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*MGP File: 21-3038*

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777 Bay Street  
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Dear Ms. Perdomo:

**RE: Employment Conversion | 5053328 Ontario Inc.  
Comments on the Approval of the City of Toronto OPA No. 591  
2021 Kennedy Road and 1, 11-37, 12, 16, 20-26 William Kitchen Road, Toronto  
ERO Number: 019-5868**

Malone Given Parsons Ltd. (“MGP”) has been retained as the land use planners for 5053328 Ontario Inc. (the “Client”), owner of land located at the eastern side of Kennedy Road, immediately south of Highway 401. The lands are municipally known as 2021 Kennedy Road and 1, 11-37, 12, 16, 20-26 William Kitchen Road in the City of Toronto and are referred to herein as the “Subject Lands”.

This submission continues upon our prior submissions to the City including:

- A letter dated August 3, 2021, providing our planning opinion on a request for an employment conversion for the Subject Lands; and,
- A letter dated June 30, 2022, providing our comments on the City’s preliminary planning assessment on the employment conversion request for the Subject Lands.

A full package of previous correspondence has been provided in Appendix 1.

The purpose of this letter is to provide additional comments on the City’s proposed Official Plan Amendment (OPA 591), which is under consideration for approval by the Ministry of Municipal Affairs and Housing. OPA 591 contains new and updated employment policies and proposes site specific employment conversions with other site-specific employment conversions (such as our Clients), occurring later in the process. While we understand the City’s intention is to consider the remaining employment conversion requests at a later date, given the urgency to supply housing, especially adjacent to higher order transit, it is our opinion that it is imperative to consider this employment conversion request as the Subject Lands represents an ideal opportunity to aid in the delivery of more attainable housing in the Province.

## Conceptual Vision and Our Request

The vision for Subject Lands as a vibrant mixed-use development is considered to be more appropriate than its current General Employment designation that is only permissive of a single land use. The Subject Lands benefit from close proximity to existing community amenities and has the potential to be converted to a mixed-use format without having a detrimental impact to the existing stable employment area.

To realize this vision, we are requesting that the City redesignate the Subject Lands to *Mixed Use Areas* to permit a range of uses, including maintaining the existing employment uses. In support of this request, please find enclosed the following:

- Planning Opinion Letter (this letter);
- Previous Correspondence on City's Municipal Comprehensive Review (Appendix 1);
- Draft Official Plan Mapping Amendment requesting a redesignation to Mixed Use Areas on the Subject Lands (Appendix 2);
- Conceptual Development Plan (Appendix 3);
- Community Amenities Map (Appendix 4)
- Modified Compatibility & Mitigation Study (Appendix 5); and,
- Traffic Brief (Appendix 6).

## Existing Context

The Subject Lands currently contain a 450,000ft<sup>2</sup> commercial/retail plaza comprised of 11 buildings accessible from Kennedy Road and Progress Avenue via William Kitchen Road. A large portion of the present site is occupied by surface parking lots associated with the existing commercial and retail uses. Highway 401 is located immediately to the north with Kennedy Road running adjacent to the site on the western side. The commercial/retail uses currently provide a variety of shopping options including restaurants, grocery stores, fitness, furniture and other uses.

The Subject Lands are extremely well served by existing and planned local and higher-order transit.

The Subject Lands are located within an 800m radius of Ellesmere Station (TTC Line 3) and 11-minute walk along Kennedy Road and can be considered to be located within a Major Transit Station Area under the Provincial Growth Plan. The Growth Plan directs that the delineated area of an MTSA should maximize the number of potential transit users within walking distance of the station. The requirement to delineate an MTSA in accordance with a 500 - 800 m radius or 10-minute walk gives direction in establishing the size of the area within which municipalities must plan for the density targets set out in the Growth Plan.

Within close proximity of the Subject Lands is a planned extension of Line 2 from its current terminus at Kennedy Station, it is planned to provide three new stations within Scarborough and a future terminus at McCowan Station (McCowan Road/Sheppard Avenue). The proposed 7.8km extension is expected to reduce travel times and improve access to jobs, amenities, homes and other key destinations throughout the City.

Sheppard Avenue East has been identified as a future rapid transit corridor which intensification is planned to occur. Either a subway extension or Light Rail Transit (LRT) system is expected to provide connectivity along Sheppard Avenue East from the existing Don Mills subway station to the

planned McCowan subway station (as part of the Scarborough subway extension), with a stop anticipated at Kennedy Road/Sheppard Avenue.

Metrolinx has planned for an expansion of service on the Stouffville GO line which will offer peak hour headways of 15-minutes or better in both directions via a new electrified service. This expansion represents a material improvement from the current 30-minute peak hour and 1-hour off-peak service that operates southbound to Union Station during the morning peak and northbound to Lincolnville Station during the evening peak. As part of the expansion, new stations are proposed at a variety of locations including Finch-Kennedy, which is in proximity to the Subject Lands.

Figure 1: Subject Lands Context



The surrounding context includes the following:

#### North

- Highway 401 (immediately adjacent)
- Mixed use development (north of Highway 401)
- Delta Hotel (north of Highway 401)

#### East

- Residential apartment dwellings (west of Kennedy Road)
- Townhouse dwellings (west of Kennedy Road)

#### West

- Open Area/Green Space (possible stormwater retention pond)

- West highland Creek
- Employment Business Park and Industrial Uses

#### South

- Progress Avenue
- Commercial and Retail Uses

#### **Preliminary Development Concept**

The proposed development seeks to establish a range of residential, employment, service commercial, retail and amenity space including 17 towers ranging in height from 10 – 45 storeys with the highest density focused near Highway 401/Kennedy Road intersection. A copy attached hereto in Appendix 3.

The vision for the Subject Lands is to optimize this corner of Highway 401 and Kennedy Road by proposing a compact development consisting of vibrant mixed uses including high-density residential uses, at-grade retail, office, recreational and open green spaces, whereas currently it is only a large retail plaza with surface parking. The location of the Subject Lands is well positioned for a more urban development that blends a variety of uses that are functionally and/or physically integrated with access to pedestrian and transit connections. The proposed development will not eliminate employment uses but reposition the lands from a single-use site to a multi-use development that is active throughout the day as opposed to only during business hours.

A mixed-use development for the Subject Lands will be compatible with the existing high density residential to the west, the light/medium industrial the south/east (with appropriate mitigation measures as outlined in the Land Use Compatibility Study prepared by SLR Consulting and appropriate buffering from the rail line) and will have no conflicts with Highway 401 to the north.

#### **Planning Rationale**

In order to support this proposed redevelopment, an employment conversion request is required through the City's Municipal Comprehensive Review process, which is currently underway and is accepting requests for employment area conversions. We are seeking, on behalf of our Client, a conversion from the current *General Employment Area* designation to a *Mixed-Use Areas* designation for the entirety of the Subject Lands.

The economic landscape of the City is undergoing a shift in the way individuals live, work, and plan. The trend of employment land being a large component of job growth is slowing down and there is a growing proportion of jobs that are in the knowledge/creative based economies that require flexible and innovative opportunities for living and working. Employers who deliver these jobs increasingly prefer to be located in mixed-use, urban areas, rather than in traditional mono-use employment areas. It is our opinion that opportunities to implement Mixed-Use development, such as the one proposed, would deliver upon this ever desirable live-work environment.

The changing economic landscape makes land use planning for employment uses challenging. Proper planning for employment uses is key to achieving Provincial and Municipal objectives of efficiently using infrastructure and encouraging well-connected transit-supportive development. Conventional planning practices for employment uses have traditionally been to promote single-

use employment blocks that serve a single purpose. This is evident in suburban commercial/retail blocks which are largely dominated by low to mid-rise buildings with large surface parking lots. This leads to limited flexibility, little to no residential options and few amenities for workers, these environments are not conducive to the live-work balance that many individuals presently seek.

The basis of this request is to allow a variety of non-employment uses on the Subject Lands while maintaining the same opportunities for jobs and providing the flexibility to facilitate a higher-density mixed-use development on the site. This would make more efficient use and leverage the existing and planned infrastructure investment. The proposal would not eliminate employment uses, but re-position the Subject Lands from a single-employment use site to a multi-use development that is active throughout the day and beyond ‘regular’ business hours. Permitting non-employment uses will allow the Subject Lands to adapt to a changing employment market where workers are prioritizing workplaces that are increasingly accessible and positioned closer to amenities. This type of development can attract a range of residential and non-residential investments which in turn supports the economic resiliency of the City.

Maintaining the entirety of the Subject Lands exclusively for employment use does not optimize the use of the land, as a mixed-use development that would be better suited in this area, building upon and complementing the current uses thereon. Development of the Subject Lands for a mix of uses would provide an opportunity for this area to achieve transit supportive densities with a mix of uses that would effectively optimize the transit and infrastructure investment. This type of mixed-use development represents the most logical build-out of the Subject Lands and will aid the City in meeting its compact and complete community objectives of the PPS, Growth Plan and City Official Plan, which would offer residents the ability to live, work and play in the same area.

**Employment Area Conversion Criteria**

In support of the employment conversion request, consistency and conformity to the requirements of the Provincial Policy Statement (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and Toronto Official Plan (2015) are provided in the table below.

Section	Policy	Response
Provincial Policy Statement, 2020		
1.3.2.4	Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.	<p>The City is undertaking a MCR and is actively accepting employment conversion requests as part of this process.</p> <p>The responses to the below tests demonstrate that the Subject Lands are not required for employment purposes over the long term and that it is desirable to develop this site for a mixed-use development containing housing and leverage its proximity to existing community amenities.</p>

Section	Policy	Response
1.3.2.5	<p>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 uses 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:</p> <ul style="list-style-type: none"> <li>a) there is an identified need for the conversion and the land is not required for employment purposes over the long term;</li> <li>b) the proposed uses would not adversely affect the overall viability of the employment area; and</li> <li>c) existing or planned infrastructure and public service facilities are available to accommodate the proposed uses.</li> </ul>	<p>The Subject Lands are not identified as part of any Provincially Significant Employment Zone (“PSEZ”).</p>
A Place to Grow, 2020		
2.2.5.9a)	<p>There is a need for the conversion.</p>	<p>The vision for the Subject Lands is to optimize this large area of the City by proposing a more compact development consisting of a vibrant mix of housing options to complement the existing commercial and retail uses. The location of the Subject Lands is well positioned</p>

Section	Policy	Response
		<p>for a more urban development that blends a variety of uses which are functionally and/or physically integrated. Compact mixed-use forms of development would provide an opportunity for individuals to live close to work and local amenities. Activity throughout the day would effectively animate an area that is traditionally only active at certain hours of the day, rendering the Subject Lands both a starting point and a destination for local and regional trips.</p> <p>This type of mixed-use development has the potential to realize the development on these lands in the near term by allowing people to live, work and play in the same space, which furthers the role that planning plays in supporting the economic resilience, productivity, and success of the regional economy. This portion of the development will infuse residential component into an employment area and would reinforce and support employment activity. Development of the Subject Lands for a mix of uses would provide an opportunity for this area to be built to transit supportive densities with a mix of uses that would effectively optimize the transit and infrastructure investment.</p> <p>If the Subject Lands continues to be limited to employment uses, this area would likely remain underutilized and would, in our view, not meet the objectives of good land use principles. There is a need to convert the Subject Lands to allow for residential development while maintaining or increasing the number of jobs over time in order to meet the growth target by 2051 as directed by the Growth Plan.</p>
2.2.5.9b)	The lands are not required over the horizon of this Plan for the employment purposes for which they are designated	The General Employment Areas are generally located at the periphery of Employment Areas and permit a variety of retail and commercial uses. This large swath of land is currently occupied by a number of large surface level parking lots and retail stores and restaurants that operate exclusively during regular business hours. Limiting the use of the site to just employment uses would be sub-optimal as it

Section	Policy	Response
		<p>would be better suited for a mixed-use form of development. A mixed-use containing the existing employment uses will still maintain a cluster of economic activity in the area and will attract a wider variety of employment opportunities than previously available.</p> <p>Limiting development on this site to general employment uses would be a missed opportunity to fully realize the potential of the Subject Lands which accounts for the shift away from traditional single use employment land. The current designation over the Subject Lands may have the effect of stagnating the attractiveness of this site for current and future non-residential tenants. A mixed-use development that maintains a similar or increased amount of employment space would provide a compatible, compact, and pedestrian accessible development that will contribute to attracting jobs and talent.</p> <p>Employment growth in the City’s economy has largely been driven by knowledge-based/creative industries which tend to locate in offices. Land extensive employment (such as manufacturing/ distribution) still play a role in the City’s employment and will persist within many of the recognized employment areas, such as those situated on nearby sites. It is our belief that the current function of the Subject Lands would be more conducive to intensification that builds upon and complements the present use of the site.</p> <p>By allowing mixed-use development, there will be increased flexibility to provide for a type of development that is compatible and will attract investment and employment. In addition, it will also allow people and jobs to be located in close proximity to existing community amenities to better utilize the site for a range of uses, which will make more efficient use of these lands. The conversion request will not take away the existing employment permissions but rather provide flexibility to meet both population and employment forecasts as directed by the</p>



Section	Policy	Response
		Growth Plan.
2.2.5.9c)	The municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;	<p>See response to A Place to Grow Criteria 2.2.5.9b.</p> <p>Any future development application to permit non-employment uses on the Subject Lands would maintain a similar or increased number or of jobs on the site over time. This request is not intended to eliminate the employment function from the site, but to add residential and complimentary use permissions.</p> <p>It is our opinion that by allowing a mixed-use development, it will make these lands more attractive from an employment perspective and will have a better opportunity to expand and offer more and varied employment space/jobs in the future.</p>
2.2.5.9d)	The proposed uses would not adversely affect the overall viability of the employment area or prime employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan	<p>The proposed conversion of the Subject Lands for the uses proposed will not have any negative influence on the function of the remaining surrounding employment lands. Adjacent lands consist of both apartment neighbourhoods, Mixed Use Areas as well as Core and General Employment Areas. The envisioned mixed-use development would be compatible with the existing surrounding uses as it would maintain the existing employment buildings and site the proposed residential activities to the north and western sides of the Subject Lands.</p> <p>The envisioned mixed-use development of the site can maintain a similar number of jobs, if not increased, and provide a mix of uses that delivers much needed housing options for the community. As such, the envisioned mixed-use development will aid the City in meeting its intensification target, density, compact and complete community objective of the PPS, Growth Plan, Official Plan while supporting the overall viability of the City’s employment areas.</p> <p>Furthermore, as noted in the Compatibility &amp; Mitigation Study prepared by SLR Consulting,</p>

Section	Policy	Response
		<p>the proposed redevelopment, with the incorporation of mitigation measures, will:</p> <ul style="list-style-type: none"> <li>• Unlikely to result in increased risk of complaint and nuisance claims;</li> <li>• Unlikely to result in operational constraints for the major facilities;</li> <li>• Unlikely to result in constraints on major facilities to reasonably expand, intensify or introduce changes to their operations;</li> <li>• Unlikely to result in constraints for new major facilities to reasonably be established in the Employment Area;</li> </ul>
2.2.5.9e)	<p>There are existing or planned infrastructure and public service facilities to accommodate the proposed uses</p>	<p>Future redevelopment of the Subject Lands would rely on an extension and/or improvement of existing municipal sewer and water services, as required. This will minimize the need for new infrastructure.</p> <p>Furthermore, as demonstrated in the Traffic Brief prepared by Crozier Consulting Engineers, the conversion request can be supported in principle, subject to the completion of detailed transportation impact studies.</p>
<p>Toronto Official Plan, 2015</p>		
2.2.4 (14)	<p>The redesignation of land from an Employment Area designation to any other designation, by way of an Official Plan Amendment, or the introduction of a use that is otherwise not permitted in an Employment Area is a conversion of land within an Employment Area and is also a removal of land from an Employment Area, and may only be permitted by way of a Municipal Comprehensive Review.</p>	<p>The applicant is requesting a conversion during a City-initiated Municipal Comprehensive Review.</p>

Section	Policy	Response
	<p>The introduction of a use that may be permitted in a General Employment Area into a Core Employment Area or the redesignation of a Core Employment Area into a General Employment Area designation is a conversion and may only be permitted by way of a Municipal Comprehensive Review.</p>	
2.2.4 (15)	<p>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.</p>	<p>The City is undertaking a Municipal Comprehensive Review. See responses to Growth Plan criteria.</p>
2.2.4(16)	<p>Applications to convert lands within an Employment Area will only be considered at the time of a municipal review of employment policies and designations under Section 26 of the Planning Act and a concurrent Municipal Comprehensive Review under the Growth Plan for the Greater Golden Horseshoe. Applications to convert lands within an Employment Area received between such City-initiated Official Plan Reviews will be not be considered unless Council directs that a Municipal Comprehensive Review be</p>	<p>The City is undertaking a Municipal Comprehensive Review.</p>

Section	Policy	Response
	initiated.]	
2.2.4(17a)	there is a demonstrated need for the conversion(s) to meet population forecasts allocated to the City in the Growth Plan for the Greater Golden Horseshoe	See response to A Place to Grow criteria 2.2.5.9a)
2.2.4(17b)	the City will meet the employment forecasts allocated to the City in the Growth Plan for the Greater Golden Horseshoe	See response to A Place to Grow Criteria 2.2.5.9b) and c).
2.2.4(17c)	there is a demonstrated need for the conversion(s) to mitigate existing and/or potential land use conflicts;	There are no existing land use conflicts.
2.2.4(17d)	the lands are not required over the long-term for employment purposes;	See response to A Place to Grow Criteria 2.2.5.9b).
2.2.4(17e)	the conversion(s) will not adversely affect the overall viability of the Employment Area and maintenance of a stable operating environment for business and economic activities with regard to the:	
2.2.4(17e)i	compatibility of the proposed land use with existing employment uses or employment uses permitted in the zoning by-law in the Employment Area;	See response to A Place to Grow Criteria 2.2.5.9d).  In addition, the employment uses permitted in the Zoning, Bylaw are similar to the existing uses within the employment area and as such, as demonstrated in the response to A Place to Grow Criteria 2.2.59d)
2.2.4(17e)ii	interference with the function of existing employment uses by affecting Environmental	As stated in the Compatibility & Mitigation Study prepared by SLR Consulting, with the use of feasible mitigation measures, the Project will not affect the compliance of local industrial

Section	Policy	Response
	Compliance Certificates of industries and their renewal, or complaints of adverse effects to the Ontario Ministry of the Environment under the Environmental Protection Act which could require changes to industrial operations or restrict operating hours;	facilities with applicable Provincial environmental policies, regulations, approvals, authorizations and guidelines, including the City's Noise Bylaw.
2.2.4(17e)iii	ability to provide appropriate buffering of employment uses from sensitive residential and institutional uses;	<p>The Subject Lands contains sufficient space to have the ability to provide buffering through mitigation measures as determined through technical studies as part of a formal development application.</p> <p>Furthermore, sensitive land uses, such as residential, will be appropriately buffered from the railway line to the east, in consistency with the Railway Proximity Guidelines which include providing a combined horizontal/vertical 30m setback or less depending on other mitigation measures.</p>
2.2.4(17e)iv	implementation of the Ontario Ministry of the Environment D series guidelines for compatibility between industry and sensitive uses or any successor guidelines;	See concurrently submitted Compatibility & Mitigation Study prepared by SLR Consulting, which demonstrates that the Ontario Ministry of the Environment D series guidelines can be implemented.
2.2.4(17e)v	impact on the affordability of property or building leases or land purchase costs for employment uses and tax assessments in the Employment Area;	The proposal is intended to maintain a similar or increased amount of non-residential space and will not impact the existing surrounding employment lands, nor set a precedence for other conversions. Therefore, the introduction of residential apartments and other non-residential uses will not have an impact on the affordability of the property, building leases, land purchase costs for employment uses and tax assessments.

Section	Policy	Response
2.2.4(17e)vi	reduction or elimination of visibility of, and accessibility to, employment lands or uses;	<p>The Subject Lands are located at the southeast corner of Highway 401 and Kennedy Road. The proposed redevelopment will be utilizing the existing road network as primary access. It will not reduce or eliminate any visibility to significant views along this corridor. In contrast, the proposed redevelopment can function as a gateway into the employment areas through high quality architectural element and urban design.</p>
2.2.4(17e)vii	impact upon the capacity and functioning of the transportation network and the movement of goods for existing and future employment uses;	<p>See response to A Place to Grow criteria 2.2.5.9e).</p> <p>Furthermore, as demonstrated in the Traffic Brief prepared by Crozier Consulting Engineers, the conversion request can be supported in principle, subject to the completion of detailed transportation impact studies.</p> <p>As the proposed redevelopment is expected to replace a significant trip generator, the new trips on the boundary road network would be less than the trips estimated in the existing development. The net trip generation technically accounts for the removal of trips generated by the existing retail power centre that would already exist on the boundary road network, which would be replaced by the trips generated by the proposed mixed-use development. This trip generation forecasts can be considered preliminary as the development concept has not yet been refined.</p>
2.2.4(17e)viii	removal of large and/or key locations for employment uses; and	<p>The proposal does not aim to remove employment uses from the Subject Lands, but rather add non-employment uses to those that currently exist. Furthermore, while the Subject Lands are located at the periphery of the employment area, bordered to the west by lands identified as ‘Apartment Neighbours’ within the Official Plan and to the north (beyond highway 401) by lands identified as a ‘Mixed Use Area’.</p> <p>The Subject Lands, as well as the proximal employment uses, will continue to maintain</p>

Section	Policy	Response
		access to Highway 401 and the interregional movement of goods supported thereby.
2.2.4(17e)ix	maintenance of the identity of the Employment Area.	See response above.
2.2.4(17f)	the existing or planned sewage, water, energy and transportation infrastructure can accommodate the proposed conversion(s);	See response to A Place to Grow criteria 2.2.5.9e).
2.2.4(17g)	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;	<p>As shown on the Community Amenities map attached to this letter, there is a school and parks (2) within walking distance (~800m). These amenities are important to have within walking distance. Community centres and libraries typically have a larger catchment area and so these amenities are located slightly further away with 2 community centres and 2 libraries within 2km of the Subject Lands.</p> <p>Furthermore, a central open space area is proposed as part of the preliminary development concept. It is intended to provide existing and future residents an amenity area for various recreational uses. The detailed amenity programming of this open space can be reviewed as part of the future development application.</p>
2.2.4(17h)	land already appropriately designated and zoned for the proposed non-employment use(s) is available outside of Employment Areas;	<p>While there are other lands appropriately designated and zoned for mixed uses, that does not limit the City’s ability to provide additional lands designated for mixed uses where appropriate. Through this municipal comprehensive review, the City is mandated by the Province to undertake integrated planning to manage forecasted growth to the horizon of the Growth Plan. By permitting this conversion request, the Subject Lands will be able to provide a mix of uses that will better utilize and leverage existing and planned infrastructure.</p> <p>Furthermore, the Growth Plan forecasts are</p>

Section	Policy	Response
		<p>minimums and municipalities through a municipal comprehensive review, are to apply the forecasts in Schedule 3 or such higher forecasts through this process for planning and managing growth to the horizon of this Plan. As noted earlier, the proposed conversion request will not remove the existing employment permissions and will only enhance the ability of the Subject Lands to provide both population and jobs to the horizon of this plan.</p>
<p>2.2.4(17i)</p>	<p>new residents or institutional users on the lands would be adversely affected by noise, vibration, odours and other air emissions, dust and other particulates or other contaminants;</p>	<p>See concurrently submitted Compatibility &amp; Mitigation Study prepared by SLR Consulting, which demonstrates that new residents on the lands will not be adversely affected by noise, vibration, odours and other particulates/contaminants.</p> <p>Based on the review completed, air quality impacts are not anticipated at the Project site. Regardless, additional analysis of emissions from nearby industrial and transportation sources located north, south, and east of the Project site should be conducted at later stages of the Planning process. If impacts are predicted, feasible receptor-based mitigation measures can be used to ensure compliance.</p> <p>A detailed assessment of surrounding stationary noise was conducted. Excesses of the NPC-300 Class 1 guideline limits were predicted on one portion of Phase 4 of the conceptual site plan. The Class 4 noise guideline limits are met at all locations. An NPC-300 Class designation is appropriate and recommended for portions of Phase 4 and Phase 5 of the Subject Lands. With a Class 4 designation in place, no additional noise mitigation measures would be required. Regardless, if a Class 4 designation is not provided, feasible source- and receptor-based noise mitigation measures could be used to ensure that the Class 1 guideline limits are met. The type and extent of noise mitigation measures can be appropriately determined at later stages of the planning process.</p>



Section	Policy	Response
		<p>A detailed roadway noise assessment is expected to be required at a future time when design and development of the Subject lands proceeds to including building design. Wall and window upgrades, noise barriers and noise warning clauses are expected to be required. The type and extent of noise mitigation measures can be appropriately determined at later stages of the planning process.</p> <p>With the inclusion of potential, future mitigation measures (upgraded glazing/barriers) and warning clauses, adverse noise impacts to future residential tenants from transportation sources are not anticipated.</p> <p>Adverse vibration impacts from transportation sources are not anticipated. A detailed railway vibration assessment should be conducted at a future time when design and development of the Subject Lands proceeds. Based on our experience, vibration impacts are unlikely; however, should excesses of the applicable criteria be found, feasible mitigation measures exist which could be included in the building foundation design. The type and extent of vibration mitigation measures can be appropriately determined at later stages of the planning process.</p>
2.2.4(17j)	the ability to provide opportunities for the clustering of similar or related employment uses is maintained;	Through this conversion, the Subject Lands will reposition to introduce more varied employment opportunities over and above the current commercial offerings. In addition, there will still be future opportunities to provide similar/related employment uses.
2.2.4(17k)	a sufficient supply of optimum-sized land parcels is maintained in the Employment Area for the range of permitted employment uses;	The parcel size remains the same and the general building structures are maintained with only additional intensified uses on the periphery of the Subject Lands. There is still sufficient space within the Subject Lands to accommodate a range of permitted uses including small and large format retail and office uses.

Section	Policy	Response
2.2.4(17l)	employment lands proximate to essential linkages, such as supply chains, service providers, markets, and necessary labour pools are preserved;	All existing access points off William Kitchen Road and Kennedy Road will be maintained. Also, the ability of utilizing the existing road network for current and future users on the Subject Lands will be preserved as no changes are proposed to the public road network.
2.2.4(17m)	employment lands are strategically preserved near important transportation infrastructure such as highways and highway interchanges, rail corridors and airports to facilitate the movement of goods;	<p>The Subject Lands are located at the exterior of the employment area and while the Subject Lands have immediate access to Highway 401, it is not proximate to other important transportation infrastructure. The closest railyard is the CP Railyard, which is located approximately 5 kilometres to the northeast of the Subject Lands. Pearson International Airport is located approximately 30 kilometres from the Subject Lands.</p> <p>As such, these Subject Lands are not proximate to the important transportation infrastructure.</p>
2.2.4(17n)	the proposal(s) to convert lands within an Employment Area will maintain and grow, or potentially diminish the City's tax base;	The proposed redevelopment will generally maintain the commercial/employment tax base, with the potential to further enhance the tax base through the residential component. The proposed redevelopment will likely increase the overall tax base with additional housing (i.e. apartments).
2.2.4(17o)	the proposal(s) to convert lands in an Employment Area will help to maintain to a diverse economic base accommodating and attracting a variety of employment uses and a broad range of stable full-time employment opportunities in Toronto;	See response to A Place to Grow criteria 2.2.5.9b).
2.2.4(17p)	the conversion(s) will retain work opportunities for residents of nearby neighbourhoods; and	The proposed redevelopment will maintain the employment uses on the site and provide residential opportunities for the workers of proximal employment areas.

Section	Policy	Response
2.2.4(17q)	cross-jurisdictional issues have been considered.	The location of the Subject Lands entirely within the City of Toronto, and the nature of the uses proposed are such that no cross-jurisdictional issues are expected to arise.

As detailed above, the analysis demonstrates that the tests posed by the PPS, Growth Plan, and City of Toronto Official Plan have been met, and that the submitted request is appropriate and demonstrative of good planning principles.

Response to City’s Comments

We have additionally reviewed the preliminary assessment for the Subject Lands as part of the City’s Group 2 Assessments (ID No. 102) as well the City of Toronto staff report related to the Recommended Official Plan Amendment for City-wide Employment Policies and Conversion Requests dated June 20, 2022.

Based on the City’s preliminary assessment, they concluded that the Subject Lands should be retained as Employment Areas. We respectfully disagree, and it is our opinion that residential uses on the Subject Lands will make these lands more attractive from an employment perspective and will have a better opportunity to expand and offer more and varied employment space/jobs in the future. This will also contribute to the creation of compact, complete communities, without impairing the City’s ability to accommodate its employment growth allocations.

As part of City staff’s preliminary review of the conversion request, they identified issues. We have summarized those issues and provided our response in the table below.

Issue	Response
Impact of the removal of a large and key location for employment uses;	<p>The proposal does not aim to remove employment uses from the Subject Lands, but rather add non-employment uses to those that currently exist. Furthermore, while the Subject Lands are located at the periphery of the employment area, bordered to the west by lands identified as ‘Apartment Neighbourhood’ within the Official Plan and to the north (beyond Highway 401) by lands identified as a ‘Mixed Use Area’.</p> <p>The Subject Lands, as well as the proximal employment uses, will continue to maintain access to Highway 401 and the interregional movement of goods supported thereby.</p>
The ability to provide a stable and productive operating environment for existing and new businesses and their	The envisioned mixed-use development would provide additional customers for the existing and new businesses in the area and would breathe life into an area that is only active during certain times of the day.

Issue	Response
<p>economic activities;</p>	<p>As such, it would increase the stability and operating environment for businesses in this, while not being disruptive in nature.</p> <p>The proposed conversion of the Subject Lands for the uses proposed will not have any negative influence on the function of the remaining surrounding employment lands. Adjacent lands consist of both apartment neighbourhoods, Mixed Use Areas as well as Core and General Employment Areas. The envisioned mixed-use development would be compatible with the existing surrounding uses as it would maintain the existing employment buildings and site the proposed residential activities to the north and western sides of the Subject Lands.</p> <p>The envisioned mixed-use development of the site can maintain a similar number of jobs, if not increased, and provide a mix of uses that delivers much needed housing options for the community. As such, the envisioned mixed-use development will aid the City in meeting its intensification target, density, compact and complete community objective of the PPS, Growth Plan, Official Plan while supporting the overall viability of the City’s employment areas.</p> <p>Furthermore, as noted in the Modified Compatibility &amp; Mitigation Study prepared by SLR Consulting, the proposed redevelopment, with the incorporation of mitigation measures, will:</p> <ul style="list-style-type: none"> <li>• Unlikely to result in increased risk of complaint and nuisance claims;</li> <li>• Unlikely to result in operational constraints for the major facilities;</li> <li>• Unlikely to result in constraints on major facilities to reasonably expand, intensify or introduce changes to their operations;</li> <li>• Unlikely to result in constraints for new major facilities to reasonably be established in the Employment Area.</li> </ul>
<p>Provision of a variety of land parcel sizes to accommodate a range of permitted employment uses</p>	<p>The request will not change the variety of the parcel sizes available for employment uses. The parcel size remains the same and the general building structure is maintained with only additional intensified use on the southern portion of the existing building. The remainder of the building will be</p>

Issue	Response
	<p>maintained, which allows for a range of permitted employment uses.</p>
<p>Provision of a diverse economic base to accommodate and attract a variety of employment uses and a broad range of employment opportunities in Toronto;</p>	<p>The General Employment Areas are generally located at the periphery of Employment Areas and permit a variety of retail and service uses. This large swath of land is currently occupied by a number of large surface level parking lots and retail stores and restaurants that operate exclusively during regular business hours. Limiting the use of the site to just employment uses would be a sub-optimal use of the site as it would be better suited for a mixed-use form of development. A mixed-use containing the existing employment uses will still maintain a cluster of economic activity in the area and will attract a wider variety of employment opportunities than previously available.</p> <p>Limiting development on this site to general employment uses would be a missed opportunity to fully realize the potential of the Subject Lands which accounts for the shift away from traditional single use employment land. The current designation over this swath of land may have the effect of stagnating the attractiveness of this site for current and future non-residential tenants. A mixed-use development that maintains a similar amount of employment space would provide a compatible, compact, and pedestrian accessible development that will contribute to attracting jobs and talent.</p> <p>Employment growth in the City’s economy has largely been driven by knowledge-based/creative industries which tend to locate in offices. Land extensive employment (such as manufacturing/ distribution) still play a role in the City’s employment and will persist within many of the recognized employment areas, such as those situated on nearby sites. It is our belief that the current function of the Subject Lands would be more conducive to intensification that builds upon and complements the present use of the site.</p> <p>By allowing mixed-use development, there will be increased flexibility to provide for a type of development that is compatible and will attract investment and employment. In addition, it will also allow people and jobs to be located in close proximity to existing community amenities to better utilize the site for a range of uses, which will make more efficient use of these lands. The conversion request will not take away the existing employment permissions but rather provide flexibility to meet both</p>

Issue	Response
	<p>population and employment forecasts as directed by the Growth Plan.</p>
<p>Compatibility with surrounding existing and permitted land uses and proximity to heavier industries and nearby environmental compliance approvals;</p>	<p>The envisioned mixed-use development would be compatible with the existing surrounding uses as it would maintain the existing employment buildings and site the proposed residential activities to the north and western sides of the Subject Lands.</p> <p>The envisioned mixed-use development of the site can maintain a similar number of jobs, if not increased, and provide a mix of uses that delivers much needed housing options for the community. As such, the envisioned mixed-use development will aid the City in meeting its intensification target, density, compact and complete community objective of the PPS, Growth Plan, Official Plan while supporting the overall viability of the City’s employment areas.</p> <p>As noted in the Modified Compatibility &amp; Mitigation Study prepared by SLR Consulting, the proposed redevelopment, with the incorporation of mitigation measures, will:</p> <ul style="list-style-type: none"> <li>• Unlikely to result in increased risk of complaint and nuisance claims;</li> <li>• Unlikely to result in operational constraints for the major facilities;</li> <li>• Unlikely to result in constraints on major facilities to reasonably expand, intensify or introduce changes to their operations;</li> <li>• Unlikely to result in constraints for new major facilities to reasonably be established in the Employment Area;</li> </ul> <p>Furthermore, as stated in the Modified Compatibility &amp; Mitigation Study prepared by SLR Consulting, with the use of feasible mitigation measures, the Project will not affect the compliance of local industrial facilities with applicable Provincial environmental policies, regulations, approvals, authorizations and guidelines, including the City’s Noise Bylaw.</p>
<p>Impact upon the capacity and functioning of the transportation network and the movement of goods for existing</p>	<p>As demonstrated in the Traffic Brief prepared by Crozier Consulting Engineers, the conversion request can be supported in principle, subject to the completion of</p>

Issue	Response
and future employment uses;	<p>detailed transportation impact studies.</p> <p>As the proposed redevelopment is expected to replace a significant trip generator, the new trips on the boundary road network would be less than the trips estimated in the existing development. The net trip generation technically accounts for the removal of trips generated by the existing retail power centre that would already exist on the boundary road network, which would be replaced by the trips generated by the proposed mixed-use development. This trip generation forecasts can be considered preliminary as the development concept has not yet been refined.</p>
Employment Areas strategically located near important transportation infrastructure to facilitate the movement of goods including highway interchanges;	<p>The Subject Lands are located at the exterior of the employment area and while the Subject Lands have immediate access to Highway 401, it is not proximate to other important transportation infrastructure. The closest railyard is the CP Railyard, which is located approximately 5 kilometres to the northeast of the Subject Lands. Pearson International Airport is located approximately 30 kilometres from the Subject Lands.</p> <p>As such, these Subject Lands are not proximate to the most important transportation infrastructure that heavily relies on land extensive employment uses.</p>
Portion of site within 401-Midland: Highland Creek - Bendale Branch Special Policy Area	<p>Only a small portion of the Subject Lands are located within the 401-Midland: Highland Creek - Bendale Branch Special Policy Area however any proposed redevelopment, whether it is part of a conversion or not, will have to conform to the policies for Special Policy Areas. Development will have to be located outside of the floodplain (350-year). Technical studies will be completed as part of a future development application to ensure conformity to these policies.</p>

As detailed above, the analysis demonstrates that the City’s issues have been addressed. This is in addition to the analysis that demonstrates that the tests posed by the PPS, Growth Plan, and City of Toronto Official Plan have been met, and that the submitted request is appropriate and represents good planning.

**Conclusion**

In summary, the vision for Subject Lands as a vibrant mixed-use development is considered to be more appropriate than its current General Employment designation that is only permissive of a single land use. The Subject Lands benefit from close proximity to existing community amenities and has the potential to be converted to a mixed-use format without having a detrimental impact to the existing stable employment area.

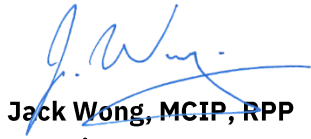
It is our opinion that the inclusion of residential uses with additional opportunities for more varied employment uses will enhance the sustainability and viability of the employment uses, to maintain the current employment functions on the lands and generate a much-needed housing opportunity for the City. This will also contribute to the creation of compact, complete communities, without impairing the City's ability to accommodate its employment growth allocations.

To realize this potential, it is requested that the conversion be support and the Subject Lands be redesignated to Mixed Use Areas in order to accommodate this proposal. It is our opinion that the proposal represents good planning and is in the public interest.

On behalf of our Client, we appreciate the opportunity to submit this conversion request and we welcome further opportunity to meet with staff to discuss as necessary. Should you have any questions with respect to this request, please do not hesitate to contact me at 905.513.0170 x 113 or [jwong@mgp.ca](mailto:jwong@mgp.ca).

Yours very truly,

**MALONE GIVEN PARSONS LTD.**



**Jack Wong, MCIP, RPP**  
**Associate**

*cc. client*