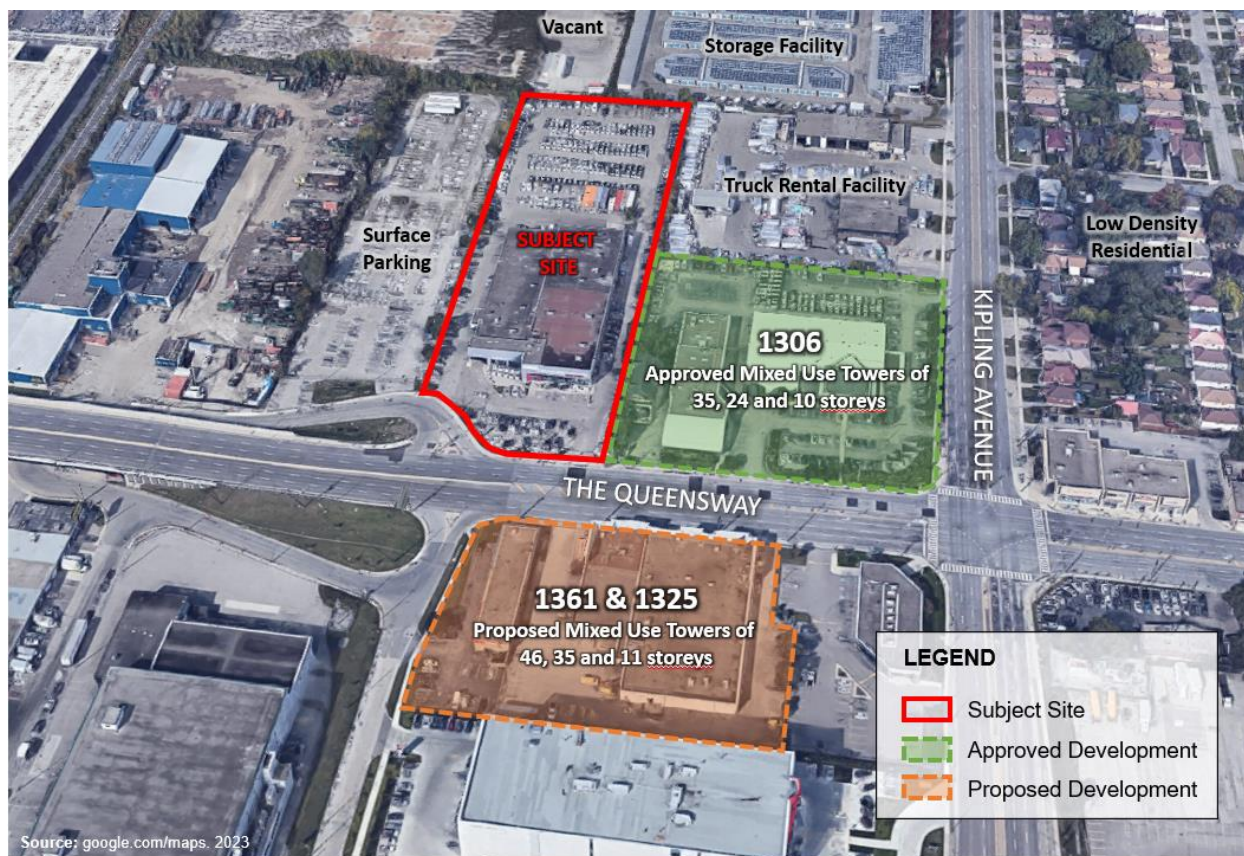
This letter provides a Planning Justification for, and our opinion of, the planning merits of the Minister modifying OPA 591 to include the subject site within OPA 591 and redesignating it from *General Employment Areas* to *Mixed Use Areas*. This letter, together with the attached materials, will address the planning merits of this request, and in particular, will address the Employment Area conversion policies set out in Section 2.2.5.9 of the Growth Plan for the Greater Golden Horseshoe, 2020 (“Growth Plan”), and Section 2.2.4.17 of the City OP.

**The Site and its Surrounding Context**

The subject site is generally rectangular-shaped and approximately 1.7 ha in size. It has a frontage of approximately 50 m facing The Queensway and a lot depth of approximately 230 m. The subject site is currently used as a low-intensity suburban styled car dealership (Sherway Nissan).

The subject site is at the southeastern most edge of an area designated by the Province as a *provincially significant employment zone (PSEZ)* (**Attachment 1**).

**Figure 1** below illustrates the existing land use context of the subject site, together with the surrounding area.



**Figure 1 – Aerial of Subject Site and Surrounding Area**

Some of the notable surrounding uses include the following:

To the east: 1306 The Queensway located immediately east of the subject site at the northwest corner of The Queensway and Kipling Avenue is designated *Mixed Use Areas* in the City OP and has been approved for three mixed use towers of 35, 24 and 10 storeys in height. We understand that this redevelopment is currently undergoing pre-construction. Immediately north of 1306 The Queensway are properties municipally known as 666 and 672 Kipling Avenue, designated as *General Employment Areas* in the City OP. These properties are currently used as a truck rental facility (Ryder Truck Rental) consisting of two single-storey buildings surrounded by surface parking.

To the south: At the southwest corner of The Queensway and Kipling Avenue intersection are lands municipally known as 1325 and 1361 The Queensway. These lands are also designated *Mixed Use Areas* and are being proposed to be redeveloped into three mixed use towers of 46, 35 and 11 storeys, which application is currently under review by the City. Of note, these lands are also located within the PSEZ as shown on **Attachment 1**.

To the north: Immediately northeast of the subject site is a one-storey storage facility at 680 Kipling Avenue currently designated as *General Employment Areas* in the City OP. Immediately west of the storage facility, behind a portion of the subject site, is an industrial site designated *Core Employment Areas* that appears to be currently vacant.

To the West: West of the subject site are lands municipally known as 1386 The Queensway currently used as a surface parking lot and designated *Core Employment Areas* in the City OP.

The subject site is also well-served by multiple surface transit routes that operate along The Queensway and Kipling Avenue. The 80 The Queensway bus route operates all day, every day, until 1 a.m. between the Sherway Gardens shopping mall, the area of The Queensway and Stephen Drive, and Keele Station on Line 2 Bloor-Danforth, generally in an east-west direction. The 944 Kipling South Express bus route operates during peak periods and midday from Monday to Friday between Kipling Station on Line 2 Bloor-Danforth and Humber College Lakeshore Campus in the area of Kipling Avenue and Lake Shore Boulevard West, generally in a north-south direction. The 44 Kipling South bus route operates all day, every day, until 1 a.m. between Kipling Station on the Line 2 Bloor-Danforth and the area of Kipling Avenue and Lake Shore Boulevard West, generally in a north-south direction.

In view of the above, the subject site is at the edge of the Employment Area and the immediate area context is undergoing significant change and growth with multiple mixed use tower developments being approved or planned at the northwest corner adjacent to the subject site and at the southwest corner of The Queensway and Kipling Avenue. The properties to the north and west include auto retail and light industrial uses, all of which are uses capable of being compatible with a mixed use redevelopment of the subject site. Furthermore, the subject site is well-served by existing surface transit routes to support a mixed use redevelopment and reduce automobile dependency.

### **Policy Context of this Current Request to Modify OPA 591**

#### **Provincial Policy Statement, 2020 (PPS)**

The PPS, which came into effect on May 1, 2020, provides policy direction on matters of provincial interest and all planning decisions “shall be consistent with” the PPS. Relevant policies of the PPS 2020 include, as follows:

- The Provincial Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read the Provincial Policy Statement as a whole.

There is no implied priority in the order in which the policies appear (Part III: How to Read the PPS)

- Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel. They support the financial well-being of the Province and municipalities over the long term, and minimize the undesirable effects of development,

including impacts on air, water and other resources. They also permit better adaptation and response to the impacts of a changing climate, which will vary from region to region (Part IV: Vision for Ontario's Land Use Planning System (Part IV, paragraph 5).

- Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term (1.1.1a);
- 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 (1.1.1b);
- 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 (1.1.1e);
- Settlement areas shall be the focus of growth and development (1.1.3.1);
- 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;
  - e) Support *active transportation*;
  - f) Are *transit-supportive*, where transit is planned, exists or may be developed (1.1.3.2a, b, e & f);
- Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated (1.1.3.2);
- Planning authorities shall 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, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3);
- *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 (1.2.6.1);
- Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment, institutional and broader mixed uses to meet the long-term needs (1.3.1a);
  - 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 (1.3.1b);
  - c) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4 (1.3.1d);
- At the time of the official plan review or update, planning authorities should assess employment areas identified in local official plans to ensure that this designation is appropriate to the planned function of the *employment area*.

Employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from sensitive land uses to maintain the long-term operational and economic viability of the planned uses and function of these areas (1.3.2.2);

- Within employment areas planned for industrial or manufacturing uses, planning authorities shall prohibit residential uses and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses in order to maintain land use compatibility.

Employment areas planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-employment areas (1.3.2.3);

- Planning authorities may permit conversion of land 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 (1.3.2.4);
- Notwithstanding policy 1.3.2.4, and until the official plan review or update in policy 1.3.2.4 is undertaken and completed, lands within existing employment areas may be converted to a designation that permits non-employment use provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation working together with affected upper and single-tier municipalities and subject to the following:
  - a) There is an identified need for the conversion and the land is not required for employment purposes over the long term;
  - b) The proposed uses would not adversely affect the overall viability of the employment area; and
  - c) Existing or planned infrastructure and public service facilities are available to accommodate the proposed uses (1.3.2.5);

- Planning authorities shall provide 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 of the regional market area by:
  - b) permitting and facilitating:
    - 1. All housing options required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and
    - 2. All types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;
  - c) directing the development of new housing toward locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
  - d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and public service facilities, and support the use of *active transportation* and transit where it exists or is to be developed;
  - e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations (1.4.3b, c, d & e);
- 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 (1.6.3a);
- *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs (1.6.7.1);
- Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible (1.6.7.2);
- 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* (1.6.7.4);
- Planning authorities shall plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs (1.6.8.1);
- Major goods movement facilities and corridors shall be protected for the long term (1.6.8.2);
- Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities (1.6.8.3);

- The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible (1.6.8.4);
- Planning for land uses in the vicinity of airports, rail facilities and marine facilities shall be undertaken so that:
  - a) their long-term operation and economic role is protected; and
  - b) airports, rail facilities and marine facilities and sensitive land uses are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6 (1.6.9.1);
- Long-term economic prosperity should be supported by:
  - b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
  - c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;
  - d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
  - e) encouraging a sense of place, by promoting well-designed built form and....
  - g) providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support movement of goods and people; (1.7.1 (b), (c), (d), (e), and (g));
- Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion (1.8.1e); and
- The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies...



In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan (4.6).

### **Planning Analysis of the PPS and this Employment Area Conversion Request**

The approach of this planning letter is to review this requested conversion in the context of the entire PPS, as that is the intended manner in which its policies are to be applied and integrated into official plans. Also, as Section 4.6 of the PPS directs, the most current policies of the PPS direct that official plans shall be kept up-to-date with this PPS; meaning the PPS 2020. This is of paramount importance and prevails over any municipal policies that are not consistent with this version of the PPS. Having undertaken a review of the entire PPS, we offer the following planning summary in relation to this Employment Area conversion request.

The subject site is currently and will likely continue to be used for low-intensity, single storey retail and service uses, surrounded by considerable surface parking if the lands are not converted. In my opinion, the circumstance of this site, reflects a very under-utilized state on the subject site.

A *Mixed Use Areas* designation for the subject site would enable the reuse and reurbanization of this under-utilized site. Should this conversion be granted, the outcome, in our opinion, would provide jobs, and new residential population, including the potential for affordable housing, to utilize the land and infrastructure available to this site. Given its context, this can be designed in a compatible manner with the remaining Employment Area to the north and west, without prejudicing or jeopardizing the ongoing successful implementation and ongoing functioning of these uses. This is in fact reflected in the evolution of this immediate area with the approval and imminent construction of a 3-tower mixed residential and commercial proposal to the immediate east within the same block.

Optimization of land and infrastructure involves the balance of maximizing the capability of the site within its physical and policy context. In other words, consideration needs to be undertaken of the opportunities and constraining elements of the site and area context. The physical context of the subject site supports the introduction of compatible land uses at a more intense level of development. The subject site is located at the edge of a PSEZ, as are the lands on the south side of The Queensway west of Kipling Avenue, which are designated *Mixed Use Areas* in the City OP. Immediately east and southeast of the subject site are approved and proposed mixed use towers that include residential space and would be supportive and compatible with a mixed use development on the subject site. The subject site is within walking proximity to parks, recreation, shopping and services. This proximity promotes the use of active transportation options such as walking and cycling, leading to a supportive, integrated, more complete community.

Mixed-use development (including residential uses) on the subject site would be consistent with PPS policies that promote compact, mixed-use, intensified, transit-supportive development and encourage the provision of residential uses in settlement areas to meet long-term housing needs. In our opinion, this would be supportive of the overall policy thrust embodied in the current PPS policies.

The alternative of leaving the subject lands as is, in an Employment Area designation, would likely do nothing but enable the existing underutilized state of the site to persist, which in my opinion, is contrary to, and inconsistent with, the overall policies of the PPS.



## The Growth Plan 2020

A Place to Grow: Growth Plan for the Greater Golden Horseshoe derives its authority from the Places to Grow Act, 2005, and became effective on May 16, 2019, and was amended by Amendment 1, which took effect on August 28, 2020.

Many of the Provincial policy themes enunciated in the PPS are reflected, and further articulated, in the Growth Plan. This document therefore is a further expression and articulation of Provincial policy and is a Provincial Plan, pursuant to Section 3 of the *Planning Act*. Similar to the PPS, the Growth Plan must be read in its entirety and there is no implied priority in which the policies appear.

The Growth Plan generally aims to, among other things, create complete communities that offer more options for living, working, shopping and playing; provide greater choice in housing types to meet the needs of people at all stages of life; and reduce traffic gridlock by improving access to a greater range of transportation choices.

Similar to the PPS, the Growth Plan encourages compact, vibrant complete communities, optimizing the use of land and infrastructure in order to support growth in a compact and efficient form. The 2020 Growth Plan updated the previous Growth Plan by strengthening and reinforcing the Provincial policy direction of promoting intensification and optimization of the land base and of available and planned infrastructure.

The subject site is located within the area identified as “built-up area”, which encompasses the whole of the City of Toronto. Section 1.2.1 of the Growth Plan includes Guiding Principles. Some of the key principles include:

- “Support 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.
- Prioritize *intensification* and higher densities in *strategic growth areas* to make efficient use of land and *infrastructure* and support transit viability.
- Support a range and mix of housing options, including second units and *affordable* housing, to serve all sizes, incomes, and ages of households.”

Section 2 of the Growth Plan relates to “Where and How to Grow”. The following quotes from that section capture important policy directions of the Growth Plan supporting this Employment Area conversion request:

“This Plan is about accommodating forecasted growth in *complete communities*. These are communities that are well designed to meet people’s needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, *public service facilities*, and a full range of housing to accommodate a range of incomes and household sizes. *Complete communities* support quality of life and human health by encouraging the use of *active transportation* and providing high quality public open space, adequate parkland, opportunities for recreation, and access to local and healthy food. They provide for a balance of jobs and housing in communities across the *GGH* to reduce the need for long distance commuting. They also support climate change mitigation by increasing the *modal share* for transit and *active transportation* and by minimizing land consumption through *compact built form*.”

“To support the achievement of *complete communities* that are healthier, safer, and more equitable, choices about where and how growth occurs in the GGH need to be made carefully. Better use of land and *infrastructure* can be made by directing growth to *settlement areas* and prioritizing *intensification*, with a focus on *strategic growth areas*, including *urban growth centres* and *major transit station areas*, as well as *brownfield sites* and *greyfields*. Concentrating new development in these areas provides a focus for investment in transit as well as other types of *infrastructure* and *public service facilities* to support forecasted growth, while also supporting a more diverse range and mix of housing options...”

“It is important to optimize the use of the existing urban land supply as well as the existing building and housing stock to avoid over-designating land for future urban development while also providing flexibility for local decision-makers to respond to housing need and market demand. This Plan’s emphasis on optimizing the use of the existing urban land supply represents an *intensification* first approach to development and city-building, one which focuses on making better use of our existing *infrastructure* and *public service facilities*, and less on continuously expanding the urban area.”

Policy 2.2.1.2 relates to managing growth and indicates that growth will be accommodated by:

“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) within *settlement areas*, growth will be focused in:
  - i. *delineated built-up areas*;
  - ii. *strategic growth areas*;
  - iii. locations with existing or planned transit, with a priority on *higher order transit* where it exists or is planned; and
  - iv. areas with existing or planned *public service facilities*;

Section 2.2.6.1 a)i. of the Growth Plan also speaks to housing and the need to “identify a diverse range and mix of housing options and densities, including second units and *affordable* housing to meet projected needs of current and future residents”.

Section 2.2.5 of the Growth Plan contains employment policies that are similar to the PPS. Policy 2.2.5.1 states:

“Economic development and competitiveness in the GGH will be promoted by:

- 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.”

Section 2.2.5.8 states:

“The development of sensitive land uses, major retail uses or major office uses will, in accordance with provincial guidelines, avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing or other uses that are particularly vulnerable to encroachment.”

As in the PPS, the Growth Plan includes policies that enable the conversion of lands within *employment areas*. Policy 2.2.5.9 states:

“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.”

Policy 2.2.5.10 states:

“Notwithstanding policy 2.2.5.9, until the next *municipal comprehensive review*, lands within existing *employment areas* may be converted to a designation that permits non-employment uses, provided the conversion would:

- a) Satisfy the requirements of policy 2.2.5.9 a), d) and e);
- b) Maintain a significant number of jobs on those lands through the establishment of development criteria; and
- c) Not include any part of an employment area identified as a *provincially significant employment zone*.”

Policy 2.2.6.1 states:

- a) “Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:
- b) support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:
- c) identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents;”

Policy 3.2.1 (Integrated Planning) states:

- “1. *Infrastructure* planning, land use planning, and *infrastructure* investment will be coordinated to implement this Plan.
- a) 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:
- b) 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;
- c) providing sufficient *infrastructure* capacity in *strategic growth areas*;
- d) identifying the full life cycle costs of *infrastructure* and developing options to pay for these costs over the long-term; and
- e) considering the impacts of a changing climate.”

Policy 3.2.3 (Moving People) states:

- “1. Public transit will be the first priority for transportation *infrastructure* planning and major transportation investments.
- a) All decisions on transit planning and investment will be made according to the following criteria:
- b) aligning with, and supporting, the priorities identified in Schedule 5;
- c) prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels;
- d) increasing the capacity of existing transit systems to support *strategic growth areas*;

- e) 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;
- f) facilitating improved linkages between and within municipalities from nearby neighbourhoods to *urban growth centres, major transit station areas, and other strategic growth areas*;
- g) increasing the modal share of transit; and
- h) contributing towards the provincial greenhouse gas emissions reduction targets.”

Policy 3.2.4.2 (Moving Goods) states:

“1. The Province and municipalities will work with agencies and transportation service providers to:

- a) co-ordinate, optimize, and ensure the long-term viability of major goods movement facilities and corridors;
- b) improve corridors for moving goods across the GGH in accordance with Schedule 6;
- c) promote and better integrate multimodal goods movement and freight-supportive land use and transportation system planning; and...”

Policy 5.2.5.2 (targets) states:

- “1. The minimum intensification and density targets in this Plan, including any alternative targets that have been permitted by the Minister, 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 this Plan, the PPS or any other provincial plan.” (emphasis added)

### **Planning Analysis of the Growth Plan in Relation to this Employment Area Conversion Request**

The need to enable a broader range of uses arises from the public interest objective to see additional population brought to this area, in an intensified manner, aimed at contributing to a more complete community, and supporting alternative transportation modes to the automobile.

The alternative of maintaining the subject site for solely employment uses is to under-utilize the site from land use, density, built form and infrastructure perspectives. The opinions expressed in this planning letter support the policy imperatives of the Growth Plan of protecting for employment growth, while supporting complete communities, and optimizing the use of existing and planned infrastructure. In our opinion, this strikes an appropriate and balanced consideration of the land use resolution for this site.

From a population perspective, adding residential uses on the subject site will contribute to satisfying much needed housing for projected population growth while providing increased employment opportunities in the area. The subject site is located within an area well serviced by existing and planned public transit, and is well served by existing and planned shopping, services,

places of employment and community facilities, in close walking proximity. The requested amendment to the City OP is intended to better utilize and optimize the subject site, implementing the “*intensification* first” approach of the Growth Plan, and contributing to a complete community.

The alternative of maintaining the lands solely for employment uses would likely result in the subject site not redeveloping into the foreseeable future. With the current uses of the subject site being limited to solely low-intensity retail and service commercial uses, the subject site may not be sufficiently incentivized to redevelop. The Growth Plan seeks to optimize land use and leverage the significant public expenditure into public transit infrastructure. Approving this Employment Area conversion request is a means to implement these policies.

### **City of Toronto Official Plan (City OP) Policies**

The subject site is identified in the City OP as *Employment Areas* on Map 2 (Urban Structure Plan) and designated *General Employment Areas* on Map 15 (Land Use Plan) (**Attachment 2**). Meanwhile the lands immediately to the east are designated Mixed Use Areas; in fact, all lands on the north side of The Queensway east of the subject site to east of Royal York Road are designated *Mixed Use Areas*. In addition, the lands immediately across the street, on the south side of The Queensway, west of Kipling Avenue, are also designated *Mixed Use Areas*.

The policy text in Chapter 2.2.4.1 (Employment Areas: Supporting Business and Employment Growth) of the City OP provides the following description of *Employment Areas*:

1. *Employment Areas*, as shown on Map 2, are comprised of both *Core Employment Areas* and *General Employment Areas*, as shown on Maps 13 to 23 inclusive. *Employment Areas* are areas designated in this Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Section 4.6.1 to 4.6.3 of the City OP provide a description of *General Employment Areas*, as follows:

- *Core Employment Areas* are places for business and economic activities. Uses permitted in *Core Employment Areas* are all types of manufacturing, processing, warehousing, wholesaling, distribution, storage, transportation facilities, vehicle repair and services, offices, research and development facilities, utilities, waste management systems, industrial trade schools, media, information and technology facilities, and vertical agriculture (policy 4.6.1).
- The following additional uses are permitted provided they are ancillary to and intended to serve the *Core Employment Area* in which they are located: parks, small-scale restaurants, catering facilities, and small-scale service uses such as courier services, banks and copy shops. Small scale retail uses that are ancillary to and on the same lot as the principal use are also permitted. The Zoning By-law will establish development standards for all these uses (policy 4.6.2).
- *General Employment Areas* are places for business and economic activities generally located on the peripheries of Employment Areas. In addition to all uses permitted in Policies 4.6.1 and 4.6.2, permitted uses in a *General Employment Area* also include restaurants and all types of retail and service uses (policy 4.6.3).

Section 2.2.4 (*Employment Areas: Supporting Business and Employment Growth*) of the City OP sets out the City OP narrative and policies for areas that are intended to be used exclusively for business and economic activity. The subject site is located at the southeastern edge of the Employment Area in proximity to parks, public transit, the lake front, other mixed use redevelopments, and other shopping areas. It is no longer appropriate to limit the use within the subject site to solely employment uses.

The City OP policies guiding the consideration of this employment area conversion request commence with Section 2.2.4.15 of the City OP, including policy considerations as follows:

“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.”

Recognizing that this City OP policy was approved implementing the Growth Plan 2006, it is imperative that the evaluation of this Employment Area conversion request be through the lens of the Growth Plan 2020. This means reading the Growth Plan 2020 in its entirety and appropriately applying and balancing its policies to the circumstance as a whole. As indicated earlier, we have undertaken such a review, and from a Growth Plan 2020 perspective, a mixed use development, including residential uses, is promoted and encouraged, in an intensified compact form on the subject site.

Section 2.2.4.17 of the City OP also sets out the City OP criteria upon which consideration will be made of employment area conversions. Section 2.2.4.17 states:

- “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.

### **Planning Analysis of the City OP in Relation to this Employment Area Conversion Request**

As there is considerable overlap of policy themes between the PPS, the Growth Plan, and the City OP, we have organized our analysis into policy themes or issues. Below is our planning assessment of these themes/issues.

1. Is there is a need for the conversion?

The need for the conversion on the subject site is predicated on the inability of a solely employment use permission on site to satisfy the policy imperatives and requirements of the PPS and the Growth Plan. In other words, if the low-rise, low-intensity building on the subject site remains, with solely employment use permissions, then there will be little, if any, incentive for the lands to practically redevelop. In such a circumstance, the existing facility will likely remain as is, which in our opinion, is inconsistent with the PPS and does not conform with Growth Plan.

There is a policy need to permit a broadened range of uses, including residential, to enable and incentivize the redevelopment of the subject site in accordance with the policies of these documents, as a whole. Without redevelopment there is no implementation of the PPS and Growth Plan policies. There is no doubt that leaving the lands, and the existing facilities as is, will not contribute to the achievement of minimum population targets set out in the Plan.

In our opinion, this is an expression of need in policy terms.

A significant barrier to new employment redevelopment on this site is that the demand for office or other non-industrial employment uses, are not high enough to make new employment development incentivized or viable on this site.

Although it is anticipated that there will be some demand for various types of office space in Toronto generally to meet the forecasted net increase in total employment of 282,000 jobs, such new office construction will have greater viability and likelihood within, and on the periphery of, *Downtown* Toronto, where office rents are at a level that support some new office construction. The subject site will not likely be able to compete with these areas for new office construction.

However, if this Employment Area conversion request is approved, a high-density mixed use development with residential uses on the subject site could support the redevelopment and construction required.

High-density mixed-use development permissions for the subject site would make a significant, positive contribution towards the achievement of transit-supportive, mixed use density, close to existing surface transit routes. The alternative would likely result in the *status quo* on the subject site, and the maintenance of low-scale, large-format suburban buildings with a lot of surrounding surface parking.

From a population perspective, adding residential permissions on the subject site will contribute to satisfying housing needs for projected population growth in Toronto, which is projected to be approximately 348,500 new housing units over the 2021 to 2051 period, and with the Province recently setting an ambitious 2031 target of 285,000 new housing units in the City of Toronto. Additional housing units on the subject site will assist in meeting minimum targets for housing and demand for non-residential space within the broader neighbourhood, supporting the non-residential retail and service uses close to, and within walking distance from the subject site. It is important to note that the targets in the Growth Plan are minimums.

2. Are the employment lands required over the horizon of the Growth Plan for the employment purposes for which they are designated?

Maintaining the subject site with a *General Employment Areas* designation is not required for the employment purposes permitted by the City OP. The *General Employment Areas* designation of the subject site is no longer appropriate for this site. This current node is located very close to parks, transit, and other shopping areas and includes approved and proposed mixed use developments both adjacent and across the street. This context, combined with the long-term lack of market for the more traditional employment uses, and the under-utilization of the subject site, begs the question about the appropriate future use of the subject site.

3. Will the municipality maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan?

We understand that there are sufficient employment lands in Toronto to achieve the forecasted growth in employment in Toronto to 2051. If this employment area conversion is approved, high-density residential development will likely assist in accommodating employment growth on the subject site and other nearby lands.

4. Will the proposed uses 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?

The introduction of a *Mixed Use Areas* designation on the subject site is not expected to adversely affect the overall viability of the *Employment Area*. A mixed use residential development is capable of co-existing compatibly with adjacent lands. This is precisely what is happening next door to the east with the same type of context as the subject site.

The purpose of this Employment Area conversion request is to seek the City OP land use permission for residential uses together with other non-residential uses. This is the first step of many further *Planning Act* steps that will be necessary before the land could be used for this purpose. In our opinion, those subsequent processes are capable of protecting the public interest related to safety, air quality, odour, noise, vibration and possibly other environmental related topic areas that may need to be explored and implemented.

Based on our review, the proposed *Mixed Use Areas* designation is capable of being compatible with the surrounding land uses.

5. Are there existing or planned infrastructure and public service facilities to accommodate the proposed use?

Like the section above, at the later rezoning stage of approval, detailed investigations into municipal servicing, transportation, community services and facilities, and parks can and will be explored. While it is customary to defer those matters to the rezoning stage, as is the assumption of this planning letter, there is no reason to believe that this site will suffer from a lack of infrastructure or public service facilities given its location. It is very rare indeed for a redevelopment within the City of Toronto to lack infrastructure and public service facilities (existing or planned). If a deficiency is identified, it can be appropriately addressed before the land is rezoned.

## **Conclusions and Recommendations**

This Employment Area conversion request seeks to have the land redesignated, from *General Employment Area* to *Mixed Use Area*. The PPS, the Growth Plan and the necessary conversion policies of the City OP have been reviewed in this letter. Having done so, we conclude, for all the reasons stated, that there is compelling land use planning merit in this request. We also conclude that this conversion request is consistent with the PPS, is in conformity with the Growth Plan and the City OP, and to do nothing in the circumstance, would be inconsistent with the PPS and not conform with the Growth Plan.

In my opinion, a better fit between market opportunity, land use policy and zoning permissions for this site, would include the opportunity for mixing the development of the subject site with residential use permission, capable of being developed with higher densities in a compact form. The context, infrastructure, and land uses, should be augmented with uses that can realistically and appropriately realize the concept and vision of live-work-play on site, becoming a practical reality. The alternative, which is the current situation, is the segregation of single purpose land uses where low-intensity and low-rise single purpose destinations are perpetuated, which maintains increased automobile dependency, and reduces contemporary planning, urban design and community building opportunities for this site. Permitting mixed use on this site at intensified levels is achievable, without compromising the viability of the remaining Employment Area to the west and north.

We will make ourselves available should you have any questions or require additional information. Please contact the undersigned at any time.

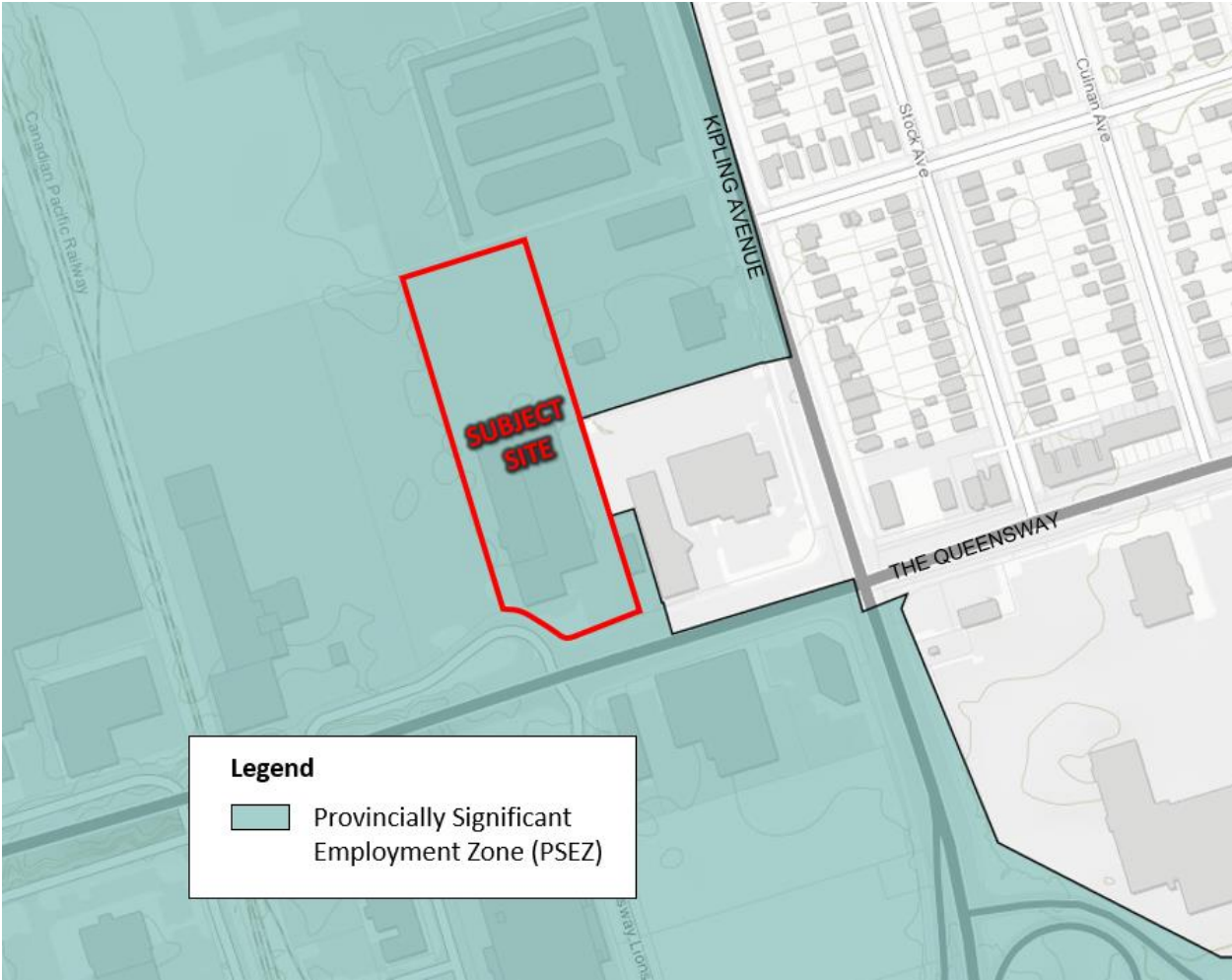
Yours very truly,  
**GOLDBERG GROUP**



Michael S. Goldberg, MCIP RPP  
Principal

Cc: Client  
Mark Flowers, Davies Howe LLP

**Attachment 1: Provincially Significant Employment Zone (PSEZ) Map**



Attachment 2: City of Toronto Official Plan – Map 15 – Land Use Plan

