



Reply to the Attention of: Mary Flynn-Guglietti  
Direct Line: 416.865.7256  
Email Address: Mary.flynn@mcmillan.ca  
Our File No.: 283643  
Date: February 3, 2022

**BY EMAIL - [Alejandra.Perdomo@ontario.ca](mailto:Alejandra.Perdomo@ontario.ca)**

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

**Attention: Ms. Alejandra Perdomo**

Dear Ms. Perdomo,

**Re: ERO Number 019-5868  
Ministry Reference Number: 20-OP-222176  
Planning Act, R.S.O. 1990  
City of Toronto Official Plan Amendment 591- Employment  
Policies and Site Specific Employment Conversions  
Proposed Conversion: 60 Paton Road, City of Toronto**

We are the solicitors retained on behalf of Nitta Gelatin NA ("**Nitta**") owner of the 3.05 acres (1.23 ha) lands municipally known as 60 Paton Road (the "**subject site**"), located west of Lansdowne Avenue, north of Bloor Street West and south of Wallace Avenue in the City of Toronto (the "**City**").

As explained in greater detail in this letter and in the attached materials we are requesting that the City's OPA 591, being its Employment Policies and Site Specific Employment Conversions, be modified to re-designate the subject site from *Core Employment* to *Mixed Use Area*. This re-designation would assist the Province in achieving a mix of residential units to address the housing shortage crisis and resolve existing and potential future land use compatibility conflicts.

### **The Subject Site – 60 Paton Road, City of Toronto**

The subject site is currently designated as *Core Employment* in the City's Official Plan ("**City OP**") and is surrounded by lands with the same designation to the immediate north and south, with lands to the east designated *General Employment* and the lands to the north-east, south-east and west designated *Neighbourhoods*.

Although the lands to the north and south are designated *Core Employment*, to the immediate north, fronting onto Wallace Avenue, is a two-storey retail and office building. Further north across Wallace Avenue is a two-storey storage facility and a four-storey office building. Towards the north-east are established low-rise residential dwellings ranging from two to three storeys designated *neighbourhoods*. Towards the south and southeast of the subject site are a range of low-rise office, light industrial, commercial and retail uses including a supermarket. These uses are mixed with low-rise residential dwellings and apartments.

To the immediate east are lands owned by the Toronto Transit Commission municipally known as 640 Lansdowne Avenue. A portion of the site along Lansdowne Avenue has recently been approved by City Council to be redeveloped for a 7-storey affordable rental and senior assisted living facility. Further west of the subject site, across the rail line are low-rise residential dwellings ranging from two to three storeys, also designated *Neighbourhood* in the City OP. Although the subject site is designated *Core Employment* it is really an isolated industrial use in an area with a mix of uses and land use designations including *Mixed Use Areas* and *Neighbourhoods* that has resulted in land use compatibility conflicts.

The close proximity of existing residential sensitive land uses has resulted in numerous nuisance complaints related to noise and odour initiated by nearby and adjacent residents. Nitta is particularly concerned that the recently approved 7-storey affordable and senior dwelling will only result in more nuisance complaints. There is a clear demonstrated need for conversion from the existing *Core Employment* designation to a *Mixed Use Area* designation to mitigate existing and potential land use conflicts.

### **Nitta's Conversion Request from *Core Employment Area* to *Mixed Use Area*:**

On August 4, 2020 the City of Toronto ("**City**") commenced its municipal comprehensive review ("**MCR**") process of its employment lands with the intent to ensure that the City OP was up to date with the most current versions of the Provincial Policy Statement, 2020 (PPS) and the Growth Plan, 2020. The Province set a deadline of July 1, 2022 for Ontario municipalities to complete their MCRs.

Nitta through our firm submitted a formal Employment Lands Conversion Request (ELCR) on July 30, 2021 in compliance with the City's filing request. Attached to this letter is a copy of Nitta's formal ELCR request together with a Planning Opinion Letter from the Goldberg Group analyzing the conversion request pursuant to the PPS, the Growth Plan, 2020 and the City OP policies addressing Employment Conversion Requests. The Planning Opinion Letter is supportive of the conversion request and concludes that the site is a very good and well-suited site as a *Mixed Use Areas* designation and that it would not undermine the stability of the remaining *Employment Area*. In addition to the Goldberg Group Planning Opinion Letter, Nitta also filed a Compatibility & Mitigation Study for Air Quality, Dust, Odour, Noise and Vibration prepared by SLR Consulting (Canada) Ltd., in support of its ELCR request.

In March of 2022 City staff reported on a number of conversion requests including Nitta's conversion request. Our office have followed up with City staff on numerous occasions regarding the Nitta ELCR request but little information or opinions were provided by staff concerning the direction of their recommendations concerning this conversion request. At this time no report from staff has been forthcoming on Nitta's conversion request.

**City of Toronto Official Plan Amendment No. 591 ("OPA 591"):**

On July 22, 2022 Toronto passed OPA 591 amending the City OP related to its Employment Area policies and designations. OPA 591 permits the approval of 22 *Employment Area* conversion requests by re-designating lands from either *General Employment Areas* and/or *Core Employment Areas* to *Mixed Use Areas* and *Regeneration Areas*. As the City has had more than a year and a half to consider Nitta's formal conversion request and scant information or opinion has been provided by City staff in relation to the request we respectfully submit that OPA 591 be modified to include 60 Paton Road in OPA 591 to re-designate the subject site from *Employment Area* to *Mixed Use Area*. This re-designation would enable a broader mix of uses, including residential. This re-designation would assist the Province in achieving a mix of residential units to address the housing shortage crisis.

As noted above we are attaching Nitta's formal ELCR request for conversion filed with the City on July 30, 2021 as follows:

1. ELCR Cover Letter from McMillan LLP to the City of Toronto dated July 30, 2023;
2. Planning Justification Letter prepared by Goldberg Group, dated July 30, 2021;
3. Compatibility & Mitigation Study, Air Quality, Dust, Odour, Noise and Vibration prepared by SLR Consulting (Canada) Ltd., dated August, 2021; and
4. Draft Site and Area Specific Policy (SASP) which we recommend as an implementing tool to modify OPA 591.

As you will note in reviewing the attachments to this letter the materials address the planning merits of this request, and in particular, address the Employment Area conversion policies set out in Section 2.2.5.9 of the Growth Plan, 2020 and sections 2.2.4.1.17 of the City OP.

We are available should you have any questions or require additional information and look forward to hearing from you.

Yours truly,



Mary Flynn-Guglietti

Cc: Nitta Gelatin NA  
The Goldberg Group

# Tab 1



Reply to the Attention of: Mary Flynn-Guglietti  
Direct Line: 416.865.7256  
Email Address: mary.flynn@mcmillan.ca  
Our File No.: 283643  
Date: July 30, 2021

**DELIVERED VIA Email TO**

**[Kerri.Voumvakis@toronto.ca](mailto:Kerri.Voumvakis@toronto.ca) and [Jeffrey.Cantos@toronto.ca](mailto:Jeffrey.Cantos@toronto.ca)**

City of Toronto  
City Planning Division  
Strategic Initiatives, Policy & Analysis  
Metro Hall, , 55 John Street, 22nd Floor  
Toronto, Ontario, M5V 3C6

Attention: Kerri A. Voumvakis, Director and Jeffrey Cantos, Project Manager  
Strategic Initiatives, Policy & Analysis, City Planning Division

Dear Ms. Voumvakis & Mr. Cantos:

**Re: City of Toronto Official Plan Review: Employment Use Policies  
Employment Lands Conversion Request Property  
Address: 60 Paton Road, Toronto  
Registered Owner: Nitta Gelatin NA**

We are the solicitors retained on behalf of Nitta Gelatin NA ("**Nitta**") owner of the 3.05 acres (1.23 ha) lands municipally known as 60 Paton Road (the "**Property**"), located west of Lansdowne Avenue, north of Bloor Street West and south of Wallace Avenue in the City of Toronto (the "**City**").

The Property is currently designated as *Core Employment* in the City's Official Plan ("**City OP**"), and is surrounded by lands with the same designation to the immediate north and south, with lands to the east designated *General Employment* and the lands to the north-east, south-east and west designated *Neighbourhoods*.

Although the lands to the north and south are designated *Core Employment*, to the immediate north, fronting onto Wallace Avenue, is a two-storey retail and office building. Further north across Wallace Avenue is a two-storey storage facility and a four-storey office building. Towards the north-east are established low-rise residential dwellings ranging from two to three storeys designated *Neighbourhoods*. Towards the south and southeast of the subject site are a range of low-rise office, light industrial, commercial and retail uses including a supermarket. These uses are mixed with low-rise residential dwellings and apartments. To the immediate east are lands owned by the Toronto Transit Commission municipally known

as 640 Lansdowne Avenue. A portion of the site along Lansdowne Avenue is being redeveloped for a 7-storey affordable rental and senior assisted living facility. Further west of the subject site, across the rail line are low-rise residential dwellings ranging from two to three storeys, also designated *Neighbourhoods* in the City OP. Although the site is designated *Core Employment* it is really an isolated industrial use in an area with a mix of uses and land use designations including *Mixed Use Areas* and *Neighbourhoods* that has resulted in land use compatibility conflicts.

The close proximity of residential sensitive land uses has resulted in numerous nuisance complaints related to noise and odour initiated by nearby and adjacent residents. There is a demonstrated need for conversion from the existing *Core Employment* designation to a *Mixed Use Areas* designation to mitigate existing and potential land use conflicts.

We understand that the City is currently performing a Municipal Comprehensive Review of Employment Lands concurrent with its required five-year review of the City OP. As part of the City's review exercise, we respectfully request that the City accept this application to consider redesignating the Property's current *Core Employment* designation to a *Mixed Use Area* designation.

In support of the application, we are attaching the *Employment Lands Conversion Request Planning Justification* letter ("**ELCR**") dated July 30, 2021, prepared by Michael Goldberg, MCIP RPP of the Goldberg Group.

As discussed in detail in the attached ELCR the re-designation of the Property to *Mixed Use Area* would address the existing land use conflicts and permit a broader range of uses that would serve to complement and add to the existing surrounding uses. Such designation would create a more complete community and serve to promote development of areas of the City where people can work, live and play. The Property is located in a *Strategic Growth Area* and is well served by higher order transit

As it stands, the Nitta operations on the Property generate only minimal employment opportunity with 54 regular employees, especially given the significant size of the 3.05 acre Property. Due to its proximity to sensitive residential uses and increasing change in the abutting land uses to more sensitive land use forms, the historic industrial use of the Property is subject to numerous nuisance complaints to the MOE and the City thereby undermining its ability to continue a viable industrial use. Given the Property's proximity to higher order commuter transit and residential developments, and its resulting history of compatibility tensions, a re-designation of the Property to *Mixed Use Area* would be in keeping with the key directions for conversion of an employment use as outlined in policy 2.2.4.1.17 of the City OP.

We confirm that our client is aware of and ready to make payment of the Conversion Request Use Fee of \$20,000 pursuant to By-law 1137-2020. We ask that you please provide the invoice and payment details for such fee to:

Juergen Gallert | President & CEO

[j.gallert@nitta-gelatin.com](mailto:j.gallert@nitta-gelatin.com)

598 Airport Blvd, Suite 900, Morrisville, NC 27560

We trust that this letter and the attached Goldberg ELCR are satisfactory to constitute a complete application, subject to payment of the fee upon receipt of invoice details.

We thank you for your consideration and kindly request that we are informed of any developments throughout the OP Review process. Should you have any questions or require anything further, please do not hesitate to contact the undersigned.

Yours truly,



Mary Flynn-Guglietti\*

\*A Professional Corporation

Encl. Employment Conversion Request Letter, dated July 30, 2021 from the Goldberg Group

Cc. Nitta Gelatin NA, attn. Mr. J. Gallert  
Goldberg Group, attn. Mr. M. Goldberg

# Tab 2





SENT BY EMAIL: Mary.flynn@mcmillan.ca

July 30, 2021

McMillan LLP  
Brookfield Place  
181 Bay St. Suite 4400  
Toronto, Ontario,  
M5J 2T3

Attention: Mary Flynn-Guglietti

Dear Ms. Flynn-Guglietti,

**Re: Employment Lands Conversion Request Planning Justification Letter  
Nitta Gelatin  
60 Paton Road, Toronto, ON**

Goldberg Group was retained by Nitta Gelatin, the owner of the property municipally known as 60 Paton Road (the “**subject site**”) in the City of Toronto to provide land use planning advice and to provide this Employment Land Conversion Request Planning Justification letter (“ELCR”) for the captioned lands.

This ELCR seeks the redesignation of the subject site from *Core Employment Areas to Mixed Use Areas* in the City of Toronto Official Plan (“**City OP**”). This letter will address the planning merits of this request, and in particular, the 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.

This letter provides:

- an outline of the Provincial and municipal policies applicable to this consideration;
- a summary of the City’s process regarding the ELCR; and
- an analysis of the proposed conversion in the context the applicable Provincial and municipal policies.

The summary conclusion of our planning opinion is, for the reasons set out in this planning letter, that this proposed ELCR is consistent with the policy directions set out in the Provincial Policy Statement 2020 (“PPS”), and it conforms with the Growth Plan and the City OP.

### **The Subject Site and Its Area Context**

**Attachment 1** of this letter is a plan showing the subject site and its immediate vicinity.

The subject site occupies 3.05 acres (1.23 ha), located west of Lansdowne Avenue, north of Bloor Street West and south of Wallace Avenue with a frontage of approximately 85 metres along Paton Road. The property is currently owned and occupied by Nitta Gelatin, a gelatin- and collagen-product producer with an existing building footprint of 7,470 m<sup>2</sup> (80,413 ft<sup>2</sup>). The factory is currently used for gelatin production and is generally characterized as an unsightly industrial use, which according to the owners, is subject to frequent noise and odour complaints from neighbouring residents.

With regards to transit, towards the southeast fronting onto Lansdowne Avenue, just north of Bloor Street West is the existing TTC Lansdowne Subway Station entrance, located less than 300 metres from the subject site which gives access to the Bloor-Danforth Line. There are also bus stops along Lansdowne Avenue servicing the TTC 47 Lansdowne buses generally travelling in a north-south direction between Queen Street West and Yorkdale Station, connecting to the Yonge-University Line.

The Bloor-Lansdowne GO Station is being planned to be located within 300 metres south of the subject site on Bloor Street connecting Union Station in Toronto to Allandale Waterfront Station in Barrie. This planned GO Station is expected to open in 2024.

Furthermore, the Davenport Diamond Guideway and Greenway Project is currently being undertaken on the GO Barrie Line. The project is led by Metrolinx and the intent of the Guideway is to complete new grade separation measures to ensure the smooth flow of commuter and freight train traffic, as well as improve safety and connections in the community, including a new connection for Paton Road. The Greenway will include:

- Fully accessible multi-use paths for pedestrians and cyclists;
- A sustainable approach to landscape and plantings;
- Beautiful pollinating gardens; and
- Gathering spaces for the community.

The trains will also be quieter and less obtrusive to the local community because of the proposed noise barrier walls.

As **Attachment 1** indicates, immediate west of the subject site is the GO Barrie Line railway corridor. As is customarily undertaken for *Mixed Use Area* land adjacent to, and close to a rail corridor, a noise, vibration, and potentially other environmental studies will have to be undertaken at the Zoning By-law Amendment (ZBA) stage of approval, should this ELCR be granted.

Further west of the subject site across the rail line are low-rise residential dwellings designated *Neighbourhoods*, and Erwin Krickhahn Park towards the southwest.

To the north, fronting onto Wallace Avenue is a two-storey retail and office building. Further north across Wallace Avenue is a two-storey storage facility and a four-storey office building. Towards the northeast are established low-rise residential dwellings ranging from two to three storeys, also designated *Neighbourhoods* in the City OP.

To the immediate east are lands owned by the Toronto Transit Commission municipally known as 640 Lansdowne Avenue. A portion of the site along Lansdowne Avenue is being redeveloped for a 7-storey affordable rental and senior assisted living facility. The development proposal is by

CreateTO and Magellan Community Charities and includes up to 64 rental housing units and 256 long-term care beds. The development is currently undergoing pre-construction.

Towards the northeast of the subject site at the intersection of Lansdowne Avenue and Wallace Avenue are a few mixed-use buildings of two storeys with retail and commercial uses at grade.

Towards the south and southeast of the subject site, are a range of low-rise office, light industrial, commercial and retail uses including a supermarket, most of which are in poor condition. These uses are mixed with low-rise residential dwellings and apartments. An 8-storey co-op apartment building is also located at the northwest corner of Lansdowne Avenue and Wade Avenue.

Several development applications are proposed or approved towards the south of the subject site as follows:

- To the immediate south at 57, 65 and 77 Wade Avenue received a Notice of Approval Conditions (NOAC) in June of 2020 to permit the development of a 7-storey office building, with a total GFA of 13,123 m<sup>2</sup>.
- 1319 Bloor Street West submitted a Zoning By-law Amendment (“ZBA”) application on December 18, 2020 to permit the development two towers of 31 and 33-storey towers atop a podium which varies in height from 4-7 storeys. The proposed non-residential gross floor area is 1,212.42 m<sup>2</sup> and the proposed residential gross floor area is 56,876.46 m<sup>2</sup>. The development results in a total of 634 residential units. The new Bloor-Lansdowne GO Station is being planned to be a part of this development proposal. The proposal is currently under review.
- 1405 Bloor Street West submitted an Official Plan Amendment (OPA) and ZBA on September 29, 2020 to permit the redevelopment of a mixed-use, predominantly residential development having a height of 18 storeys along Bloor Street West then stepping down to 12 and 4 storeys to the south. Below grade parking is proposed under the 12 and 8 storey building and accessed by two car elevators. 326 residential dwelling units and 237 m<sup>2</sup> of grade related retail is proposed. The proposal is currently under review.
- 1423 Bloor Street West submitted a ZBA application on April 13, 2021 to permit the development of an 18-storey mixed use building consisting of a 6-storey podium, 204 residential units and a non-residential GFA of 401 m<sup>2</sup>. The proposal is currently under review.

The employment uses in the vicinity of the subject site are interspersed with *Mixed Use Area* and *Neighbourhoods* uses. These relationships are intimate as in the case of the subject site where *Neighbourhoods* and townhouses are immediately west across the rail corridor, a 7 storey long term care facility for Seniors is being developed along Lansdowne Avenue at 640 Lansdowne Avenue and other *Neighbourhoods* dwellings exists adjacent to the northeast and southeast corners of the subject site on Paton Road and on Wallace Avenue.

The intimacy of the above uses suggests that the subject site is not within an Employment Area but rather is an employment use in an area with a mix of land use designations (*Employment Area*, *Mixed Use Areas* and *Neighbourhoods*). The haphazard and rather random pattern of these land use relationships raises the importance of these relations and diminishes the importance of

the *Employment Area* uses. The employment uses are limited and do not represent a critical mass or cluster of like-minded business activities, which diminishes the importance or priority of maintaining this subject site for solely employment related uses.

The intimacy in the subject case has exposed this particular *Core Employment Area* use vulnerable to multiple nuisance complaints initiated by nearby and adjacent residents. As such, the owners have initiated this ELCR as a first step toward a relocation of its business to an area more conducive to the heavy nature of its industrial operations and processes.

The neighbourhood is extremely well serviced by existing and planned rapid transit that would benefit from the addition of residential population. In this case both the Landsdowne Subway station and the planned Go Station are within approximately 350 m of the subject site. Providing for a *Mixed Use Area* designation would contribute to the optimization of this significant existing and planned rapid transit infrastructural investment.

In our opinion, for the contextual reasons cited, the subject site is a good candidate for an Employment conversion request, subject to a review of the policy context.

### **The City's Municipal Comprehensive Review (MCR) Process of its Employment Lands**

The City's MCR process for its *Employment Area* land review commenced on August 4, 2020 and the City's deadline for ELCRs is August 3, 2021. The intent of this MCR is to ensure that the City OP is up to date with the most current versions of the PPS and Growth Plan. The Province has set a deadline of July 1, 2022, for Ontario municipalities to complete their MCRs.

As part of any ELCR, the Province and the City wish to ensure that policies of the most current PPS, Growth Plan and City OP concerning employment conversions have been satisfactorily addressed. The remaining portions of this planning letter undertake to address these Provincial and City policies.

The City OP *Employment Area* policies, relating to Employment land conversions, were updated by OPA 231, as partially approved by Order of the Local Planning Appeal Tribunal ("**LPAT**") on May 8, 2020. It is important to note that while these policies are the latest City adopted policies, these policies implement the Growth Plan 2006, not the Growth Plan 2020. As such, while the City OP policies will be reviewed in this letter report, it remains imperative that this ELCR be reviewed through the lens of the most current PPS and Growth Plan policies of 2020.

The City's ELCR process also requires applicants to pay a \$20,000 ELCR review fee, which we understand will be invoiced to the entity making the ELCR, following its formal filing with the City.

### **Policy Context**

#### **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 use 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)

- 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)
- 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).
- 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).

The approach of this planning letter is to review this ELCR 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 summary in relation to the subject ELCR, in relation to the PPS 2020.



The subject site is not within a *provincially significant employment zone*. A *Mixed Use Area* designation for the subject site would enable the reuse and reurbanization of the rather unsightly and isolated industrial use of the subject site. The industrial use of the subject site is currently out of character to the surrounding office, retail, residential and public realm land uses immediately abutting and in close proximity to the site. Should this ELCR be granted, the outcome in our opinion, is the creation of a much more compatible relationship with nearby existing and planned sensitive uses.

As part of an expanded network of GO transit stations, the planned Bloor-Lansdowne GO Station is located approximately 290 metres, less than a 5-6 minute walk from the subject site. The new station is being planned to be located on the south side of Bloor Street West by the rail line. The station will provide direct access to *Downtown* Toronto and its many employers, institutions, tourist attractions, restaurants and places of sports and entertainment. The TTC Lansdowne Subway Station is also located approximately 280 metres, 4-5-minute walk from the subject site. Furthermore, bus stops along Lansdowne Avenue servicing the TTC 47 Lansdowne buses are also operational providing connections to the subway system. The approval of this ELCR would enable the planning for increased residential population, aimed at supporting the viability of, and public investment in, both the existing and planned transit in the area.

Optimization of land and infrastructure, involves the balance of maximizing the capability of the site within its physical and policy context. The physical context of the subject site supports the introduction of compatible land uses adjacent and nearby to, the existing sensitive uses within walking proximity to parks, recreation, shopping and services, surface transit and existing and planned rapid transit. This proximity promotes the use of active transportation options such as walking and cycling, alternatives to automobile dependency, leading to a supportive, integrated and more complete community.

The subject site directly abuts a rail corridor along the western boundary. It is commonplace along this corridor for residential uses to exist close to, or adjacent to a rail corridor as is evidenced opposite the subject site on the west side of the rail corridor. This is not an unusual land use interface in Toronto. Where residential potential is planned to exist near or adjacent to rail corridors, a variety of studies will be required at the Zoning By-law Amendment (ZBA) stage to address issues of noise, vibration, safety, and potentially other environmental issues. At this MCR stage, where the owner is only seeking a City OP land use designation, the viability of such a land use designation is not in question, but rather, the conditions will need to be established at that later planning stage to direct how and under what conditions, the requested uses will be developed and built. As such, there is nothing in this ELCR which compromises the intended function of the rail corridor, in accordance with the PPS, since the appropriate standards and conditions will be subsequently established at the Zoning stage

Mixed-use development (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 locations well-served by public transit to meet long-term housing needs. In our opinion, this would be supportive of the overall policy thrust embodied in the PPS policies.

## **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, 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 a “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.”

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. In particular, a significant policy amendment made to the 2020 Growth Plan is Section 2.2.4 (Transit Corridors and Station Areas), subsection 9(a) which states:

9. “Within all major transit station areas, development will be supported, where appropriate, by:
  - a) planning for a diverse mix of uses, including additional residential units and affordable housing, to support existing and planned transit service levels; (emphasis added)

The 2019 version of the same Growth Plan policy stated in 2.2.4.9(a), the following:

9. “Within all major transit station areas, development will be supported, where appropriate, by:
  - b) planning for a diverse mix of uses, including second suites and *affordable* housing, to support existing and planned transit service levels; (emphasis added)

The subject site is within an area that would meet the definition of a *Major Transit Station Area (MTSA)* and therefore, within an area to where the Growth Plan directs additional residential units to support existing and planned rapid transit service.

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 ELCR:

“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...”

“This Plan recognizes transit as a first priority for major transportation investments. It sets out a regional vision for transit, and seeks to align transit with growth by directing growth to *major transit station areas* and other *strategic growth areas*, including *urban growth centres*, and promoting transit investments in these areas. To optimize provincial investments in *higher order transit*, this Plan also identifies *priority transit corridors* and the Province expects municipalities to complete detailed planning for *major transit station areas* on these corridors to support planned service levels.”

“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*;

By definition, mixed use development on the subject site would represent *intensification* within a *strategic growth area*, within a *major transit station area*, which according to Section 7 of the Growth Plan, are defined terms, as follows:

“***Intensification***: The development of a property, site or area at a higher density than currently exists through:

- a) *redevelopment*, including the reuse of *brownfield sites*;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings.”

“***Strategic Growth Areas***: Within *settlement areas*, nodes, corridors and other areas that have been identified by municipalities or the Province to be the focus for accommodating *intensification* and higher-density mixed uses in a more *compact built form*. *Strategic growth areas* include *urban growth centres*, *major transit station areas*, and other major opportunities that may include infill, *redevelopment*, *brownfield sites*, the expansion or conversion of existing buildings, or *greyfields*. Lands along major roads, arterials, or other areas with existing or planned *frequent transit* service or *higher order transit* corridors may also be identified as *strategic growth areas*.”

***Priority Transit Corridors***: Transit corridors shown in Schedule 5 or as further identified by the Province for the purpose of implementing this Plan.

***Major Transit Station Area***: “The area including and around any existing or planned *higher order transit* station or stop within a *settlement area*; or the area including and around a major bus depot in an urban core. *Major transit station areas* generally are defined as the

area within an approximate 500 to 800 metres radius of a transit station, representing about a 10-minute walk.”

Section 2.2.4.9 (a) states:

- “9. Within all *major transit station areas*, development will be supported, where appropriate, by:
- a) planning for a diverse mix of uses, including additional residential units and affordable housing, to support existing and planned transit service levels; (emphasis added)

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.”

As in the PPS, the Growth Plan include 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:

1. “Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:
  - a) 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:
    - i. 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 co-ordinated to implement this Plan.
2. Planning for new or expanded *infrastructure* will occur in an integrated manner, including evaluations of long-range scenario-based land use planning, environmental planning and financial planning, and will be supported by relevant studies and should involve:
  - a) leveraging *infrastructure* investment to direct growth and development in accordance with the policies and schedules of this Plan, including the achievement of the minimum intensification and density targets in this Plan;
  - b) providing sufficient *infrastructure* capacity in *strategic growth areas*;
  - c) identifying the full life cycle costs of *infrastructure* and developing options to pay for these costs over the long-term; and
  - d) considering the impacts of a changing climate.”

Policy 3.2.3 (Moving People) states:

- “1. Public transit will be the first priority for transportation *infrastructure* planning and major transportation investments.
2. All decisions on transit planning and investment will be made according to the following criteria:
  - a) aligning with, and supporting, the priorities identified in Schedule 5;
  - b) 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;
  - c) increasing the capacity of existing transit systems to support *strategic growth areas*;
  - d) expanding transit service to areas that have achieved, or will be planned to achieve, *transit-supportive* densities and provide a mix of residential, office, institutional, and commercial development, wherever possible;
  - e) facilitating improved linkages between and within municipalities from nearby neighbourhoods to *urban growth centres, major transit station areas*, and other *strategic growth areas*;
  - f) increasing the modal share of transit; and
  - g) contributing towards the provincial greenhouse gas emissions reduction targets.”

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)

As previously noted, no portion of the subject site is identified as a *provincially significant employment zone*.

Policy 2.2.5.9 of the Growth Plan is similar to Policy 1.3.2.5 of the PPS. As noted above, broadening the range of land uses permitted on the subject site would not jeopardize the overall viability of the adjacent *employment area* since there is no particular *employment area* but rather employment uses located amongst many other land uses.

The need to enable a broader range of uses arises from the public interest objective to see this *major transit station area* site develop for intensified uses, that contributes to a more complete community. The 2020 amended Policy 2.2.4.9 (a) (Transit Corridors and Station Areas) expressly

contemplate “additional residential units” on the subject site, by virtue of it being in a *major transit station area*, and as a means of supporting development within such MTSA. Without development taking place, the policies are not implemented.

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, including significant public investment in transportation and transit infrastructure.

From a population perspective, adding residential uses on the subject site will contribute to satisfying housing needs for projected population growth while providing the potential demand for employment opportunities generally in the area. The subject site is located within an *MTSA*, as it is located within 300 metres from the Lansdowne Subway Station and the planned Bloor-Lansdowne GO Station. It is also 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 subject site is strategically located, and a genuine opportunity exists to optimize the range of uses and the utilization of the site and area. The alternative of maintaining the lands solely for employment uses would likely result in the subject site not redeveloping into the foreseeable future and an under-utilization of the subject site’s potential. Such an outcome would be contrary to the PPS and the Growth Plan.

### **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 *Core Employment Areas* on Map 17 (Land Use Plan) (**Attachment 2**). Additionally, the subject site is located in proximity (within 300 metres) to the TTC Subway and GO Rail Lines on Map 4 (Higher Order Transit Corridors). Lansdowne Avenue and Bloor Street West are also both identified as Major Streets on Map 3 (Major Streets).

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 of the City OP provide a description of *Core Employment Areas*, as follows:

1. *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.



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 purpose of this ELCR is not to eliminate or reduce the business and/or economic activity in the area, but rather to permit on the subject site a use that will enable an increase and intensify in, a more compact, mixed use, and transit supportive urban form.

The City OP policies guiding the consideration of this Employment land conversion request commences 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 ELCR 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 and employment related uses, are 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 ELCRs. As such, 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.

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

1. Is there is a need for the conversion?

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

In this circumstance, and at this point, there is a need to permit a broadened range of uses, including residential, to enable and incentivize the redevelopment of the subject site. Without redevelopment there is no implementation of the PPS and Growth Plan policies. There is no doubt that leaving the lands, and the existing land use permissions as is, will not contribute to the achievement of minimum density targets set out in the plan. All opportunity is promoted, encouraged and needed to create a policy environment aimed at achieving the multitude of goals set out in the various planning documents, including the PPS, the Growth Plan, and the City OP. As Section 2.2.4.6 of the Growth Plan indicates:

“6. Within *major transit station areas* on subway lines, land uses and built form that would adversely affect the achievement of the minimum density targets in this Plan will be prohibited.”

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

Although it is anticipated that there will be significant 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 within, and on the periphery of, *Downtown* Toronto, where office rents are at a level that support new office construction. The subject site or subject area will not likely be able to compete with these areas for significant new office construction.

Mixed-use development permissions for the subject site would make a significant, positive contribution towards the achievement of transit-supportive mixed use density around the existing TTC Lansdowne Subway Station and planned Bloor-Lansdowne GO Station. The alternative would likely result in status quo on the subject site, and the maintenance of low-scale, large-format industrial use(s) and built form that are incompatible with existing and planned sensitive land uses in the surrounding area.

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 expected to be approximately 348,500 new housing units over the 2021 to 2051 period. This additional housing can assist in meeting demand for non-residential space and housing within an *MTSA*. 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 *Core Employment Areas* designation is not required for the employment purposes permitted by the City OP. *Core Employment Areas* designation of the

subject site is no longer appropriate for this site and the immediate area due to the evolving nature of the area and the sensitive land uses in close proximity to the subject site.

The subject site is currently only generating 54 jobs across the entire 3.05 acre subject site. This number of jobs could locate in a mixed use designation elsewhere within the MTSA or elsewhere.

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

We understand that there is sufficient employment lands in Toronto to achieve the forecasted growth in employment in Toronto to 2051. In fact, if this Employment land conversion request is approved, residential development will likely assist in accommodating employment growth on other nearby *Mixed Use Area* or *Employment Area* 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*, including the employment uses on the nearby lands that are maintained as *Employment Areas*. A mixed use residential use is capable of co-existing with adjacent lands, including the rail corridor.

The lands designated as *Employment Areas* surrounding the subject site include retail, office and light commercial industrial uses which are not likely to create significant negative impacts that require separation from sensitive uses including residential.

The current use that exists on the subject site however has received numerous complaints from neighbouring residents with regards to noise and odour. This is a nuisance to the user and to the residents. The redevelopment of the subject site would positively likely remedy this circumstance for the existing community.

The purpose of this ELCR is to seek the City OP land use permission for residential uses. This is the first step of many further Planning Act related steps that will be necessary before the land is zoned for this purpose. In my opinion, those subsequent processes are capable of protecting the public interest related to exploration and conditioning applications for issues related to safety, air quality, odour, noise, vibration and possibly other environmental related topic areas that may need to be explored and implemented.

The proposed *Mixed Use Areas* designation is anticipated to be compatible with the surrounding land uses.

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

The mixed-use development on the subject site will make use of existing community services and facilities in the area. This redevelopment may also contribute to the provision of these services and facilities through development charges, community benefit charges, and potential additional development requirements, such as parkland dedication. This will

however be further explored later at the ZBA stage of approval. Investigations into servicing, transportation, community services and facilities, and parks can and will be explored at the ZBA stage.

With regards to transit facilities, the TTC Lansdowne Subway Station is located north of Bloor Street West on the east side of Lansdowne Avenue within 300 metres from the subject site. A future GO station is also being planned at Bloor Street West and the GO Barrie Line, also within 300 metres from the subject site.

As mentioned previously, the Davenport Diamond Guideway and Greenway Project is also taking place as part of Metrolinx's GO expansion program. The Davenport Diamond refers to the intersection of the Barrie GO corridor with the CP rail track which is considered one of the busiest train intersections in North America. The raised Guideway for GO trains above the CP rail will enhance the community experience and promote the area as a civic destination. The project will also include new grade separation measures on Paton Road to improve safety and connections in the community. The trains will also be quieter and less obtrusive with the installation of noise barrier walls. The Greenway will include:

- Fully accessible multi-use paths for pedestrians and cyclists;
- A sustainable approach to landscape and plantings;
- Beautiful pollinating gardens; and
- Gathering spaces for the community.

The modifications and upgrades will occur between 2020 and 2024 with construction occurring at different times.

### **Compatibility/Mitigation**

As discussed earlier in this ELCR the subject site is not within a *provincially significant employment zone*. The industrial use of the subject site is currently out of character to the surrounding office, retail, residential and public realm land uses immediately abutting and in close proximity to the site. Should this ELCR be granted to redesignate the subject site to a *Mixed Uses Areas* designation it would result in a more compatible land use relationship with the nearby existing and planned sensitive uses.

#### **a) Existing Land Use Compatibility Issues:**

As noted previously the subject site is not within an Employment Area but rather is an employment use in an area with a mix of land use designations including *Mixed Use Areas* and *Neighbourhoods*. The random pattern of the various land use designations and land use relationships significantly undermines the ability of the subject site to maintain industrial uses. The close proximity of residential sensitive land uses has resulted in numerous nuisance complaints related to noise and odour initiated by nearby and adjacent residents. Our client's industrial use is operating fully within its existing Certificate of Approval from the MOE however, this has not prevented the nearby residents initiating nuisance complaints to the MOE and the City. This results in ever increasing expenditures to address the complaints which in turn undermine the ability of our client to continue its current operations in an economically viable manner. Our client is prepared to provide detailed information related to previous nuisance complaints if required.

The criteria upon which consideration will be made of an ELCR at section 2.2.4.17(a)(ii) of the City OP states that there is a demonstrated need for the conversion to “mitigate existing and/or potential land use conflicts”. Based on the constant nuisance complaints from the existing and planned sensitive residential land uses there is a demonstrated need to mitigate the existing land use conflicts. The conversion to a *Mixed Use Areas* designation will assist with the prevention of future adverse effects from noise and emissions.

In reviewing the description for a “Compatibility/Mitigation Study” it requires identification of existing land use compatibility issues and to “identify measures intended to eliminate or mitigate negative impacts and adverse effects to be addressed in the applicant’s Planning Rationale”. Earlier in our ELCR we have identified the location of existing and planned sensitive land uses in close proximity to the subject site. It is our opinion that in order to eliminate or mitigate the existing and future impacts and adverse effects, a redesignation of the subject site to a *Mixed Use Areas* designation would achieve this result.

**b) Potential Land Use Compatibility Issues:**

As noted earlier in our ELCR the subject site directly abuts a rail corridor along the western boundary. It is commonplace along this corridor for residential uses to exist close to, or adjacent to a rail corridor as is evidenced opposite the subject site on the west side of the rail corridor. This is not an unusual land use interface in the City. Where residential potential is planned to exist near or adjacent to rail corridors appropriate setbacks, buffers and noise attenuation features directly related to the design and construction of buildings are required and have been achieved on numerous sites within the City.

The subject site is 3.05 acres in size and is of sufficient size to fully comply with required rail setbacks and necessary noise attenuation fencing and buffering. The specific design of any future building can include the necessary width of windows and need for air conditioning. Should specific features be required to mitigate any potential vibrations from the existing rail line they would be addressed during the detailed design of the building(s). At this MCR stage the viability of accommodating the necessary attenuation features in a future development is not in question due to the size of the site. It is only during the detailed design stage that the specific attenuation features needed will be established and accommodated. It is our opinion that a redesignation of the subject site to a *Mixed Use Areas* designation would not compromise the intended function of the rail corridor, in accordance with the PPS.

**Conclusions and Recommendations**

As noted above, the subject site is located in a *Strategic Growth Area* and an *MTSA* and is served by an existing and planned *Higher Order Transit* line. In our opinion, mixed-use development on the subject site is appropriate given its location within an *MTSA* and other locational attributes referred to in this planning letter.

Leaving the subject site as it is currently designated would represent a missed opportunity and result in an under-utilization of the subject site contrary to the PPS and the Growth Plan. The *Mixed Use Areas* designation offers the opportunity for a land use solution for the subject site that is fitting for the function of this location, without any anticipated adverse impacts to the remaining *Employment Area* lands.

In view of the foregoing, we request that positive consideration be given to this ELCR to enable a broader mix of uses on the subject site, including high density residential, with height and density permissions similar to those considered in the surrounding context.

We understand that an invoice for the \$20,000 Employment Areas Conversion Request User Fee will be emailed after a conversion request number has been assigned by the City. Please forward the invoice to:

Nitta Gelatin NA  
c/o Juergen Gallert  
598 Airport Blvd, Suite 900  
Morrisville, NC 27560  
Tel: 919-238-3301  
Email: j.gallert@nitta-gelatin.com

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**

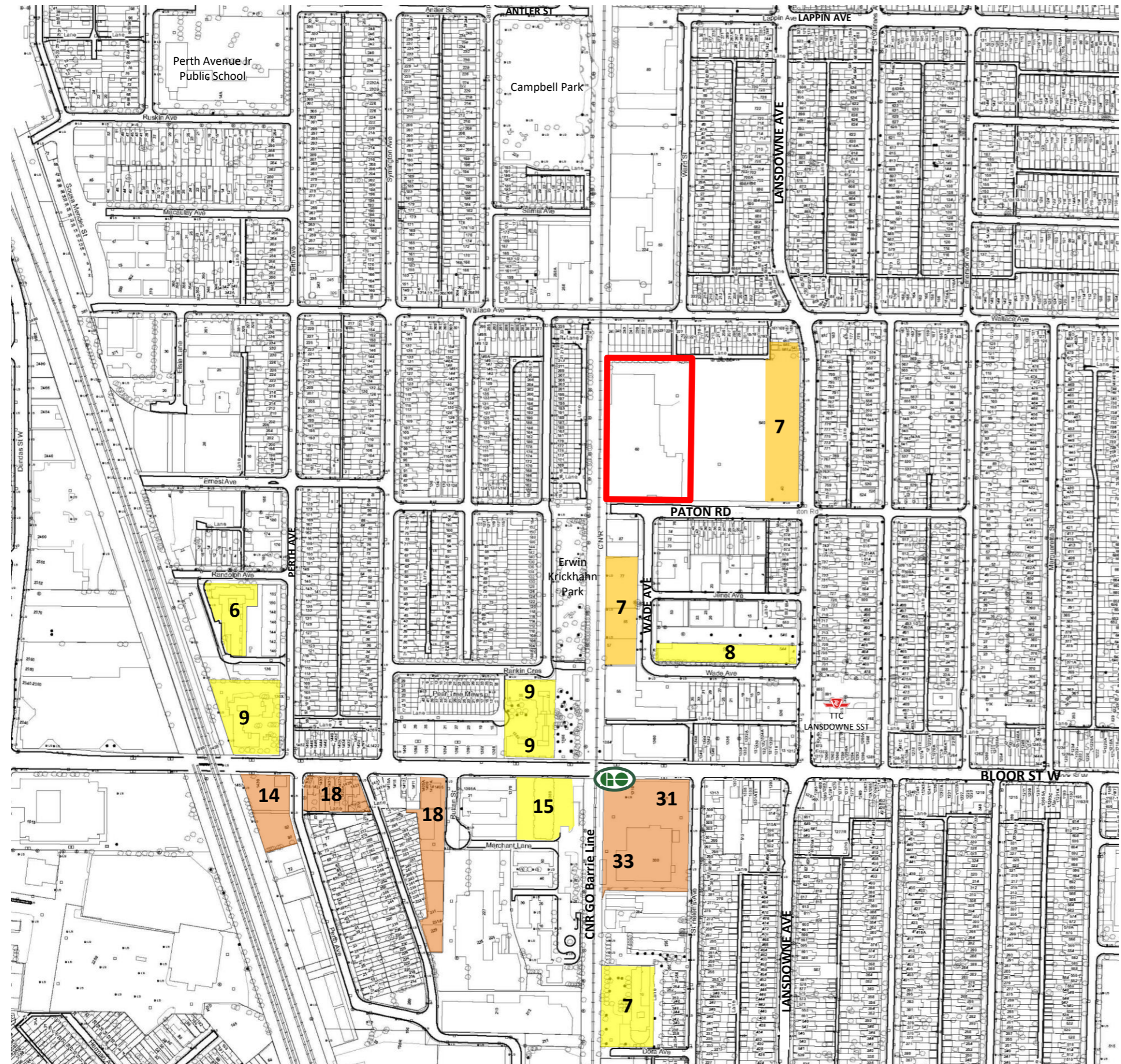
A handwritten signature in blue ink, appearing to read 'Michael S. Goldberg', is written over a faint rectangular stamp area.







Michael S. Goldberg, MCIP RPP  
Principal

Cc: Clients  
Mary Flynn-Guglietti, McMillan LLP  
Kailey Sutton, McMillan LLP

# Tab 1





-  EXISTING
-  UNDER CONSTRUCTION
-  PROPOSED
- #** NUMBER OF STOREYS
-  SUBJECT SITE
-  SUBWAY STATION
-  PLANNED GO STATION

# LOCATION and CONTEXT PLAN



Source: City of Toronto, Geospatial Competency Centre. January 2019



3D VIEW LOOKING WEST



# **Tab 2**

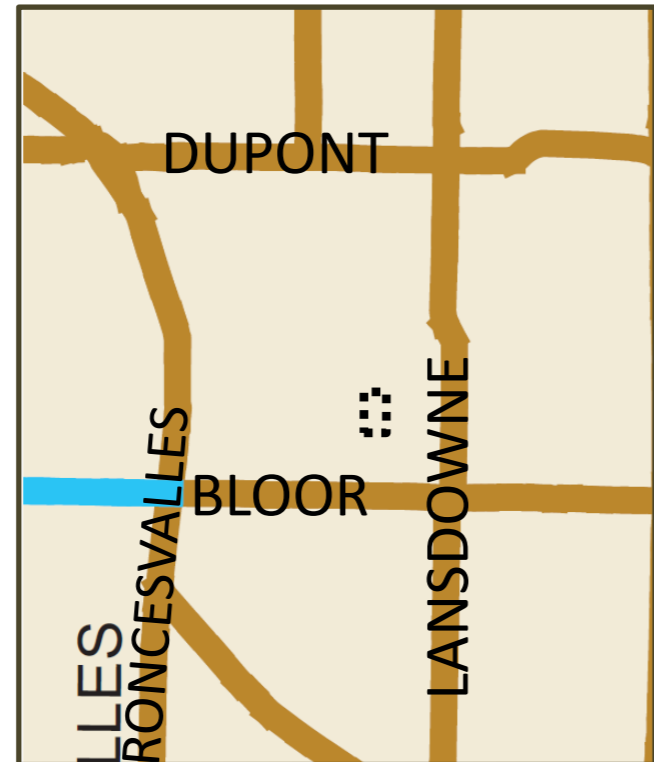
**MAP 2**  
Urban Structure



- Avenues
- Centres
- Employment Areas
- Downtown and Central Waterfront
- Green Space System
- Greenbelt Protected Countryside
- Greenbelt River Valley Connections
- SUBJECT SITE

**Toronto Official Plan**  
Map 2  
Urban Structure  
February 2019

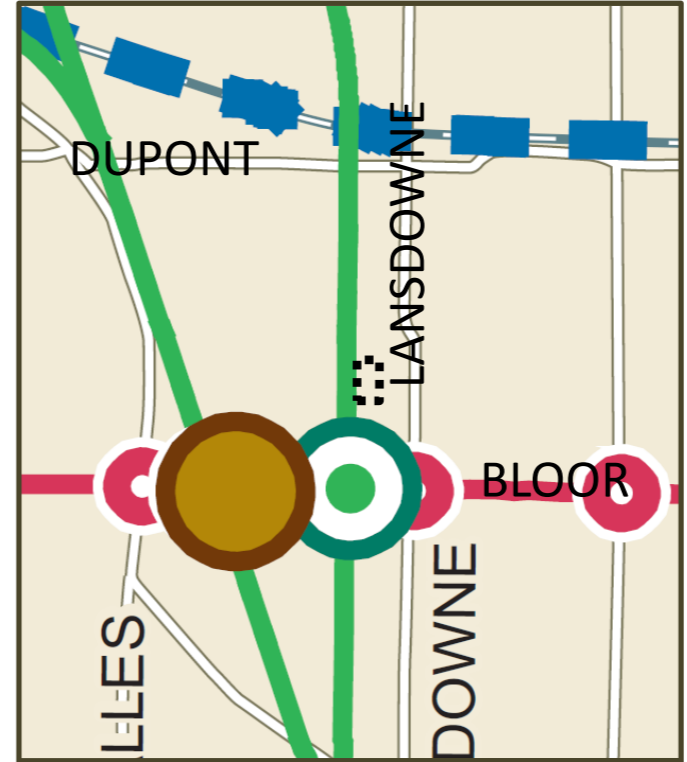
**MAP 3**  
Right-of-way Widths Associated with Existing Major Streets



- 45 metres and over
- 36 metres
- 33 metres
- 30 metres
- 27 metres
- 23 metres
- 20 metres
- Non-uniform width, to be retained as existing at the time of Plan adoption.
- SUBJECT SITE

**Toronto Official Plan**  
Right-of-Way Widths Associated with Existing Major Streets  
MAP 3  
December 2010

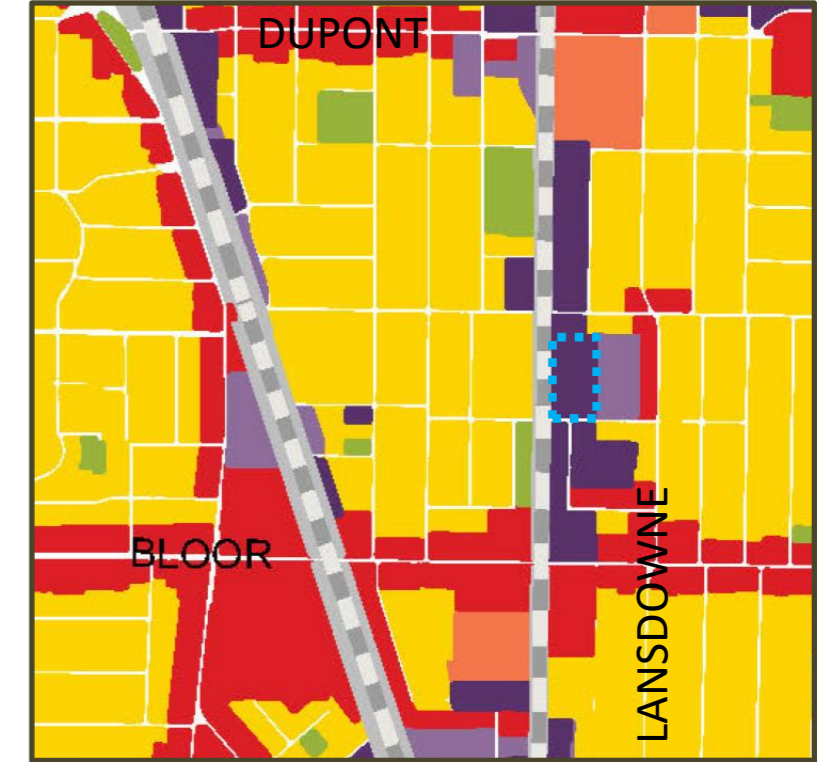
**MAP 4**  
Higher Order Transit Corridors



- Existing**
- TTC Subway and LRT Lines
- GO Rail Lines
- SUBJECT SITE
- Expansion Elements**
- Transit Corridors
- GO/TTC Interchange GO
- Rail Station

**Toronto Official Plan**  
Higher Order Transit Corridors  
MAP 4  
June 2006

**MAP 17**  
Land Use Plan



- Land Use Designations**
- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- Natural Areas
- Parks
- Other Open Space Areas (Including Golf Courses, Cemeteries, Public Utilities)
- Institutional Areas
- Regeneration Areas
- General Employment Areas
- Core Employment Areas
- Utility Corridors
- SUBJECT SITE

**Toronto Official Plan**  
Map 17  
Land Use Plan  
February 2019

# Tab 3



**60 Paton Road**

**Compatibility & Mitigation Study  
Air Quality, Dust, Odour, Noise & Vibration  
Toronto, ON**

**SLR Project No: 241.30293.00000**

August 2021



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for 2-sided printing purposes

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# Compatibility & Mitigation Study

## Air Quality, Dust, Odour, Noise and Vibration

### Toronto, ON

SLR Project No.: 241.30293.0000, Version 1

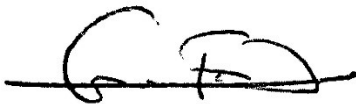
Prepared by  
SLR Consulting (Canada) Ltd.  
150 Research Lane, Suite 105  
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for

Nitta Gelatin NA  
60 Paton Road  
Toronto, Ontario  
M6H 1R8

August 30, 2021

Prepared by:



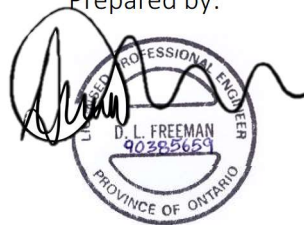
**Gustavo Elgueta**  
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Reviewed by:



**Nigel Taylor, M. Sc., EP**  
Principal, Air Quality

Distribution: 1 copy – Nitta Gelatin NA  
1 copy – SLR Consulting (Canada) Ltd.  
1 copy – McMillan LLP



---

## EXECUTIVE SUMMARY

SLR Consulting (Canada) Ltd. (SLR), was retained by Nitta Gelatin NA to conduct environmental air quality, noise, and vibration studies in support of an employment lands conversion from Core Employment Areas to Mixed Use Areas. The lands are located at 60 Paton Road in an area of the City of Toronto commonly known as “Triangle Junction” (“the Project”).

The proposed scope of work addresses the air quality, dust, odour, noise, and vibration portion of the Terms of Reference requirements of the City of Toronto’s new OPA231 requirements for Land Use Compatibility/Mitigation Studies<sup>1</sup> (“the OPA 231 ToR”).

The project is at the early stages of the planning process. This assessment uses qualitative and screening level approaches to evaluate land use compatibility. More detailed modelling studies may be required by the City as part of future planning submissions (e.g., at ZBA and SPA).

This assessment has considered:

- Industrial air quality, odour, and dust emissions;
- Industrial noise and vibration; and
- Transportation-related air quality, noise, and vibration (road, rail, and air traffic).

Based on the review completed, the proposed development is anticipated to be compatible with the surrounding land uses from an air quality perspective.

There will be no negative impacts on surrounding industries and their ability to obtain/ maintain their required Ministry of the Environment, Conservation & Parks (MECP) permits and approvals.

Transportation Noise Guidelines are expected to be met. Mitigation measures (upgraded façade construction), ventilation requirements or various warning clauses may be required to ensure guidelines are met for roadway and railway noise.

Industrial and transportation vibration impacts were reviewed. Adverse impacts from industrial vibration are not anticipated as no significant vibration sources are located within the area.

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<sup>1</sup> <http://www.toronto.ca/legdocs/mmis/2018/cc/bgrd/backgroundfile-114585.pdf>

## VERSIONS

Version	Date	Comment
1	August 30, 2021	• First Submission

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## APPENDICES

Appendix A: Mitigation and Warning Clause Summary
Appendix B: Industrial Information

---

# 1. INTRODUCTION

SLR Consulting (Canada) Ltd. (SLR), was retained by Nitta Gelatin NA to conduct environmental air quality, noise, and vibration studies in support of an employment lands conversion from Core Employment Areas to Mixed Use Areas. The lands are located at 60 Paton Road in an area of the City of Toronto commonly known as “Triangle Junction” (“the Project”).

The proposed scope of work addresses the air quality, dust, odour, noise, and vibration portion of the Terms of Reference requirements of the City of Toronto’s new OPA231 requirements for Land Use Compatibility/Mitigation Studies<sup>2</sup> (“the OPA 231 ToR”).

The project is at the early stages of the planning process. This assessment uses qualitative and screening level approaches to evaluate land use compatibility. More detailed modelling studies may be required by the City as part of future planning submissions (e.g., at ZBA and SPA).

This assessment has considered:

- Industrial air quality, odour, and dust emissions;
- Industrial noise and vibration; and
- Transportation-related noise and vibration.

In this assessment, SLR has reviewed the surrounding industrial land uses and major facilities in the area with respect to the following guidelines:

- The City of Toronto’s Terms of Reference for Compatibility/ Mitigation Studies;
- The Provincial Policy Statement;
- The Provincial Growth Plan
- Ministry of the Environment, Conservation and Parks (“MECP”) Guidelines D-1 and D-6;
- Ontario Regulation 419/05: *Air Pollution – Local Air Quality* and its associated air quality standards and assessment requirements;
- The MECP’s draft policies on odour impacts and assessment;
- MECP Publication NPC-300 noise guidelines for industrial and transportation;
- The City Noise By-law (Chapter 591 of the Municipal Code); and
- MECP Publication NPC-207 draft vibration guidelines for industry.

This report is intended to use the requirements of the “Compatibility/ Mitigation Study” Terms of Reference published by the City of Toronto as the tool for evaluation. This report identifies existing and potential land use compatibility issues and identifies and evaluates options to achieve appropriate design, buffering and/or separation distances between the proposed sensitive land uses, including residential uses, and nearby Employment Areas and/or major facilities.

Recommended measures intended to eliminate or mitigate negative impacts and adverse effects are provided. **Appendix A** summarizes the required mitigation measures and warning clause recommendations developed in this report.

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<sup>2</sup> <http://www.toronto.ca/legdocs/mmis/2018/cc/bgrd/backgroundfile-114585.pdf>

---

## 2. DESCRIPTION OF DEVELOPMENT AND SURROUNDINGS

### 2.1 PROPOSED DEVELOPMENT

The Project site at 60 Paton Road is located west of Lansdowne Avenue and immediately east of the GO Transit Newmarket Subdivision in an area of the City of Toronto commonly known as “Triangle Junction”. The Project site is bounded by employment uses to the north, a vacant lot to the east, Paton Road to the south, and the GO Transit Newmarket Subdivision to the west. The Project site is currently occupied by Nitta Gelatin Inc a producer of unflavoured pork-skin gelatine. The Facility operates under MECP EASR registration number R-010-1113159456 (2021).

The current context plan is shown in **Figure 1**.

### 2.2 SURROUNDINGS

The area surrounding the Project site is a mix of residential, commercial, and employment land uses. The following provides more detail related to the surrounding land uses:

- North: low to mid-rise mixed use commercial/residential are street facing to Wallace Avenue;
- East: Vacant at 640 Lansdowne Avenue for which a Zoning By-law Amendment Application has been submitted to the City of Toronto to facilitate the development of the site for a 7-storey mixed-use building comprised of 57 affordable rental units and 256 long term care beds. The proposed residential gross floor area is 6008.10 square metres, and the proposed non-residential gross floor area is 15,116.10 square metres.
- South: mixed uses including low-density residential and employment; and
- West: GO Transit Newmarket Subdivision.

### 2.3 LAND USE DESIGNATIONS IN THE AREA

The purpose of this report is to evaluate land use compatibility in support of an employment lands conversion from Core Employment Areas to Mixed Use Areas. The sections to follow outline the current land use designations under the City of Toronto Official Plan (OP) (February 2019 consolidation) and the land use zoning.

#### 2.3.1 CITY OF TORONTO OFFICIAL PLAN

The Project site is currently designated as Core Employment Areas in the City of Toronto Official Plan. To the east the lands are designated General Employment Areas and Mixed-Use Areas where the Mixed-Use Areas front Lansdowne Avenue. In addition, the lands to the east (640 Lansdowne) are currently vacant of any structures and a Zoning By-law Amendment Application has been submitted to the City of Toronto to facilitate the development of the site for a 7-storey mixed-use building comprised of 57 affordable rental units and 256 long term care beds. The proposed residential gross floor area is 6008.10 square metres, and the proposed non-residential gross floor area is 15,116.10 square metres. The lands to the south are designated Core Employment areas and Neighbourhoods. To the west, the lands are designated Utility Corridor (GO Transit Newmarket Subdivision). To the north the land is designated Core Employment Areas and Neighbourhoods. Exerts from OP Map 17 can be seen in **Figure 2**.

---

### 2.3.2 CITY OF TORONTO ZONING BY-LAW 569-2013

Under the City of Toronto zoning by-law 569-2013 lands to the north are zoned Employment Industrial and Residential. To the west, the lands are zoned Utility Corridor (GO Transit Newmarket Subdivision) and beyond the corridor the lands are zoned Residential. To the south the lands are zoned Employment Industrial, Residential, and a portion of the lands south of the Project site are not covered under the current City of Toronto Zoning by-law 569-2013. To the east the lands are not covered by the current City of Toronto Zoning by-law 569-2013. The proposed Project site is illustrated on the City of Toronto Zoning Map **Figure 3a**.

### 2.3.3 FORMER CITY OF TORONTO ZONING BY-LAW 438-86

As discussed above, the lands immediately to the east of the Project site are not covered by the current City of Toronto by-law 569-2013 and fall under the former City of Toronto zoning by-law 438-86. Under the former by-law, the lands to the east are zoned CR-Commercial Residential. To the south, the lands are zoned I – Industrial. The proposed Project site is illustrated on the former City of Toronto Zoning Map **Figure 3b**.

## 3. ASSESSMENT FRAMEWORK

The intent of this report is to identify any existing and potential land use compatibility issues and to identify and evaluate options to achieve appropriate design, buffering and/or separation distances between the proposed sensitive land uses, including residential uses, and nearby employment areas and/or major facilities. Recommended measures intended to eliminate or mitigate negative impacts and adverse effects are provided.

The requirements of Ontario's planning regime are organized such that generic policy is informed by specific policy, guidance, and legislation, as follows:

- The Ontario Planning Act, Section 2.1 – sets the ground rules for land use planning in Ontario, whereby planning decisions have regard to matters of provincial interest including orderly development, public health, and safety; then
- The Provincial Policy Statement, 2020 (“PPS”) sets out goals to ensure adjacent land uses are compatible from a health and safety perspective and are appropriately buffered); then
- The Provincial Growth Plan, 2020, Section 2.2.5 – builds on the PPS to establish a unique land use planning framework for the Greater Golden Horseshoe, where the development of sensitive land uses will avoid, or where avoidance is not possible, minimize and mitigate adverse impacts on industrial, manufacturing, or other uses that are particularly vulnerable to encroachment; then
- The Ministry of the Environment, Conservation & Parks (“MECP”) D-series of guidelines set out methods to determine if assessments are required (areas of influence, recommended separation distances, and the need for additional studies); then
- MECP and Municipal regulations, policies, standards, and guidelines then set out the requirements of additional air quality, noise and vibration studies and the applicable policies, standards, guidelines, and objectives to ensure that adverse effects do not occur.

---

### 3.1 ONTARIO PLANNING ACT, R.S.O. 1990, c.p. 13

The Ontario Planning Act is “provincial legislation that sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them. The purpose of the Act is to:

- provide for planning processes that are fair by making them open, accessible, timely and efficient
- promote sustainable economic development in a healthy natural environment within a provincial policy framework
- provide for a land use planning system led by provincial policy
- integrate matters of provincial interest into provincial and municipal planning decisions by requiring that all decisions be consistent with the Provincial Policy Statement and conform/not conflict with provincial plans
- encourage co-operation and coordination among various interests
- recognize the decision-making authority and accountability of municipal councils in planning”

Section 2.1 of the Ontario Planning Act describes how approval authorities and Tribunals must have regard to matters of provincial interest including orderly development, public health, and safety.

### 3.2 PROVINCIAL POLICY STATEMENT, 2020 (“PPS”)

The PPS “provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario’s policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land in the province of Ontario. It also supports the provincial goal to enhance the quality of life for all Ontarians.”

The PPS is a generic document, providing a consolidated statement of the government’s policies on land use planning and is issued under section 3 of the Planning Act. Municipalities are the primary implementers of the PPS through policies in their local official plans, zoning by-laws, and other planning related decisions. Policy direction concerning land use compatibility is provided in Section 1.2.6 of the PPS (2020).

#### “1.2.6 Land Use Compatibility

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

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

- a) there is an identified need for the proposed use;
- b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;



- 
- c) adverse effects to the proposed sensitive land use are minimized and mitigated; and
  - d) potential impacts to industrial, manufacturing, or other uses are minimized and mitigated.”

The goals of the PPS are implemented through Municipal and Provincial policies, as discussed below.

### 3.2.1 CITY OF TORONTO OFFICIAL PLAN AMENDMENT NO. 231

The City of Toronto has recently released a Terms of Reference for Compatibility/ Mitigation Studies, based on the framework developed under Official Plan Amendment No. 231 (OPA 231). The Terms of Reference can be found on the City’s website at:

<https://www.toronto.ca/city-government/planning-development/application-forms-fees/building-toronto-together-a-development-guide/application-support-material-terms-of-reference/>

The purpose of the Compatibility/Mitigation study is to identify any existing and potential land use compatibility issues and identify and evaluate options to achieve appropriate design, including buffering and/or separation distances between land uses.

The Compatibility/Mitigation study is to provide a written description of:

- Potential land use compatibility impacts by type (traffic, noise, vibration, dust, odour, etc.), including severity, frequency and duration of impacts that may cause an adverse effect on the proposed development;
- Existing approvals from the MECP;
- Within the immediate area of the proposed development, the history of complaints received by the City or MECP;
- Potential intensification or operational changes such as expansion plans for existing major facilities in the area; and
- Potential land use compatibility issues that may have a negative impact on nearby employment areas and major facilities.

Where a land use compatibility issue is identified, the compatibility/mitigation study should identify options to achieve appropriate design, such as buffering/separation distance, at-source mitigation, or at-receptor mitigation.

### 3.3 MINISTRY OF THE ENVIRONMENT, CONSERVATION AND PARKS (“MECP”), D-SERIES OF GUIDELINES

The D-series of guidelines were developed by the MECP in 1995 to assess recommended separation distances and other control measures for land use planning proposals to prevent or minimize ‘adverse effects’ from the encroachment of incompatible land uses where a facility either exists or is proposed. D-series guidelines address sources including sewage treatment (Guideline D-2), gas and oil pipelines (Guideline D3), landfills (Guideline D-4), water services (Guideline D-5) and industries (Guideline D-6).

For this project, the applicable guideline is Guideline D-6 - Compatibility *between Industrial Facilities and Sensitive Land Uses*. The guidelines specifically address issues of air quality, odour, dust, noise, and litter.

Adverse effect is a term defined in the Environmental Protection Act and “means one or more of

- impairment of the quality of the natural environment for any use that can be made of it,

- injury or damage to property or to plant or animal life,
- harm or material discomfort to any person,
- an adverse effect on the health of any person,
- impairment of the safety of any person,
- rendering any property or plant or animal life unfit for human use,
- loss of enjoyment of normal use of property, and
- interference with the normal conduct of business”.

### 3.3.1 GUIDELINE D-6 REQUIREMENTS

This guideline specifically addresses issues of air quality, odour, dust, noise, and litter. To minimize the potential to cause an adverse effect, potential areas of influence and recommended minimum separation distances are included within the guidelines. The potential Areas of Influence and Recommended Minimum Separation Distances from the guidelines are provided in the table below.

**Table 1: Guideline D-6 - Potential Influence Areas and Recommended Minimum Separation Distances for Industrial Land Uses**

Industry Classification	Area of Influence	Recommended Minimum Separation Distance
Class I – Light Industrial	70 m	20 m
Class II – Medium Industrial	300 m	70 m
Class III – Heavy Industrial	1000 m	300 m

Industrial categorization criteria are supplied in Guideline D-6-2, and are shown in the following table:

**Table 2: Guideline D-6 - Industrial Categorization Criteria**

Category	Outputs	Scale	Process	Operations / Intensity	Possible Examples
Class I Light Industry	<ul style="list-style-type: none"> <li>• Noise: Sound not audible off-property</li> <li>• Dust: Infrequent and not intense</li> <li>• Odour: Infrequent and not intense</li> <li>• Vibration: No ground-borne vibration on plant property</li> </ul>	<ul style="list-style-type: none"> <li>• No outside storage</li> <li>• Small-scale plant or scale is irrelevant in relation to all other criteria for this Class</li> </ul>	<ul style="list-style-type: none"> <li>• Self-contained plant or building which produces/ stores a packaged product</li> <li>• Low probability of fugitive emissions</li> </ul>	<ul style="list-style-type: none"> <li>• Daytime operations only</li> <li>• Infrequent movement of products and/ or heavy trucks</li> </ul>	<ul style="list-style-type: none"> <li>• Electronics manufacturing and repair</li> <li>• Furniture repair and refinishing</li> <li>• Beverage bottling</li> <li>• Auto parts supply</li> <li>• Packaging and crafting services</li> <li>• Distribution of dairy products</li> <li>• Laundry and linen supply</li> </ul>

Category	Outputs	Scale	Process	Operations / Intensity	Possible Examples
Class II Medium Industry	<ul style="list-style-type: none"> <li>Noise: Sound occasionally heard off-property</li> <li>Dust: Frequent and occasionally intense</li> <li>Odour: Frequent and occasionally intense</li> <li>Vibration: Possible ground-borne vibration, but cannot be perceived off-property</li> </ul>	<ul style="list-style-type: none"> <li>Outside storage permitted</li> <li>Medium level of production allowed</li> </ul>	<ul style="list-style-type: none"> <li>Open process</li> <li>Periodic outputs of minor annoyance</li> <li>Low probability of fugitive emissions</li> </ul>	<ul style="list-style-type: none"> <li>Shift operations permitted</li> <li>Frequent movements of products and/ or heavy trucks with the majority of movements during daytime hours</li> </ul>	<ul style="list-style-type: none"> <li>Magazine printing</li> <li>Paint spray booths</li> <li>Metal command</li> <li>Electrical production</li> <li>Manufacturing of dairy products</li> <li>Dry cleaning services</li> <li>Feed packing plants</li> </ul>
Class III Heavy Industry	<ul style="list-style-type: none"> <li>Noise: Sound frequently audible off property</li> <li>Dust: Persistent and/ or intense</li> <li>Odour: Persistent and/ or intense</li> <li>Vibration: Ground-borne vibration can frequently be perceived off-property</li> </ul>	<ul style="list-style-type: none"> <li>Outside storage of raw and finished products</li> <li>Large production levels</li> </ul>	<ul style="list-style-type: none"> <li>Open process</li> <li>Frequent outputs of major annoyances</li> <li>High probability of fugitive emissions</li> </ul>	<ul style="list-style-type: none"> <li>Continuous movement of products and employees</li> <li>Daily shift operations permitted</li> </ul>	<ul style="list-style-type: none"> <li>Paint and varnish manufacturing</li> <li>Organic chemical manufacturing</li> <li>Breweries</li> <li>Solvent recovery plants</li> <li>Soaps and detergent manufacturing</li> <li>Metal refining and manufacturing</li> </ul>

### 3.3.2 REQUIREMENTS FOR ASSESSMENTS

Guideline D-6 requires that studies be conducted to assess impacts where sensitive land uses are proposed within the potential area of influence of an industrial facility. This report is intended to fulfill this requirement.

The D-series guidelines reference previous versions of the air quality regulation (Regulation 346) and noise guidelines (Publications NPC-205 and LU-131). However, the D-Series of guidelines are still in force, still represent current MECP policy and are specifically referenced in numerous other current MECP policies. In applying the D-series guidelines, the current policies, regulations, standards, and guidelines have been used (e.g., Regulation 419, Publication NPC-300).

SLR is aware that the MECP has recently released draft guidelines to replace the D-Series land use compatibility guidelines. These guidelines are currently under public review and subject to change. These guidelines have not been considered in preparing this report.

### 3.3.3 REQUIREMENTS FOR MINIMUM SEPARATION DISTANCES

Guideline D-6 also *recommends* that no sensitive land use be placed within the Recommended Minimum Separation Distance. However, it should be noted that this is a recommendation, only. Section 4.10 of the Guideline allows for development within the Recommended Minimum Separation Distance, in cases of redevelopment, infilling, and transitions to mixed use, provided that the appropriate studies are conducted and that the relevant air quality and noise guidelines are met.

## 4. NEARBY INDUSTRIES AND ENGAGEMENT

The Guideline D-6 setback distances from the Project site are shown in **Figures 4a and 4b**. SLR personnel conducted site visits to the area on July 26, 2021, and July 28, 2021. Local industries within 1 km of the Project site were inventoried.

Typically, industries within 300 m of the Project site are approached to discuss their operations and potential for future expansion. However, the site visits were conducted during the Covid-19 pandemic, therefore, onsite activities may have differed from typical or normal operations and access to all buildings was not available.

**Table 3** lists the identified industries which lie within their applicable Area of Influence in respect to the Project and are discussed further in this Section.

**Table 3: Identified Industries Within 1000 m of Proposed Development**

Facility	Type of Operation	Environmental Compliance Approval No.	Industry Class	Area of Influence Dist (m)	Actual Distance to Site (m)	Additional Assessment Required?
National Collision Center	Automotive Refinishing	N/A	I	70	50	Yes
Halo Brewery	Microbrewery	N/A	I	70	0	Yes
Ontario Aluminum & Glass	Window/Door Manufacturing	N/A	I	70	65	Yes

A full list of all industries identified within 1 km of the Project site can be found in **Appendix B**. The industries that are located within the respective Areas of Influence for the identified Class category are further detailed below.

Within Ontario, facilities which emit significant amounts of contaminants to the environment are required to obtain and maintain an Environmental Compliance Approval (an “ECA”) from the MECP or submit an Environmental Activity and Sector Registry (“EASR”). ECA’s/ EASRs within 1 km of the Project were obtained from the MECP’s *Access Environment* website.

### 4.1 CLASS III HEAVY INDUSTRIES

The area within 1000 m of the Project was reviewed. No class III facilities were identified within 1000 m of the Project site.

### 4.2 CLASS I LIGHT AND CLASS II MEDIUM INDUSTRIES

There are many small and medium-scale facilities identified in the surroundings. Most of the identified Facilities fall outside of the 300 m Area of Influence of the Site (detailed in **Appendix B**). However, three operations were identified through a review of the surrounding land uses and ECA/EASR search. These properties are discussed in more detail below.

## 4.2.1 EXISTING USES

### 4.2.1.1 National Collision Centre

<b>ADDRESS</b>	20 JENET AVENUE
<b>CONTACTS:</b>	N/A
<b>DISTANCE TO PROJECT:</b>	50 m
<b>D-6 CLASSIFICATION:</b>	I

National Collision Centre is located approximately 50 m south of the Project site. An on-line review of their services indicates that painting and automotive refinishing is undertaken at their Jenet Avenue location.

As suggested in the D-6 Industrial Categorization criteria, automotive repair shops are listed as a Class II facility partly due to the operation of spray-paint booths. However, given that the MECP has a specific Environmental and Activity Sector Registry (EASR) for this industry with specific operating condition requirements that limit emissions, auto-repair shops can now generally be considered Class I facilities. In addition, the paint types which are now used are less odorous (water- versus solvent-based). Auto-repair shops are regulated under Ontario Regulation 347/12: Regulations Under Part II.2 of the Act – Automotive Refinishing (under the Environmental Protection Act).

There are no MECP environmental permits available for the operations of National Collision centre on the [Access Environment](#) search directory.

National Collision Centre is located within the 70 m Area of Influence of the Project site. Therefore, additional assessment is warranted and provided within other sections of this report.

### 4.2.1.2 Halo Brewery

<b>ADDRESS</b>	247 WALLACE AVENUE
<b>CONTACTS:</b>	--
<b>DISTANCE TO PROJECT:</b>	0 m
<b>D-6 CLASSIFICATION:</b>	I

Halo Brewery is a microbrewery with an attached tasting room. The operations are a Class I facility. Though breweries are listed as Class III uses under Table 2: Guideline D-6 - Industrial Categorization Criteria, this classification refers to large-scale commercial brewing operations such as Labatts or MolsonCoors. The Halo brewery is considered a microbrewery and is expected to produce only small batches of beer in relation to a major brewery. Therefore, it has been identified as a Class I facility in this assessment. Possible odour emission sources include mechanical equipment and exhaust stacks associated with the brewing process.

There are no MECP environmental permits available for the operations of Halo Brewery on the [Access Environment](#) search directory.

The Project site is located inside of the 70 m distance, and inside of the Minimum Recommended Separation Distance of 20 m.

Given the above, there is the potential for adverse air quality and noise impacts from the Halo Brewery on the Project. Therefore, additional assessment is warranted and provided in later sections of this

report.

#### 4.2.1.3 Ontario Aluminum & Glass

<b>ADDRESS</b>	4 JENET AVENUE
<b>CONTACTS:</b>	N/A
<b>DISTANCE TO PROJECT:</b>	65 m
<b>D-6 CLASSIFICATION:</b>	I

Ontario Aluminum and Glass operate a window and door manufacturing facility at 4 Jenet Avenue located approximately 65 m southeast of the Project site. According to available information found on the internet, Ontario Aluminum and Glass “specialize in the production and installation of windows and entry systems for a wide array of residential and commercial application”.

No MECP permits for the Ontario Aluminum and Glass operations were found on the [Access Environment](#) website.

Typical operations associated with the manufacturing of aluminium windows and doors includes:

- Cutting
- Machining
- Assembly; and
- Shipping/receiving.

The Project site is inside the 70 m Area of Influence. Given the nature of the facility, the potential for air impacts from Ontario Aluminum and Glass operations were assessed further within this report.

#### 4.2.2 VACANT LOTS

Under Guideline D-6 the use of vacant buildings must be considered in land use compatibility studies.

57, 65 and 77 Wade is located south of the Project site and is currently vacant of structures. A Notice of Approval Conditions (NOAC) was issued for the lands on June 18, 2020, for a Site Plan Control Application to facilitate the development of a 7-storey office building, with a total GFA of 13,473 square metres. The site is located immediately east of the rail corridor of the GO Newmarket Subdivision. According to the City Site Plan Control Application, the GO Newmarket Subdivision will be elevated in the future by Metrolinx as part of the Big Move Regional Express Rail initiative, north of Bloor Street West, and one block west of the Lansdowne TTC station near Bloordale Village.

To the east of the Project site, 640 Lansdowne Avenue is currently vacant of structures. A Zoning By-law Amendment Application to facilitate the development of the site for a 7-storey mixed-use building comprised of 57 affordable rental units and 256 long term care beds was submitted to the City of Toronto for review August 11, 2021. The proposed residential gross floor area is 6008.10 square metres, and the proposed non-residential gross floor area is 15,116.10 square metres.

If a new industrial operation were to relocate or construct a new facility, they would be required to obtain an approval from the MECP (either EASR or ECA). In accordance with the MECP permit, the facility would be required to meet the applicable guidelines of O. Reg 419/05 at the facility property line and to meet the applicable requirements of MECP NPC 300. As part of the permitting process, the facility would be required to meet applicable guidelines at existing and approved sensitive/residential locations.

### 4.2.3 FUTURE USES

A review of development applications in the area indicated that there are 12 active applications within 500 m of the Project lands. The following is a summary of only the significant applications as listed online at the City of Toronto [applications information centre](#) as of August 19, 2021.

Address	Date	Development Application Information *	Details
1319 Bloor Street West	18/12/2020	20 230587 STE 09 OZ	Proposal for a mixed-use development of 31-storey and 33-storey towers atop a podium which varies in height from 4-7 storeys. The proposed non-residential gross floor area is 1212.42 square metres, and the proposed residential gross floor area is 56,876.46 square metres. A total of 634 residential units are proposed.
1405 Bloor Street West	29/09/2020	20 199975 STE 09 OZ	The site is proposed to be redeveloped with a mixed-use, predominately residential development having a height of 18 storeys along Bloor Street West then stepping down to 12 and 4 storeys to the south. Below grade parking is proposed under the 12 and 8 storey building component accessed by two car elevators facing Ruttan Street. 326 residential dwelling units and 237 m <sup>2</sup> of grade related retail gross floor area is proposed.
1435, 1433, 1431, 1429, 1427, 1425 A, 1423, 1435, 1427 Bloor Street West, 278 Sterling Road	13/04/2021	21 139658 STE 09 OZ	Proposal for an 18-storey, inclusive of a 6-storey podium, mixed-use building having a non-residential gross floor area of 401.0 square metres, and a residential gross floor area of 14460.4 square metres. A total of 204 residential dwelling units are proposed, of which, 15 will be rental units.

Address	Date	Development Application Information *	Details
1369 Bloor Street West	04/05/2020	20 141991 STE 09 OZ	<p>The City is developing a vision to guide growth and future development within the Bloor Street West, Perth Avenue and St. Helens Avenue area by developing a planning framework for this area, which includes the evaluation of appropriate built form, transportation and pedestrian networks, and overall public realm strategy including parks and open spaces and potential heritage sites. City Planning staff are reporting to Toronto &amp; East York Community Council on the findings related to the Planning Framework in June of 2021. Should Community Council endorse the planning framework, staff will launch Phase 2 of the study in Q3 of 2021. As part of Phase 2, staff will bring forward policies in the form of an Official Plan Amendment or Site and Area Specific Policy to implement the guiding principles of the planning framework. A link to the Bloor Street Study is available at the following webpage:  <a href="https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/bloor-street-study-perth-to-st-helens-avenue/">https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/bloor-street-study-perth-to-st-helens-avenue/</a></p>
640 Lansdowne Avenue	11/08/2021	21 196612 STE 09 OZ	<p>Zoning By-law Amendment Application to facilitate the development of the site for a 7-storey mixed-use building comprised of 57 affordable rental units and 256 long term care beds. The proposed residential gross floor area is 6008.10 square metres, and the proposed non-residential gross floor area is 15,116.10 square metres.</p>



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\*minor variances, closed applications, consent to sever and other minor applications are not included in above table.

### 4.3 SUMMARY

From the list of industries in **Sections 4.1** and **4.2**, three Class I facilities were identified to require further analysis because they are located within the respective potential Areas of Influence for this category of industry.

## 5. AIR QUALITY, DUST AND ODOUR ASSESSMENT

### 5.1 INDUSTRIAL SOURCES

#### 5.1.1 GUIDELINES AND REGULATIONS

Within Ontario, facilities which emit significant amounts of contaminants to the environment are required to obtain and maintain an Environmental Compliance Approval (an “ECA”) from the MECP or submit an Environmental Activity and Sector Registry (“EASR”). Facilities with an ECA/EASR should already meet the MECP guidelines for air quality contaminants at their property line.

##### 5.1.1.1 Air Quality Contaminants

Under O.Reg. 419/05, a facility is required to meet prescribed standards for air quality contaminants at their property boundary line and any location off-site. The MECP does not require industries to assess their emissions at elevated points off-site if a receptor does not exist at that location. While the introduction of high and mid-rise residential properties could trigger a facility to re-assess compliance at new receptor locations, the introduction of new low-rise receptors does not introduce any new receptors, as the facility is already required to comply at grade-level at their property line.

##### 5.1.1.2 Odour

There are a select few compounds that are provincially regulated from an odour perspective; however, there is no formal regulation with respect to mixed odours. Impacts from mixed odours produced by industrial facilities are generally only considered and regulated by the MECP in the presence of persistent complaints (ECO 2010).

The MECP assesses mixed odours, in Odour Units, following draft guidelines. One odour unit (1 OU) has been used as a default threshold. This is the concentration at which 50 % of the population will just detect an odour (but not necessarily identify/recognize or object to it). Recognition of an odour will typically occur between 3 and 5 odour units. The following factors may be considered:

- **Frequency** – How often the odour occurs. The MECP typically allows odours to exceed 1 OU with a 0.5 % frequency.
- **Intensity** – The strength of the odour, in odour units. 1 OU is often used in odour assessments in Ontario.
- **Duration** – How long the odour occurs.
- **Offensiveness** – How objectionable the odour is. The MECP may allow for a higher concentration of pleasant smells such as baking as opposed to off-putting smells such as rotting garbage or

rancid meat.

- **Location** – Where the odour occurs. The MECP assesses at odours where human activity is likely to occur.

The MECP has decided to apply odour-based standards to locations “where human activities regularly occur at a time when those activities regularly occur,” which is generally accepted to be places that would be considered sensitive such as residences and public meeting places. As a guide, the MECP has provided proposed clarification of human odour receptors, as shown in the following table:

**Table 4: Proposed Clarification of Human Receptors (MECP 2008)**

Receptor Category	Examples	Exposure Type	Type of Assessment
Permanent potential 24-hour sensitivity	Anywhere someone could sleep including any resident or house, motels, hospitals, senior citizen homes, campgrounds, farmhouse, etc.	Individual likely to receive multiple exposures	Considered sensitive 24 hours per day
Permanent daily hours but with definite periods of shutdown/closure	Schools, daycares, community centres, soccer fields, farmland, churches, bicycle paths, hiking areas, lakes, commercial or institutional facilities (with consideration of hours of operation such as night clubs, restaurants, etc.)	Individual could receive multiple exposures	Nighttime or daytime exclusion only (consider all other hours)
Seasonal variations with clear restrictions on accessibility during the off season	Golf courses, amusement parks, ski hills, other clearly seasonal private property	Short term potential for exposure	Exclusions allowed for non-seasonal use
Transient	Open fields, roadways, easements, driveways, parking lots, pump houses	Very short-term potential for exposure, may not be a single resident exposed to multiple events	Generally, would not be included as human receptors unless otherwise specified.

Note that commercial facilities are considered to be odour sensitive points of reception, as well as community spaces and residences. The MECP odour policy would apply to the commercial uses in the existing commercial plazas, as well as the proposed development.

### 5.1.1.3 Dust

Ontario Regulation 419/05 also provides limits for dust, including limits for suspended particulates and dust fall. Under Reg. 419/05, these air quality limits must be met at the property line and all points beyond. This is not changed by the addition of the Project. That is to say, the existing mutual property line is already a point of reception for dust, and the limits must already be met at that location.

### 5.1.1.4 Cumulative Assessments

Cumulative impact assessments, examining the combined effects of individual industries, or the combined effects of industry and roadway emissions, are generally not required. Neither the PPS, the D-Series of Guidelines, Regulation 419/05, or the current MECP odour assessment protocols require an assessment of cumulative impacts.

Which is not to say that such assessments are never warranted; rather, the need to do so must be considered on a case-by-case basis, depending on the nature and intensity of the industrial operation(s), and the nature of the pollutants released. Based on the types of pollutants released by the industries in this area, cumulative effects assessments are not warranted.

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## 5.1.2 LOCAL METEOROLOGY

Surface wind data was obtained to generate a wind rose from data collected at the Toronto Pearson Airport in Toronto from 1986 through 2011, as shown in **Figure 5**. As can be seen in the wind rose, predominant winds are from the southwestern through northern quadrants, while winds from the northeast and southern quadrants may be the least frequent.

## 5.1.3 PROJECT SITE VISITS AND ODOUR AND DUST OBSERVATIONS

Project site visits were conducted to the area on July 26, 2021 and July 28, 2021 by SLR personnel to identify significant sources of air quality emissions and to identify any significant sources of noise, vibration, odour, or dust in the Project neighbourhood. During the site visits, the staff members observed existing industries from the sidewalks and other publicly accessible areas. Wind conditions during the site visit were noted as:

- July 26, 2021: south winds, 8 km/h, 26°C, 60%RH
- July 28, 2021: east winds, 15 km/h, 20°C, 83%RH

No visible dust or odours were detected at the Project site during the site visit.

## 5.1.4 ASSESSMENT OF POTENTIAL AIR QUALITY IMPACTS

The facilities identified in Section 4 are discussed further in the following sections.

### 5.1.4.1 National Collision Centre

National Collision Centre is located approximately 50 m south of the Project site. An on-line review of their services indicates that painting and automotive refinishing is undertaken at their Jenet Avenue location.

As suggested in the D-6 Industrial Categorization criteria, automotive repair shops are listed as a Class II facility partly due to the operation of spray-paint booths. However, given that the MECP has a specific Environmental and Activity Sector Registry (EASR) for this industry with specific operating condition requirements that limit emissions, auto-repair shops can now generally be considered Class I facilities. In addition, the paint types which are now used are less odorous (water- versus solvent-based). Auto-repair shops are regulated under Ontario Regulation 347/12: Regulations Under Part II.2 of the Act – Automotive Refinishing (under the Environmental Protection Act).

There are no MECP environmental permits available for the operations on the [Access Environment](#) search directory.

National Collision Centre is bounded to the north by existing low-density residential receptors on Paton road (0 m). There are other sensitive low-density residential receptors on Jenet Avenue (50 m) and Lansdowne Avenue (50 m). There are elevated mid-rise residential receptors on Wade Avenue (35 m). There are proposed elevated residential receptors at 640 Lansdowne (50 m). These existing and proposed receptors are a similar distance or closer to National Collision Centre as the Project site (50 m).

A review of the wind frequency distribution diagram in **Figure 5** identifies that National Collision Centre is located primarily downwind of the Project site. Winds from the quadrants of south, southeast which have the potential to direct emissions from National Collision Centre towards the Project Site occur less than 15% of the time with average wind speed less than 8 m/s.

Based on the above, the potential for adverse air quality and noise impacts from the National Collision

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Centre operations on the Project are considered to be minimal and there are other sensitive receptors closer or at a similar distance to the operations of the National Collision Centre than the Project site, therefore additional assessment is not warranted.

#### 5.1.4.2 Halo Craft Brewery

Halo Brewery is a microbrewery with an attached tasting room. The operations are a Class I facility. Though breweries are listed as Class III uses under Table 2: Guideline D-6 - Industrial Categorization Criteria, this classification refers to large-scale commercial brewing operations such as Labatts or MolsonCoors. The Halo brewery is considered a microbrewery and is expected to produce only small batches of beer in relation to a major brewery. Therefore, it has been identified as a Class I facility in this assessment. Possible odour emission sources include mechanical equipment and exhaust stacks associated with the brewing process.

There are no MECP environmental permits available for the operations on the [Access Environment](#) search directory.

The Project site is located inside of the 70 m distance, and inside of the Minimum Recommended Separation Distance of 20 m.

Halo Brewery is a typical example of a mixed-use amenity, and it is a common land use practise to locate restaurants and microbreweries near to residential/mixed use land uses.

Based on SLR experience, air quality emissions from the Halo Brewery are not anticipated to be incompatible with the Project site. However, additional quantitative modelling of the air emissions may be required during future planning applications once the building plans are further progressed. Common mitigation strategies can be included in the development plans once more detailed designs have been prepared.

#### 5.1.4.3 Ontario Aluminum & Glass

Ontario Aluminum and Glass operate a window and door manufacturing facility at 4 Jenet Avenue located approximately 65 m southeast of the Project site.

No MECP permits for the Ontario Aluminum and Glass operations were found on the [Access Environment](#) website.

Typical operations associated with the manufacturing of aluminium windows and doors includes:

- Cutting
- Machining
- Assembly; and
- Shipping/receiving.

A review of aerial photography identified very view visible emission sources located on the roof of the operations. Shipping and receiving doors front to Jenet Avenue.

The Ontario Aluminum and Glass facility is bounded to the north by existing low-density and mid-rise residential receptors on Paton road (0 m). There are other sensitive low-density residential receptors on Jenet Avenue to the east (0 m) and Lansdowne Avenue (8 m). There are elevated mid-rise residential receptors on Wade Avenue (35 m). There are proposed elevated residential receptors at 640 Lansdowne (50 m). These existing and proposed receptors are a similar distance or closer to Ontario Aluminum and Glass facility as the Project site (50 m).

A review of the wind frequency distribution diagram in **Figure 5** identifies that the Ontario Aluminum and

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Glass facility is located primarily downwind of the Project site. Winds from the quadrants of south, southeast which have the potential to direct emissions from Ontario Aluminum and Glass towards the Project Site occur less than 15% of the time with average wind speed less than 8 m/s.

Based on the above, the potential for adverse air quality and noise impacts from the Ontario Aluminum and Glass operations on the Project are considered to be minimal and there are other sensitive receptors closer or at a similar distance to the operations than the Project site, therefore, additional assessment is not warranted.

## **5.2 TRANSPORTATION RELATED AIR POLLUTION**

Transportation related air pollution (TRAP) is generally considered in background pollution levels, however, based on recent studies conducted by Toronto Public Health (TPH), the City of Toronto is starting to look more closely at TRAP and its impacts on new residential developments near major highways and roadways. The 2017 Toronto Public Health *'Avoiding the Trap' Technical Report – Land Use Planning at the Project site Level* and *"Operational and Behaviour strategies in Buildings"* document notes that TRAP is a major local contributor to air pollution in Toronto and can result in adverse health impacts for people residing near highways and roadways. Common mitigation strategies for TRAP include filtration, strategic intake/amenity location, HVAC system operational procedures (i.e. timing around rush hour), physical barriers and vegetation buffers.

### **5.2.1 ARTERIAL ROADWAYS**

Major arterial roadways near to the Project site include Wallace Avenue and Lansdowne Avenue. The Project is not inside a TRAP exposure zone of 500 m to highway 401. Detailed TRAP studies are typically performed for sites immediately adjacent to major highways (i.e. within ~100 m). Therefore, a detailed TRAP assessment is not warranted for this Project site.

It is generally a good practice to locate fresh air intakes in rooftop mechanical spaces, or at above-grade locations to provide separation distance from vehicle emissions (roadways, loading bays, on-site parking), and to include standard MERV rated filters on fresh air intakes.

### **5.2.2 GO TRANSIT NEWMARKET SUBDIVISION**

The GO Transit Newmarket Subdivision is located along the west property boundary of the Project site and consists of a single track used primarily for through traffic of passenger trains.

The closest existing points of reception to the GO Transit Newmarket Subdivision are the residences located adjacent to the line on Rankin Crescent east of the Project site.

Because there is no idling of rail cars associated with storage and yard facilities along the corridor, air emissions from the GO Transit Newmarket Subdivision are not anticipated to impact the Project lands.

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## 5.3 SUMMARY OF AIR QUALITY, DUST AND ODOUR CONCLUSIONS AND RECOMMENDATIONS

The air quality impacts on the proposed development, including dust and odour, have been assessed.

Based on the review completed, the proposed development is anticipated to be compatible with the surrounding land uses from an air quality perspective.

There will be no negative impacts on surrounding industries and their ability to obtain/ maintain their required Ministry of the Environment, Conservation & Parks (MECP) permits and approvals.

## 6. NOISE ASSESSMENT

### 6.1 INDUSTRIAL (STATIONARY) SOURCES

#### 6.1.1 GUIDELINES

##### 6.1.1.1 MECP Publication NPC-300 Guidelines for Stationary Noise

The applicable MECP noise guidelines for new sensitive land uses adjacent to existing industrial commercial uses are provided in MECP Publication NPC-300. NPC-300 revokes and replaces the previous noise assessment guideline, Publication LU-131 and Publication NPC-205, which was previously used for assessing noise impacts as part of Certificates of Approval / Environmental Compliance Approvals granted by the MECP for industries.

The new guideline sets out noise limits for two main types of noise sources:

- Non-impulsive, “continuous” noise sources such as ventilation fans, mechanical equipment, and vehicles while moving within the property boundary of an industry. Continuous noise is measured using 1-hour average sound levels ( $L_{eq}$  (1-hr) values), in dBA; and
- Impulsive noise, which is a “banging” type noise characterized by rapid rise time and decay. Impulsive noise is measured using a logarithmic mean (average) level ( $L_{LM}$ ) of the impulses in a one-hour period, in dBA.

Furthermore, the guideline requires an assessment at, and provides separate guideline limits for:

- Outdoor points of reception (e.g., back yards, communal outdoor amenity areas); and
- Façade points of reception such as the plane of windows on the outdoor façade which connect onto noise sensitive spaces, such as living rooms, dens, eat-in kitchens, dining rooms and bedrooms.

The applicable noise limits at a point of reception are the higher of:

- The existing ambient sound level due to road traffic, or
- The exclusion limits set out in the guideline.

The following tables set out the exclusion limits from the guideline.

**Table 5: NPC-300 Exclusion Limits for Non-Impulsive Sounds ( $L_{eq}$  (1-hr), dBA)**

Time of Day	Class 1 Area	
	Plane of Windows of Noise Sensitive Spaces	Outdoor Points of Reception
7 am to 7 pm	50	50
7 pm to 11 pm	50	50
11 pm to 7 am	45	n/a

**Table 6: NPC-300 Exclusion Limits for Impulsive Sounds ( $L_{LLM}$ , dBAI)**

Time of Day	No. of Impulses in a 1-hour Period	Class 1 Area	
		Plane of Windows of Noise Sensitive Spaces	Outdoor Points of Reception
7 am to 11 pm	9 or more	50	50
	7 to 8	55	55
	5 to 6	60	60
	4	65	65
	3	70	70
	2	75	75
	1	80	80
11 pm to 7 am	9 or more	45	n/a
	7 to 8	50	n/a
	5 to 6	55	n/a
	4	60	n/a
	3	65	n/a
	2	70	n/a
	1	75	n/a

**Notes:**

n/a Not Applicable. Outdoor points of reception are not considered to be noise sensitive during the overnight period.

The applicable guideline limits for testing of emergency equipment, such as emergency generator sets, are +5 dB higher than the values above. Additionally, emergency equipment operating in non-emergency situations is to be assessed independently of all other stationary sources of noise.

The stationary noise guidelines apply only to residential land uses and to noise-sensitive commercial and institutional uses, as defined in NPC-300 (e.g., schools, daycares, hotels). For the Project, the stationary noise guidelines only apply to the residential portions of the development, including:

- Individual residences;
- Communal indoor amenity areas; and
- Communal outdoor amenity areas.

All of the above have been considered as noise-sensitive points of reception in the analysis.

**6.1.1.2 City of Toronto Noise By-law**

The City of Toronto Noise By-law (Chapter 591 of the Municipal Code) applies to noise emissions within the City, including from industrial/ commercial uses. The following provisions of the By-law apply:

---

Section 591-2.4. Loading and unloading.

No person shall emit or cause or permit the emission of sound resulting from loading, unloading, delivering, packing, unpacking, and otherwise handling any containers, products, or materials from 11 p.m. to 7 a.m. the next day, except until 9 a.m. on Saturdays, Sundays, and statutory holidays.

And:

Section 591-2.8. Stationary sources and residential air conditioners.

A. No person shall cause or permit the emission of sound from a stationary source or residential air conditioner that, when measured with a sound level meter a point of reception, has a sound level (expressed in terms of Leq for a one-hour period) exceeding 50 dB(A) or the applicable sound level limit prescribed in provincial noise pollution control guidelines.

B. Subsection A does not apply to the emission of sound from a stationary source that is in compliance with a provincial environmental compliance approval.

### **6.1.1.3 Guideline Summary and Interpretation**

The following presents a summary of the guidelines and settlements presented above.

- The applicable Ministry of the Environment noise guideline for assessing new residential and mixed use development applications is Publication NPC-300, which is also referenced in the City Noise By-law. Noise levels from industry meeting NPC-300 requirements will meet the requirements of Bylaw Section 591-2.8
- The exclusionary Class 1 limits have been adopted in this study, based on the level of urbanization in the surrounding area and constant background/roadway noise from the Dupont Street.

Inclusion of the surrounding significant noise sources was determined through a combination of site visit observations by SLR personnel and a review of available aerial photography.

### **6.1.1.4 Guideline Summary and Interpretation**

The following presents a summary of the guidelines and settlements presented above.

- The applicable Ministry of the Environment noise guideline for assessing new residential development applications is Publication NPC-300, which is also referenced in the City Noise By-law. Noise levels from industry meeting NPC-300 requirements will meet the requirements of Bylaw Section 591-2.8
- The exclusionary Class 1 limits have been adopted in this study, based on the level of urbanization in the surrounding area and constant background/roadway noise from the Dupont Street.

Inclusion of the surrounding significant noise sources was determined through a combination of site visit observations by SLR personnel and a review of available aerial photography.

## **6.1.2 SOURCES OF INTEREST**

Based on the information obtained from the site visits and the review of the aerial imagery, the significant sources of noise in the area of the project have been identified.

An assessment of noise impacts from Halo Brewery were not completed as they are expected to meet guidelines at closer, intervening residential buildings located on Wallace Avenue and consequently would also be acceptable at the proposed development.



### 6.1.3 STATIONARY NOISE MITIGATION MEASURES

Based on the screening level noise modelling above, noise mitigation measures are not expected to be required for the surrounding industries to meet the applicable guideline limits at the development site.

## 6.2 TRANSPORTATION SOURCES

### 6.2.1 TRANSPORTATION NOISE SOURCES

Transportation sources of interest with the potential to produce noise at the proposed development are:

- Roadway noise from Paton Road;
- Roadway noise from Wallace Avenue; and
- Railway noise from Metrolinx Barrie Line Railway Corridor.

An assessment of noise is not required from the CN Weston Subdivision to the west, as the railway is located greater than 300 m from the development.

A review was completed of the above transportation sources and summarized below.

### 6.2.2 MECP PUBLICATION NPC-300 GUIDELINES FOR TRANSPORTATION SOURCES

#### 6.2.2.1 Indoor Criteria

The following table summarizes the supplementary criteria in terms of energy equivalent sound exposure ( $L_{eq}$ ) levels for specific indoor noise-sensitive institutional buildings.

**Table 7: NPC-300 Sound Level Criteria for Road and Rail Noise**

Type of Space	Time Period	Energy Equivalent Sound Exposure Level $L_{eq}$ (dBA) [1]		Assessment Location
		Road	Rail [2]	
<b>Supplementary Criteria for Non-Residential Uses</b>				
General offices, reception areas, retail stores, etc.	Daytime (7 am to 11 pm)	50	45	Indoors
Living/dining areas of residences, hospitals, schools, nursing/retirement homes, day-care centres, theatres, places of worship, libraries, individual or semi-private offices, conference rooms, reading rooms, etc.	Daytime (7 am to 11 pm)	45	40	Indoors
Sleeping quarters of hotels/motels	Night-time (11 pm to 7 am)	45	40	Indoors
Sleeping quarters of residences, hospitals, nursing/retirement homes, etc.	Night-time (11 pm to 7 am)	40	35	Indoors

Notes: [1] Road and Rail noise impacts are to be combined for assessment of impacts.

[2] Whistle/warning bell noise is excluded for OLA noise assessments and included for indoor assessments, where applicable.

### 6.2.2.2 Ventilation and Warning Clauses

The following table summarizes requirements for ventilation where windows potentially would have to remain closed as a means of noise control. Despite the implementation of ventilation measures where required, some occupants may choose not to use the ventilation means provided, and as such, warning clauses advising future occupants of the potential excess over the indoor guideline limits are required.

**Table 8: NPC-300 Ventilation and Warning Clause Requirements**

Assessment Location	Time Period	Energy Equivalent Sound Exposure Level - $L_{eq}$ (dBA)		Ventilation and Warning Clause Requirements <sup>[2][3]</sup>
		Road	Rail <sup>[1]</sup>	
Plane of Window	Daytime (7am to 11 pm)	$\leq 55$		None
		56 to 65 incl.		Forced Air Heating with provision to add AC + Applicable Warning Clause(s)
		$> 65$		Central AC + Applicable Warning Clause(s)
	Night-time (11 pm to 7 am)	51 to 60 incl.		Forced Air Heating with provision to add AC+ Applicable Warning Clause(s)
		$> 60$		Central AC + Applicable Warning Clause(s)

Notes: [1] Whistle/warning bell noise is excluded.

[2] Road and Rail noise is combined for determining Ventilation and Warning Clause requirements.

### 6.2.2.3 Building Shell Requirements

The following table provides sound exposure ( $L_{eq}$ ) thresholds which if exceeded, require the building shell and components (i.e., wall, windows) to be designed and selected accordingly to ensure that the indoor location criteria are met.

**Table 9: NPC-300 Building Component Requirements**

Assessment Location	Time Period	Energy Equivalent Sound Exposure Level - $L_{eq}$ (dBA)		Component Requirements
		Road	Rail [1]	
Facade	Daytime (7am to 11 pm)	$> 65$	$> 60$	Designed/ Selected to Meet Indoor Requirements [2]
	Night-time (11 pm to 7 am)	$> 60$	$> 55$	

Notes: [1] Including whistle/warning bell noise.

[2] The resultant sound isolation parameter from Road and Rail are to be combined for determining the overall acoustic parameter.

### 6.2.2.4 Outdoor Sound Level Criteria

The following table summarizes criteria in terms of energy equivalent sound exposure ( $L_{eq}$ ) levels for the outdoor noise-sensitive locations, with a focus on outdoor areas being amenity spaces (called Outdoor Living Areas (OLAs) per NPC-300).

**Table 10: NPC-300 Outdoor Sound Level Criteria for Road and Rail Noise**

Type of Space	Time Period	Energy Equivalent Sound Exposure Level $L_{eq}$ (dBA) [1, 2]	Assessment Location
OLA	Daytime (0700-2300h)	55	Outdoors

Notes: [1] Excluding whistle/warning bell noise for OLA noise assessments

[2] Road and Rail noise impacts are to be combined for assessment of OLA impacts.

### 6.2.2.5 Mitigation and Warning Clauses

The following table summarizes mitigation and warning clause requirements for outdoor amenity spaces.

**Table 11: NPC-300 Outdoor Living Area Mitigation & Warning Clause Requirements**

Assessment Location	Time Period	Energy Equivalent Sound Exposure Level - $L_{eq}$ <sup>[1][2]</sup> (dBA)	Mitigation and Warning Clause Requirements <sup>[3]</sup>
OLA	Daytime (0700-2300h)	≤ 55	None
		56 to 60 incl.	Noise Control Measures may be applied, <b>and/or</b> Applicable Warning Clause(s)
		> 60	Noise barrier to reduce noise to 55 dBA, <b>or</b> Noise barrier to reduce noise to 60 dBA and Applicable Warning Clause(s)

Notes: [1] Whistle/warning bell noise is excluded.

[2] Road and Rail noise is combined for determining Ventilation and Warning Clause requirements.

As indicated in NPC-300, noise control measures may be applied to reduce sound levels to 55 dBA. If measures are not provided, potential purchasers/tenants are required to be informed of potential noise problems with the applicable Warning Clause(s).

If noise impacts are predicted to be greater than 60 dBA, noise control measures are required to reduce noise levels to 55 dBA. If noise control measures are not technically feasible for meeting 55 dBA, an excess of up to 5 dBA is allowed, with the inclusion of the applicable Warning Clause(s).

### 6.2.3 TRANSPORTATION IMPACT REVIEW

As part of future planning act applications (e.g., ZBA or SPA applications), transportation noise impact assessments will be required, due to the proximity of major roadways and rail lines. Feasible mitigation receptor-based measures can be used to ensure the applicable noise guidelines are met.

#### 6.2.3.1 Façade Sound Levels

A roadway and railway noise assessment is expected to be required due to the close proximity of Wallace Avenue and the Metrolinx Barrie Line Railway Corridor. Combined roadway and railway levels are anticipated to be sufficiently high to require a detailed glazing analysis for units facing both roads and the railway corridor.

---

### 6.2.3.2 Ventilation and Warning Clause Requirements

Air conditioning is expected to be required for the majority of units. In addition, a combination of Type C and D warning clauses are expected to be required for the development. Due to the proximity of the proposed development to the railway lines, Metrolinx Warning Clauses will also be required.

See **Appendix A** for warning clause details.

### 6.2.3.3 Outdoor Living Areas

Should an outdoor amenity area be elevated, located on the north and west façades facing Wallace Avenue and Metrolinx Barrie Line Railway Corridor, physical noise controls may be required.

An MECP **Type A or Type B** warning clause may be required, pending the location of a common outdoor amenity space and exposure to Dupont Street. See **Appendix A** for warning clause details.

## 6.3 SUMMARY OF NOISE CONCLUSIONS AND RECOMMENDATIONS

The potential for noise impacts on and the proposed development have been assessed. Based on the results of our studies:

- Adverse noise impacts from industrial/commercial facilities are not anticipated at the Project. The requirements of MECP Guideline D-6 and Publication NPC-300 are met.
- Mitigation measures (upgraded glazing/barriers) and warning clauses may be required for the Project, and would be determined through further studies at the time of future development applications. With the inclusion of mitigation measures adverse noise impacts from transportation sources are not anticipated.

---

## 7. VIBRATION ASSESSMENT

### 7.1 INDUSTRIAL (STATIONARY) SOURCES

There are no existing or proposed significant industrial vibration sources within 75 m of the Project, such as large stamping presses or forges. Under applicable MECP Publication NPC-207 guidelines, a detailed vibration assessment is not required. Adverse impacts from industrial vibration are not anticipated.

### 7.2 TRANSPORTATION SOURCES

The Railway Association of Canada / Federation of Canadian Municipalities (“RAC/FCM”) have developed Guidelines for New Development in Proximity to Railway Operations. The “Proximity Guidelines” have been adopted by CN, CP, and Metrolinx. Under these guidelines, an assessment of railway vibration is only required when a proposed development is within 75 m of the rail line right-of-way. As the Metrolinx Barrie Line Railway Corridor line is located less than 75 m from the proposed development, a detailed vibration assessment is required.

### 7.3 SUMMARY OF VIBRATION CONCLUSIONS AND RECOMMENDATIONS

The potential for vibration impacts on the proposed development have been assessed. Based on the setback distances to industry and transportation sources:

#### 7.3.1 INDUSTRIAL SOURCES

- Adverse vibration impacts from industrial facilities are not anticipated at the Project. The requirements of MECP Guideline D-6 are met.

#### 7.3.2 TRANSPORTATION SOURCES

- A vibration assessment of the Metrolinx Barrie Line Railway Corridor will need to be completed as the proposed development will be located less than 75 m from the railway corridor.
- Should a detailed assessment of vibration impacts exceed the applicable criteria, mitigation measures may include increased building set-back distances from the railway tracks, modified building construction and/or the inclusion of trenches.

---

## 8. CONCLUSIONS

A Compatibility/ Mitigation assessment has been completed, examining the potential for air quality, dust, odour, and noise impacts from roadway sources and from nearby industrial land uses to affect the proposed development Project.

The assessment has included a review of the major industrial facilities in the area. Their MECP approvals have been reviewed.

Based on the review completed, the proposed development is anticipated to be compatible with the surrounding land uses from an air quality perspective.

There will be no negative impacts on surrounding industries and their ability to obtain/ maintain their required Ministry of the Environment, Conservation & Parks (MECP) permits and approvals.

Stationary noise impacts from industrial/commercial facilities are not anticipated at the Project. The requirements of MECP Guideline D-6 and Publication NPC-300 are met.

Regarding Transportation Noise, mitigation measures (upgraded façade construction, barriers) may be required for the development but should be determined by further studies at the time of future development applications. Installation of AC, and various warning clauses may be required to ensure that the applicable transportation noise guidelines are met.

Industrial and transportation vibration impacts have been assessed. Adverse impacts from industrial vibration are not anticipated as no significant vibration sources are located within the area. A detailed vibration assessment will be required for the development, due to the proximity of the railway tracks. If required, vibration controls may include increased building setbacks from the railway, modifications to the building construction (vibration isolation), and/or inclusion of trenches.

The required mitigation measures are summarized in **Appendix A**. These measures can be secured as part of conditions for Project site Plan Approval.

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## 9. REFERENCES

- Environmental Commissioner of Ontario (ECO, 2010), *Review of Posted Decision: Developing an Odour Policy Framework*, April 2010.
- Canadian National Railways (CN), 2008, *Principal Main Line Requirements*
- Canadian Pacific Railways (CP), 2002, *Guidelines For The Environmental Protection Of New Residential Development Adjacent To Railways*
- City of Toronto Noise By-law, Municipal Code Chapter 591
- GO Transit / Metrolinx, 2010, *Principal Main Line Requirements For New Development*
- International Organization for Standardization, (ISO, 1989), ISO 2631-2: 2003 (1989) *Evaluation of human exposure to whole-body vibration — Part 2: Continuous and shock-induced vibrations in buildings (1 to 80 Hz)*
- National Research Council Canada (NRCC, 1985), Building Practice Note BPN 56: *Controlling Sound Transmission Into Buildings*
- Ontario Ministry of the Environment, Conservation & Parks (MECP), 1989, *ORNAMENT Ontario Road Noise Analysis Method for Environment and Transportation – Technical Document*.
- Ontario Ministry of the Environment, Conservation & Parks (MECP), 1993, Publication NPC-207: *Impulse Vibration in Residential Buildings (Draft)*
- Ontario Ministry of the Environment, Conservation & Parks (MECP), 1993, Publication NPC-216: *Residential Air Conditioning Devices*
- Ontario Ministry of the Environment, Conservation & Parks (MECP), 1994, *Environmental Noise Guidelines for Installation of Residential Air Conditioning Devices*
- Ontario Ministry of the Environment, Conservation & Parks (MECP, 1995), Guideline D-1: *Land Use Compatibility*
- Ontario Ministry of the Environment, Conservation & Parks (MECP, 1995), Guideline D-6: *Compatibility Between Industrial Facilities and Sensitive Land Uses*
- Ontario Ministry of the Environment, Conservation & Parks (MECP, 2008), *Technical Bulletin, Standards Development Branch, Methodology For Modelling Assessments Of Contaminants With 10-Minute Average Standards And Guidelines Under O. Reg. 419/05*, April 2008.
- Ontario Ministry of the Environment, Conservation & Parks (MECP, 2011), *Guideline for Noise and Vibration Assessment of Transit Projects (Draft)*
- Ontario Ministry of the Environment, Conservation & Parks (MECP), 2013, Publication NPC-300: *Environmental Noise Guideline: Stationery and Transportation Sources – Approval and Planning*
- Ontario Ministry of Municipal Affairs and Housing (MMAH, 2014). *Provincial Policy Statement*
- Ontario Ministry of Municipal Affairs and Housing (MMAH, 2019). *Draft Provincial Policy Statement*.
- Ontario Regulation 419/01 – *Local Air Quality*.
- Railway Association of Canada/ Federation of Canadian Municipalities (RAC/ FCM), 2013, *Guidelines for New Development in Proximity to Railway Operations*
- U.S. Federal Transit Administration (FTA, 2013), *Transit Noise and Vibration Impact Assessment Manual*

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## 10. STATEMENT OF LIMITATIONS

This report has been prepared and the work referred to in this report has been undertaken by SLR Consulting (Canada) Ltd. (SLR) for Nitta Gelatin NA, hereafter referred to as the “Client”. It is intended for the sole and exclusive use of the Client. The report has been prepared in accordance with the Scope of Work and agreement between SLR and the Client. Other than by the Client and as set out herein, copying or distribution of this report or use of or reliance on the information contained herein, in whole or in part, is not permitted unless payment for the work has been made in full and express written permission has been obtained from SLR.

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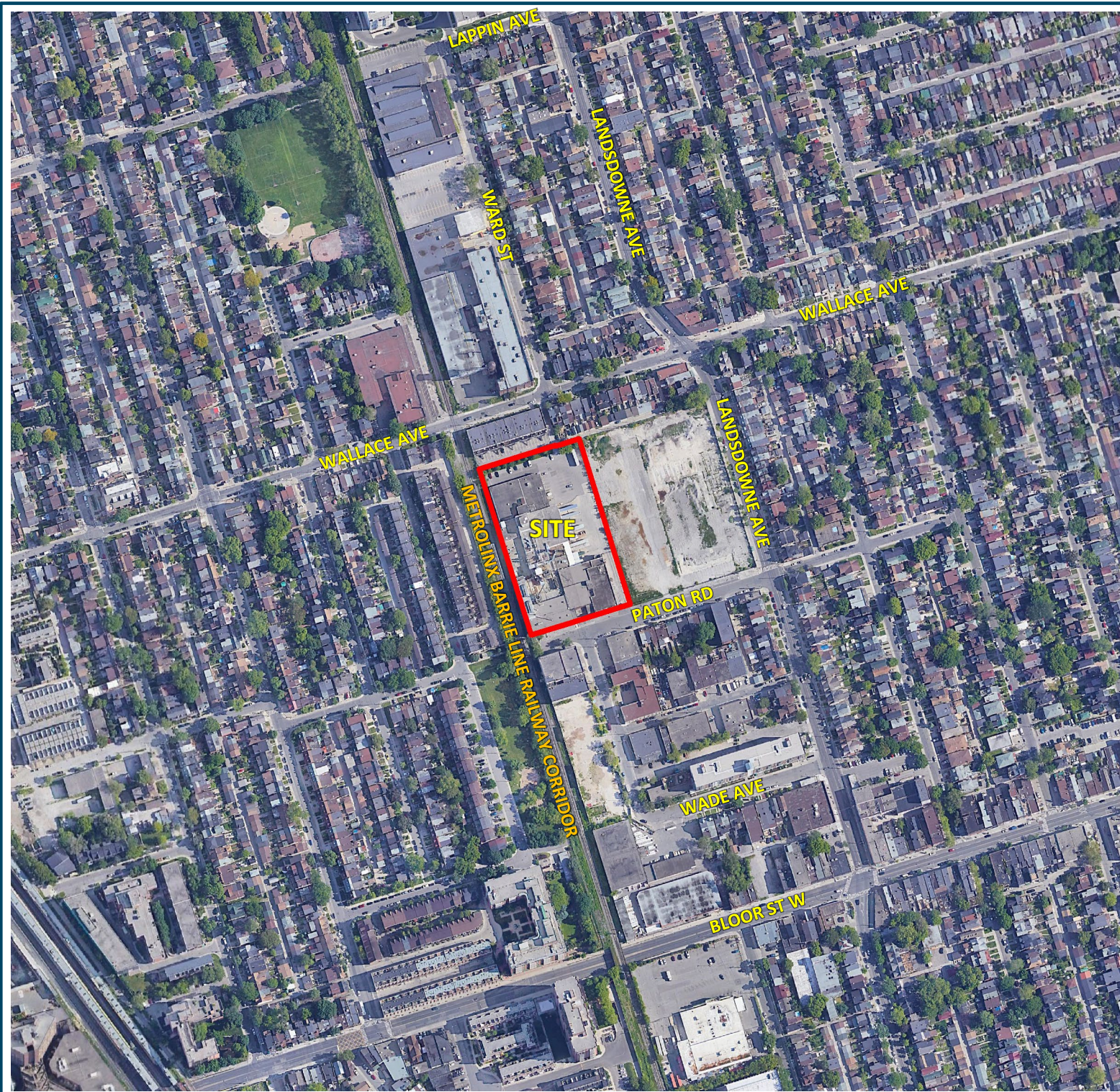


## Figures

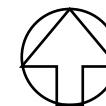
### **60 Paton Road**

Compatibility & Mitigation Study

SLR Project No.: 241.30293.00000



True North



**NITTA GELATIN NA**

60 PATON ROAD

SITE AND CONTEXT PLAN

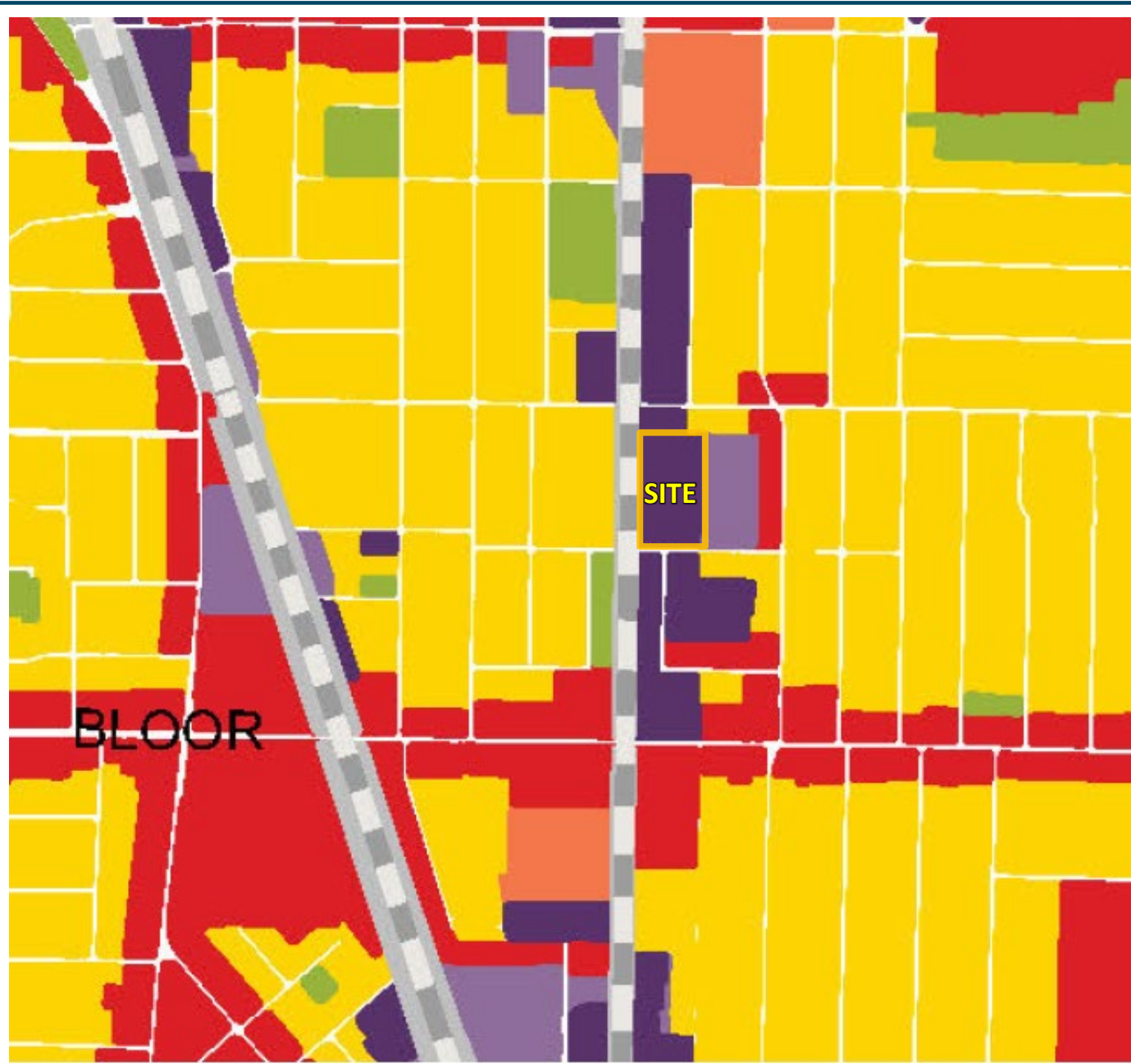
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Date: Aug. 20, 2021 | Rev 0.0 Figure No.

Project No. 241.30293.00000

**1**





**Land Use Designations**

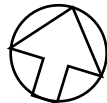
- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- Natural Areas
- Parks
- Other Open Space Areas (Including Golf Courses, Cemeteries, Public Utilities)
- Institutional Areas
- Regeneration Areas
- General Employment Areas
- Core Employment Areas
- Utility Corridors

**NITTA GELATIN NA**

60 PATON ROAD

TORONTO OFFICIAL PLAN MAP 17

True North



Scale:

N.T.S.

METRES

Date: Aug. 20, 2021

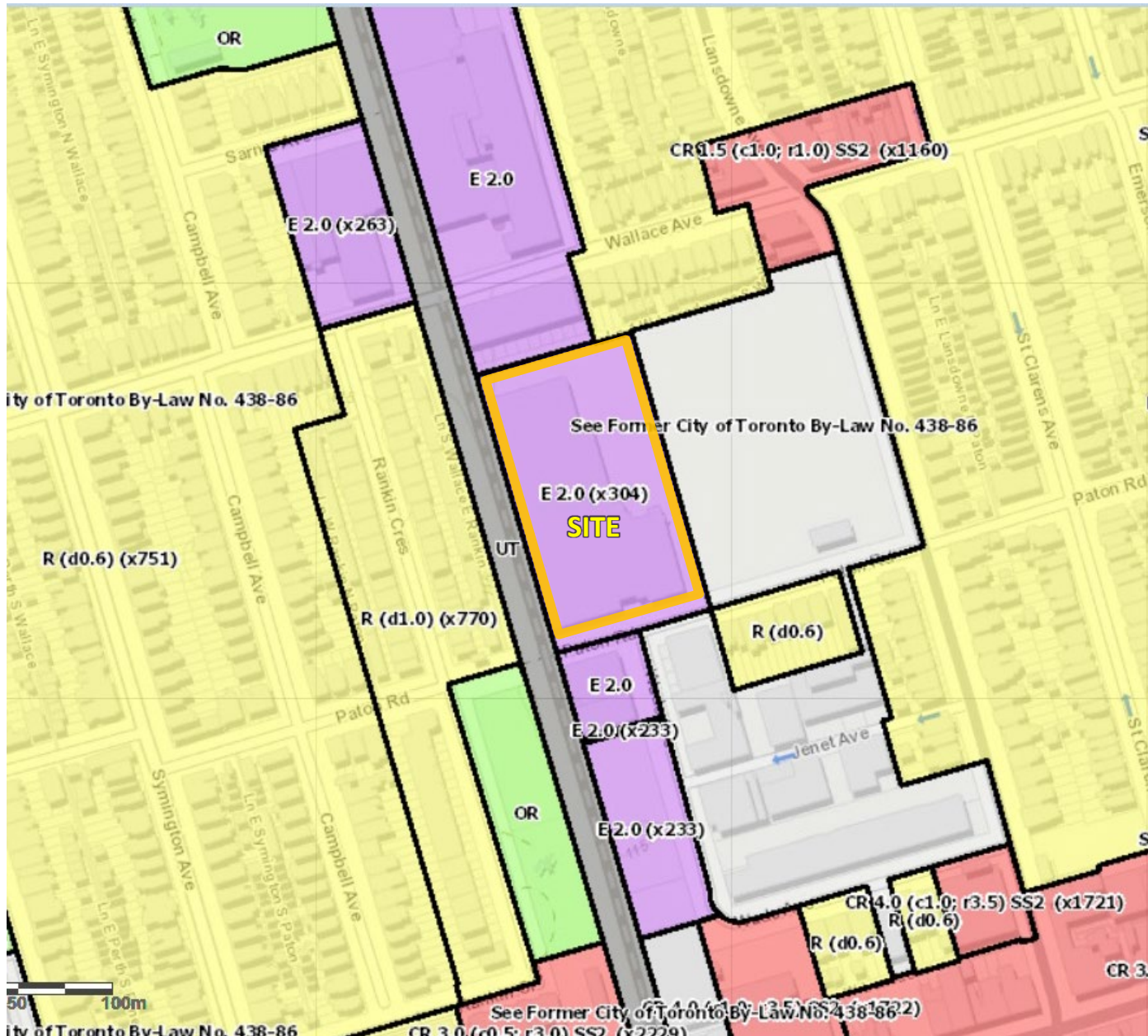
Rev 0.0

Figure No.

**2**

Project No. 241.30293.00000





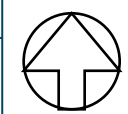
- Residential
- Residential Apartment
- Open Space
- Utility and Transportation
- Commercial
- Commercial Residential
- Commercial Residential Employment
- Employment Industrial
- Institutional

**NITTA GELATIN NA**

60 PATON ROAD

ZONING MAP, CITY OF TORONTO ZONING BY-LAW 569-2013  
[HTTPS://MAP.TORONTO.CA/MAPS/MAP.JSP?APP=ZBL\\_CONSULT](https://map.toronto.ca/maps/map.jsp?app=zbl_consult)

True North



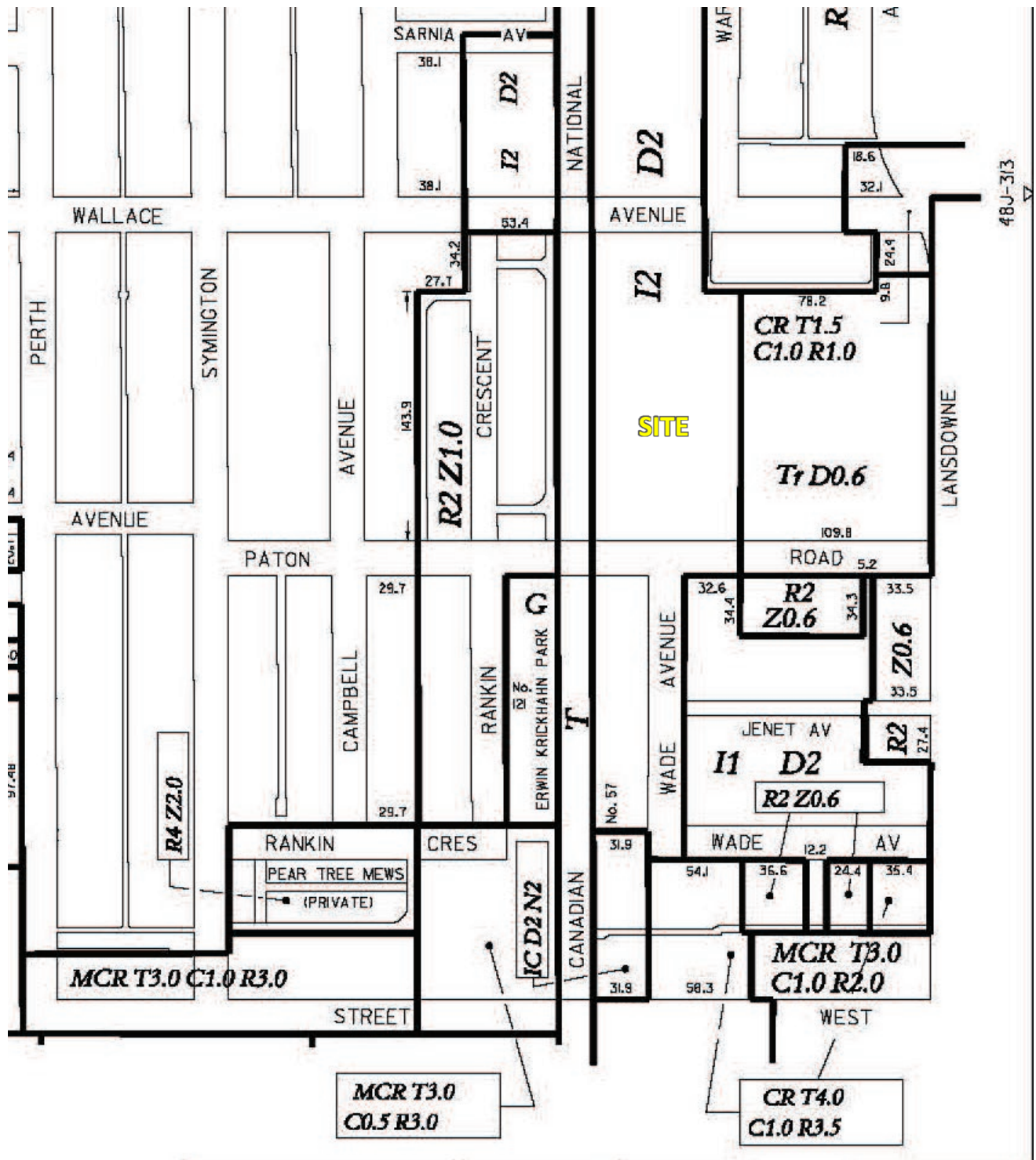
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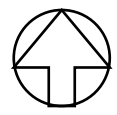
Project No. 241.30293.00000

Figure No.  
**3a**





True North



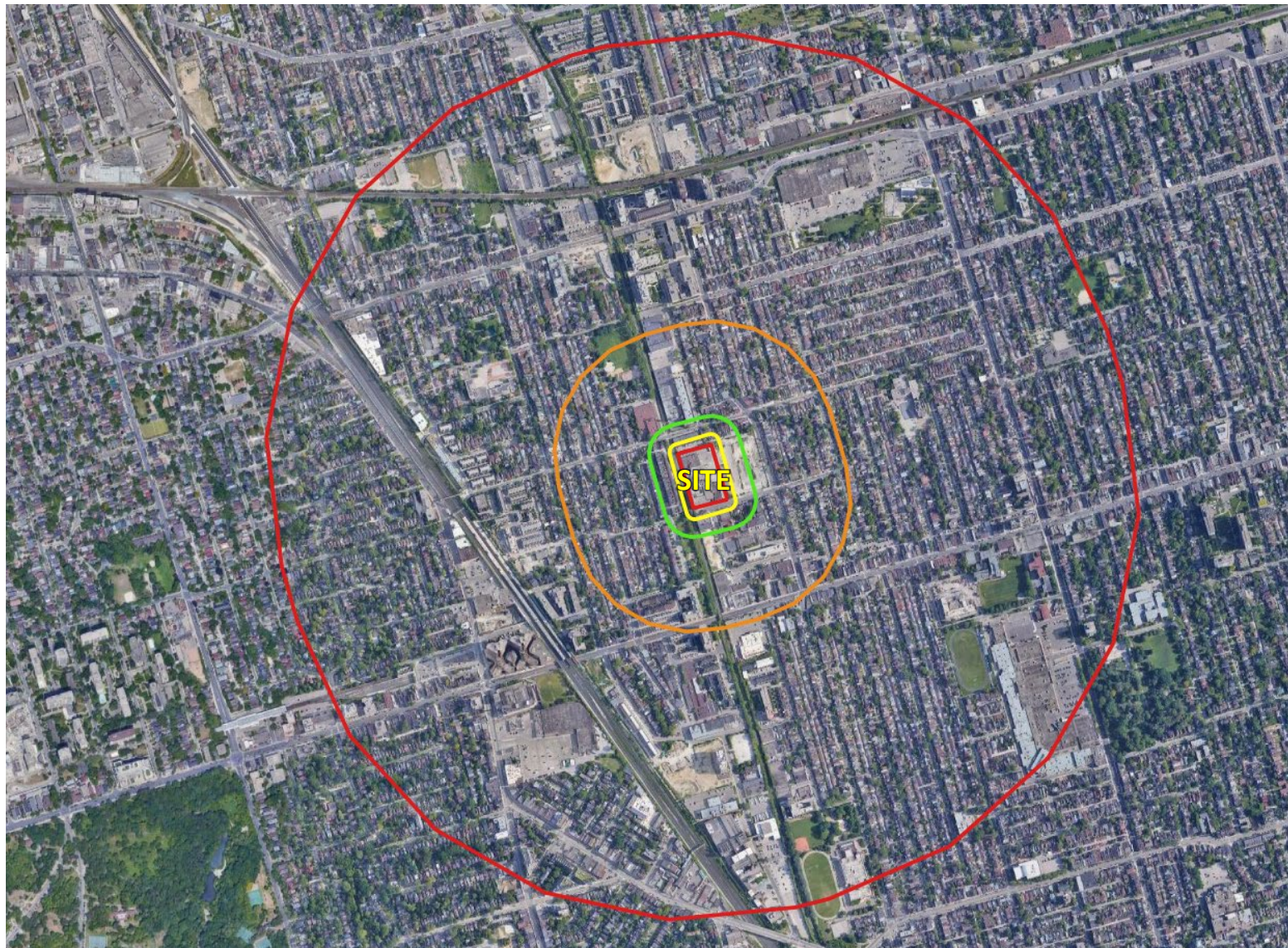
NITTA GELATIN NA



60 PATON ROAD

EXERTY FROM FORMER CITY OF TORONTO BY-LAW 438-86 MAP 48J-312

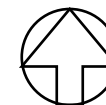
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Date: Aug. 20, 2021	Rev 0.0	Figure No.
Project No. 241.30293.00000		<b>3b</b>





 300m Setback Distance  
 1000m Area of Influence

True North



60 PATON ROAD

MECP GUIDELINE D-6  
SEPARATION DISTANCES TO  
1000 M

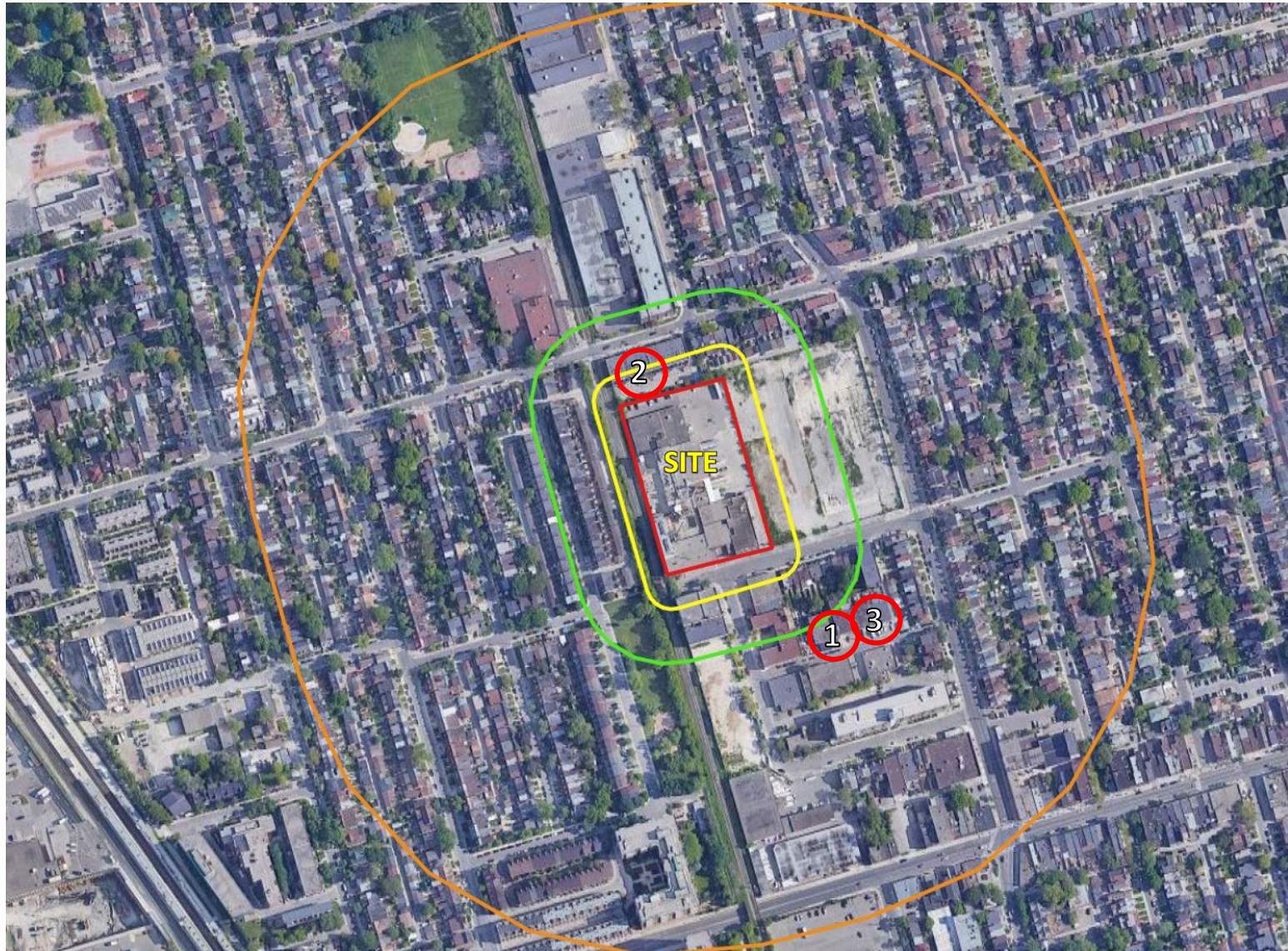
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Project No. 241.30293.00000

**4a**





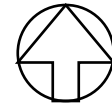
 Facility without MECP Permit (ECA/EASR)

 70m Setback Distance

 300m Area of Influence

- 1 National Collision Center Class I
- 2 Halo Brewery Class I
- 3 Ontario Aluminum & Glass Class I

True North



**NITTA GELATIN NA**

60 PATON ROAD

MECP GUIDELINE D-6  
SEPARATION DISTANCES TO  
300 M

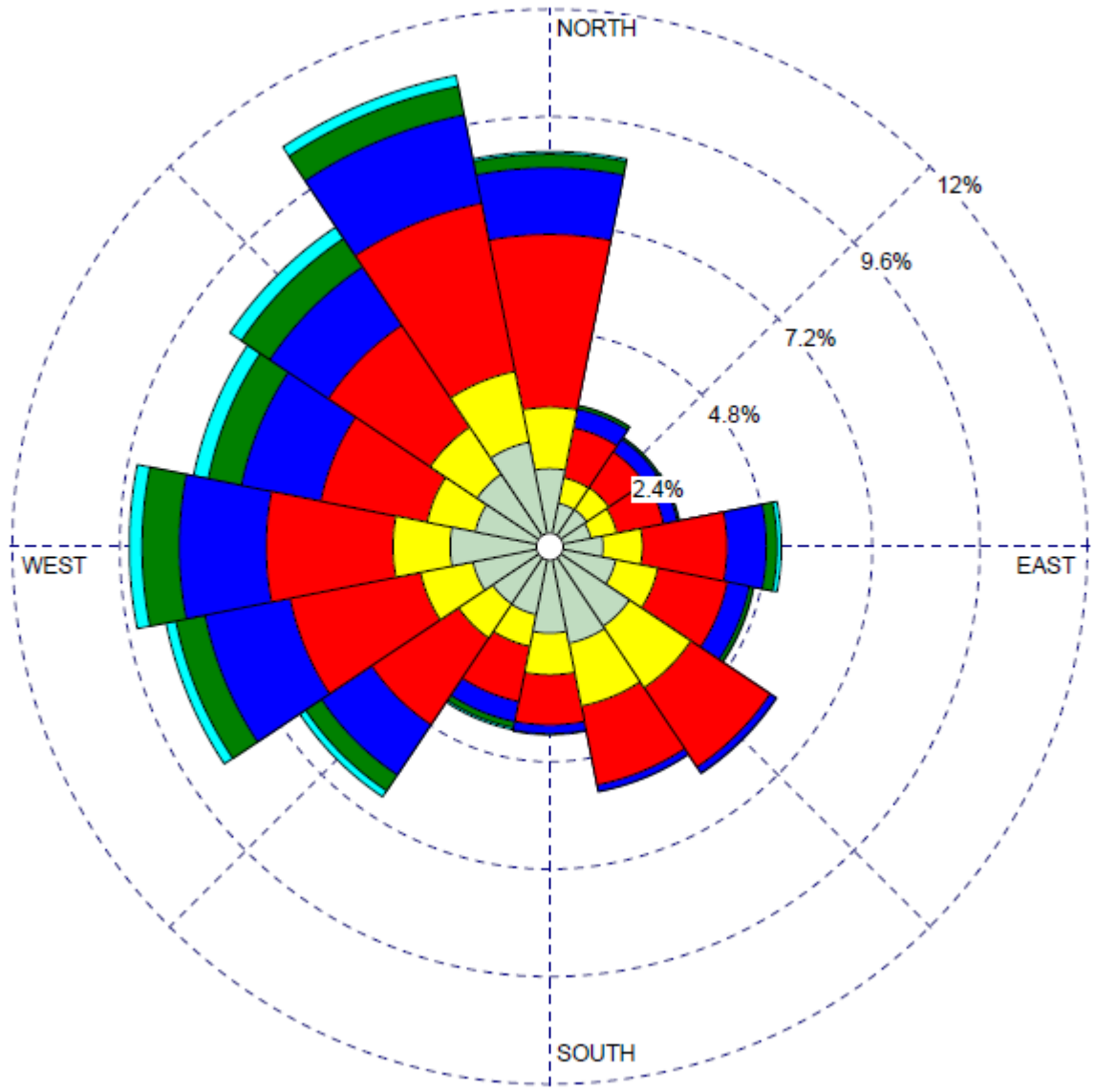
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Project No. 241.30293.00000

**4b**

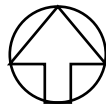




**WIND SPEED  
(m/s)**

- >= 11.10
- 8.80 - 11.10
- 5.70 - 8.80
- 3.60 - 5.70
- 2.10 - 3.60
- 0.50 - 2.10
- Calms: 0.00%

True North



**100 SYMES ROAD**

NITTA GELATIN NA

**WIND FREQUENCY  
DISTRIBUTION DIAGRAM –  
TORONTO PEARSON  
INTERNATIONAL AIRPORT**

Scale: N.T.S. METRES

Date: Aug. 20, 2021 Rev 0.0 Figure No.

Project No. 241.30293.00000 **5**





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# Appendix A Mitigation and Warning Clause Summary

**60 Paton Road**

Compatibility & Mitigation Study

SLR Project No.: 241.30293.00000

## SUMMARY OF MITIGATION MEASURES AND WARNING CLAUSES

### Warning Clauses

Warning Clauses may be used individually or in combination. The following Warning Clauses should be included in agreements registered on Title for the residential units, and included in all agreements of purchase and sale or lease, and all rental agreements.

#### ***MECP Type A Warning Clause***

“Purchasers/tenants are advised that sound levels due to increasing road traffic (rail traffic) may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment.”

#### ***MECP Type B Warning Clause***

“Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road, and rail traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and the Ministry of the Environment.”

#### ***MECP Type C Warning Clause***

“This dwelling unit has been designed with the provision for adding central air conditioning at the occupant’s discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment.”

#### ***MECP Type D Warning Clause***

“This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and the Ministry of the Environment.”

#### ***Metrolinx Warning Clause***

“Metrolinx, carrying on business as GO Transit, and its assigns and successors in interest are the owners of lands within 300 metres from the land which is the subject hereof. In addition to the current use of the lands owned by Metrolinx, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that GO Transit or any railway entering into an agreement with GO Transit to use the Metrolinx lands or Metrolinx and their respective assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwellings. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under its lands.”

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# Appendix B Industrial Information

**60 Paton Road**

Compatibility & Mitigation Study

SLR Project No.: 241.30293.00000

## Land Uses Surrounding 60 Paton

Name	Address	Description	MECP ECA or EASR No. (Date)	Class	MECP Guideline D-6				
					A of I	R M S	Actual Dist.	Within A of I?	Within R M S?
National Collision Center	20 Jenet Avenue	Automotive Refinishing	-	I	70	20	50	Yes	-
Halo Brewery	247 Wallace Avenue	Microbrewery	-	I	70	20	0	Yes	Yes
Ontario Aluminum & Glass	4 Jenet Avenue	Window/Door Manufacturing	-	I	70	20	65	Yes	-
Paris Bakery	189 Wallace Avenue	Neighbourhood Bakery	-	I	70	20	95	-	-
Propeller Coffee	50 Wade Avenue	Coffee Roaster	-	I	70	20	95	-	-
514962 ON Limited	21 Wade Avenue	Automotive Refinishing	R-001-7282127117	I	70	20	190	-	-
Catfish Design	80 Ward Street, Unit 106	Paint Spray Booth - Woodworking	1157-6N5SA2 (2005)	I	70	20	260	-	-
Mocar Centre	1405 Bloor Street West	Automotive Refinishing	-	I	70	20	330	-	-
KWL Automotive Centre	1405 Bloor Street West	Automotive Refinishing	-	I	70	20	330	-	-
Universal Transmission	1405 Bloor Street West	Automotive Refinishing	-	I	70	20	330	-	-
1 Four 0 Nine	1407 Bloor Street West	Automotive Refinishing	-	I	70	20	335	-	-
Kontakt Films	284 St Helens Avenue	Film Production Company	-	I	70	20	400	-	-
Rio Motors	231A Sterling Road	Automotive Refinishing	-	I	70	20	425	-	-
Atlantic Auto Collision	229 Sterling Road	Automotive Refinishing	-	I	70	20	468	-	-
213 Sterling Road Commerical Office Building	213 Sterling Road	Office Building	-	I	70	20	520	-	-
Chelsea Lofts	1375 Dupont Street	Standby Generator	5807-6F3HYR (2005)	I	70	20	555	-	-
ABS Movers & Storage	17 Dora Avenue	Mover	-	I	70	20	565	-	-
Toronto Catholic District School Board	1515 Bloor Street West	Paint Spray Booth	4548-69HSXZ	I	70	20	595	-	-
Marbles of Portugal	11 Dublin Street	Countertop Manufacturer	-	I	70	20	650	-	-
Viso Auto Body	192 St Helens Avenue	Auto Repair Shop	-	I	70	20	685	-	-
EMSATEC Canada Inc.	940 Landsdowne Avenue	Standby Generator	R-002-4561943503 (2016)	I	70	20	685	-	-
Henderson Brewing Co	128 Sterling Avenue	Brewery & Restaurant	-	I	70	20	725	-	-
Mavros Foods & Distributors Inc.	182 St Helens Avenue	Food and Beverage Consultant	-	I	70	20	730	-	-
Dupont Auto Services	1664 Dupont Auto Services	Automotive Refinishing	N/A	I	70	20	860	-	-
Expert Auto Repairs	1220 Dupont Street	Automotive Refinishing	N/A	I	70	20	870	-	-
Crosstown Carwash	1212 Dupont Street	Automated Car Wash	N/A	I	70	20	895	-	-
City of Toronto Facilities and Real Estate	2054 Davenport Road	HVAC systems	8983-8HCQ5X (2011)	I	70	20	900	-	-
Massive Auto Collision	1367 Dupont Street	Automotive Refinishing	5220-5LXHJJ (2003)	II	300	70	560	-	-
Bwxt Nuclear Energy Canada Inc	1025 Landsdowne Avenue	Natural Uranium fuel pellet manufacturing	5460-ACWHBS (2017)	II	300	70	680	-	-
Nestle Canada Inc.	Chocolate Factory	72 Sterling Road	4910-8NFRZV (2012)	II	300	70	750	-	-
Lounsbury Foods Limited	11 Wiltshire Avenue	Produces Horseradish	N/A	II	300	70	780	-	-
Quick Auto Collision	308 Geary Avenue	Automotive Refinishing	N/A	II	300	70	885	-	-
Hydro One	75 Wiltshire Avenue	Transformer Station	8761-9SLJFQ (2015)	II	300	70	900	-	-
2432937 ONTARIO INC - Geary Automotive	282 Geary Avenue	Automotive Refinishing	R-001-7452321805 (2014)	II	300	70	940	-	-

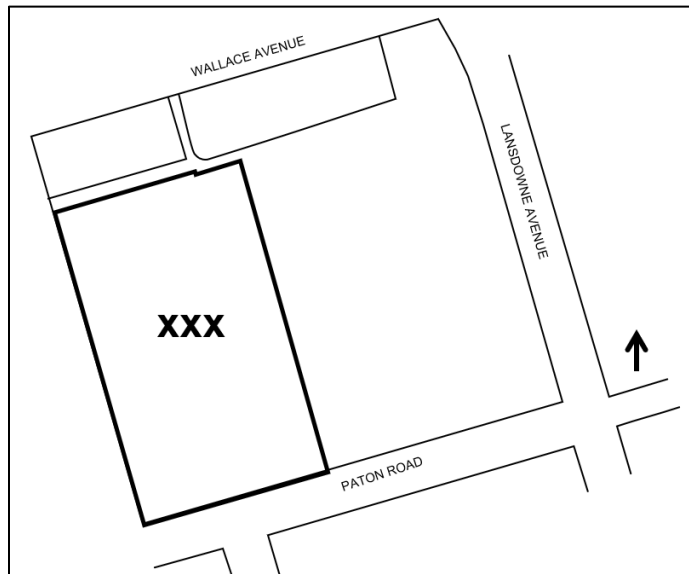
# Tab 4

## Draft Site and Area Specific Policy – OPA 591

Chapter 7 Site and Area Specific Policies, is amended as follows:

Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy **XXX** for the lands known municipally in 2023 as 60 Paton Road, as follows:

### **XXX.** 60 Paton Road



A mixed-use development is permitted provided that:

- A. A minimum of **7,500** square metres of employment gross floor area is developed that will be:
  - i. Comprised of *General Employment Areas* uses that are compatible with residential uses; and
  - ii. Developed prior to, or concurrent with, residential uses.
- B. The following employment uses are encouraged:
  - i. A variety of employment types, including a range of employment unit sizes and value-added creative uses.
- C. The non-residential gross floor area is constructed in each phase, prior to or concurrent with residential gross floor area to provide a balance of employment and residential growth in all phases of development, provided that:
  - i. The first phase of development includes a minimum of **75** percent of the employment gross floor area specified in Policy A above and the balance is provided in future phases.

- D. All uses permitted under the *Mixed Use Areas* designation are permitted on the lands.
- E. New development containing residential dwelling units on the lands will be subject to the following requirements:
- i. A minimum of **five (5.0)** percent of the total new residential dwelling units shall be secured as affordable rental housing or affordable ownership units;
  - ii. The affordable housing shall be secured at affordable rents or affordable ownership prices for a period of at least 99 years from the date of first residential occupancy of the unit; and
  - iii. The unit mix of the affordable dwelling units shall reflect the market component of the development, as appropriate, to achieve a balanced mix of unit types and sizes and support the creation of affordable housing suitable for families.
  - iv. At least **10** percent of the total number of dwelling units will be two or more bedroom units, with **15** percent of these units being three bedrooms representing 5 percent of the overall units.
- F. If an Inclusionary Zoning By-law takes effect and becomes applicable to any development on the lands, then the Official Plan Inclusionary Zoning policies and by-law, as may be amended, will prevail and the affordable housing requirements in Policy E) will no longer apply.
- G. Maximum density for the land shall be **8.0** FSI, and with a maximum of **1,600** residential units.
- H. One or more individual tall buildings shall be permitted.
- I. Development of the lands will be planned comprehensively and may be developed and constructed by phase and occur incrementally.