

February 2, 2023

Alejandra Perdomo
Municipal Services Office - Central Ontario
Ministry of Municipal Affairs & Housing
Province of Ontario
777 Bay Street, 16th floor
Toronto, Ontario
M7A 2J3

Dear Ms. Perdomo:

**RE: COMMENTS ON OPA 591 – ERO #019-5868; MINISTRY #20-OP-222176
4646 DUFFERIN STREET, TORONTO**

On behalf of 2129152 Ontario Inc., please accept these comments regarding City of Toronto Official Plan Amendment 591 ("OPA 591") as it affects 4646 Dufferin Street (the "Subject Lands").

In this comment, we are respectfully requesting that the Minister modify OPA 591 to change the designation of the Subject Lands on Map 16 of the City's Official Plan from *General Employment Areas* to *Mixed Use Area*, as shown below on **Figure 1**, and add a Site and Area Specific Policy to Chapter 7 of the Official Plan in the form set out below which would apply to the Subject Land.

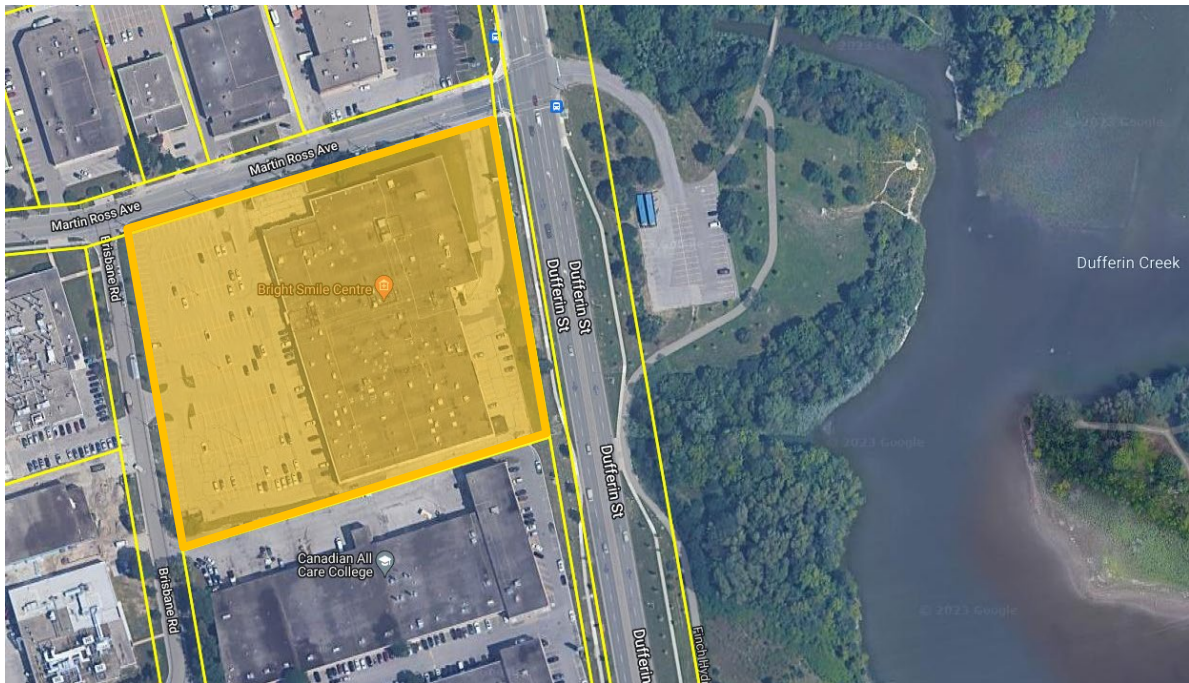


Figure 1 – Location of the Subject Lands

Background to Request

Our client requested consideration of a conversion from *General Employment Area* to *Mixed Use Area* from the City of Toronto through the Employment Lands Official Plan Amendment 231 (“OPA 231”) process. This request was intended to permit the mixed use project illustrated in figures 2 and 3 below. The request was supported by a number of reports addressing matters of interest to the City described below. The request was refused. As a result, our client appealed OPA 231 to the then Ontario Municipal Board. That appeal is presently before the Ontario Land Tribunal (“OLT”) and has not been adjudicated. Therefore, the proposal for a mixed use development on the Subject Lands remains before the OLT.

During the time that the matter has been at the OLT, our client has been engaged in discussions with the City which it hoped might result in a settlement of its request. To date, the matter has not been resolved.

In the interim, the City has undertaken a further Municipal Comprehensive Review (“MCR”) resulting in the adoption of OPA 591. Our client was advised by City staff that it did not have to make a further submission in regard to this MCR insofar as the property was under consideration in the context of the appeal of OPA 213.

Given the deepening housing crisis and the acknowledged need to relieve pressure on our hospitals and provide high quality, convenient medical facilities, and the substantial planning merit of the proposal, our client has decided to address the Minister in the context of his consideration of OPA 591 and seek the Minister’s modification requested in this submission in order to facilitate the provision of the needed facilities.

The Development Proposal

The Official Plan modification being requested would permit the redevelopment of the Subject Lands for a mixture of residential, employment and service commercial uses. The mixed-use redevelopment would include medical facilities (offices, clinics, extended care facilities, outpatient housing), affordable / attainable housing and market housing, both focused on seniors housing. Supportive commercial uses, including retail, restaurants and other service commercial uses would be provided at grade.

The concept is that of the provision of a continuum of care inclusive of a range of medical services, facilities and independent living, assisted living and memory care accommodation. The project will include a community surgical and diagnostic centre to address the recently announced provincial government initiative intended to eliminate surgical backlogs and reduce wait times.

The proposal would bring a range of benefits to the community including employment replacement well beyond existing employment as well as new affordable housing.

Employment



- Increase in the number of jobs on site.
- A focus on medical and life sciences employment.

Seniors Housing



- Introduction of new uses on the site including assisted and independent seniors housing.

Affordable Rental Housing



- Introduction of new affordable rental housing to be provided on the site.

Continuum of Care



- An integrated system of care that provides health services across levels and intensity of care.

The proposed mixed use development would include the following:

- a six storey medical office building and an 11 storey commercial office building on the western portion of the property.
- a nine storey Long Term Care Facility and 10 storey Seniors Residence in the middle of the site.
- two residential buildings (one ownership and one rental), each 15 storeys in height, located along Dufferin Street facing G. Lord Ross Reservoir.
- approximately 985,000 sq ft of development, including approximately 370,000 sq ft of office space and 55,000 sq ft of retail / service commercial space.
- 1,200 employees working on site upon full build out.
- 770 residential units, consisting of seniors, long term care, condominium and rental tenures would be created.
- 68 rental units designated as affordable units.

A site plan and rendering of the proposal are shown below in **Figures 2 and 3**.

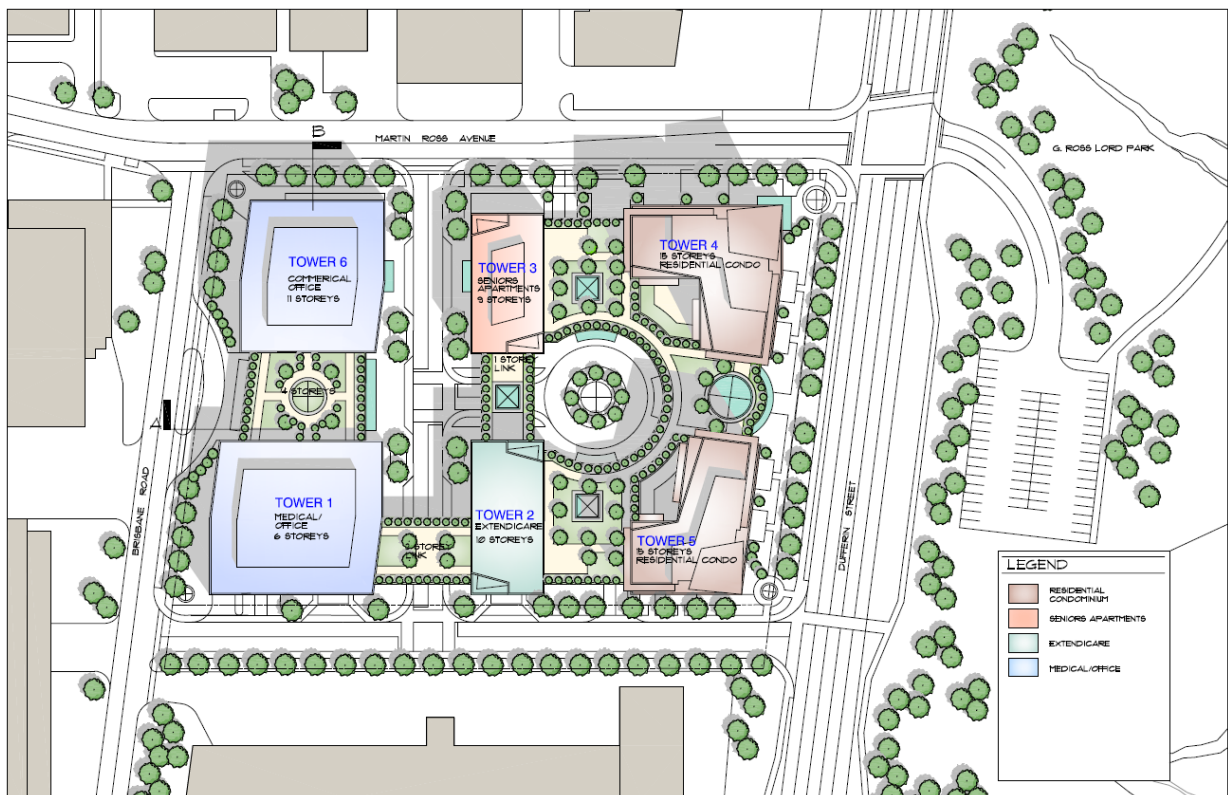


Figure 2: Proposed Mixed Use Redevelopment of 4646 Dufferin Street



Figure 3: Rendering of Proposed Mixed Use Redevelopment of 4646 Dufferin Street

Statistics for the proposal are shown below.

PROPOSED DEVELOPMENT			GBA (sf)	GFA (sf)	GLA (sf)	Units
Building		storeys				
1	Medical	5	118,400	111,300	⁽¹⁾ 95,700	
	Podium Clinic	1	23,700	22,300	22,500	
2	Extended Care	8	67,000	62,980	-	110
	Podium Clinic	1	13,250	12,450	-	
	Podium Retail		2,600	2,450	2,500	
3	Seniors Apartments	9	84,200	78,700	-	240
	Seniors Podium	1	5,500	5,200	-	
	Podium Retail		5,850	5,500	5,600	0
4	Residential Condo	15	221,000	207,700	-	225
	Community Centre		15,000	14,000	-	
	Lower Retail		4,000	3,750	3,800	
5	Residential Condo	15	214,500	202,300	210,800	195
6	Commercial Office	10	244,700	226,800	⁽¹⁾ 234,800	
	Podium Clinic	4	18,200	17,100	16,300	
	Podium Retail		12,550	11,800	11,900	
Building Services			9,000			
Total Above Grade Area			1,059,450	984,330	603,900	770

The redevelopment would be phased, such that a proportion of the employment uses would be developed before or concurrently with the residential components of the project.

Request of the Minister

On behalf of our client, we are requesting that the Minister utilize his powers under the Planning Act as the approval authority of OPA 591 to modify it in order to grant the conversion request for 4646 Dufferin Street. To this effect we request the following modifications:

1. Removal of the Subject Lands from the Employment Areas designation on Map 2 of the Official Plan as shown below.



Figure 4 – Removal of Subject Lands from *Employment Areas* as shown on excerpt from OPA 591, Appendix 1: Map

2

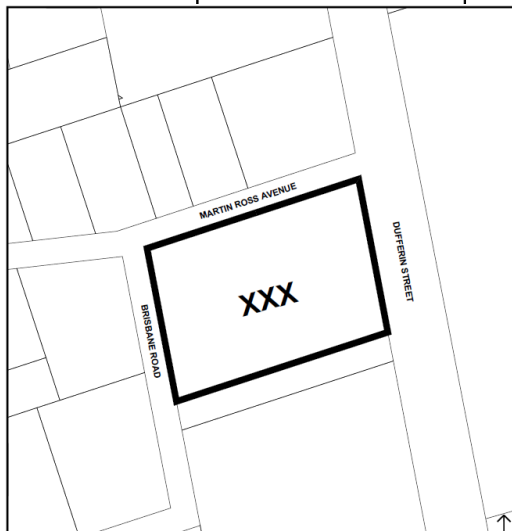
2. Designation of the Subject Lands as *Mixed Use Areas* on Land Use Designation Map 16 (part of Tile Index Maps 4 of Appendix 2 of OPA 591) as shown below.



Designate 4646 Dufferin Street to Mixed Use Areas

Figure 5 – Designate Subject Lands from *General Employment Areas* to *Mixed Use Areas* as shown on excerpt from Official Plan Land Use Designation Map 16 (Tile Map 4 of OPA 591, Appendix 2)

3. Add a new Chapter 7 Site and Area Specific Policy to OPA 591 as follows:



"XXX. 4646 Dufferin Street

1. A minimum of 30,000 square metres of non-residential gross floor area, including office, medical office, retail and service commercial uses, shall be provided, and shall be constructed in a phased manner, with at least 12,000 square metres of non-residential gross floor area being constructed prior to or concurrently with permitted residential uses.
2. A minimum of 660 residential units and 110 long term care beds shall be permitted. 68 affordable housing units shall be provided in a phased manner.
3. Policies 2.2.4.5 to 2.2.4.10 and 3.4.21 do not apply provided that any residential uses proposed within the Mixed Use Area will be appropriately designed, and buffered from

the adjacent Employment Area, to prevent or mitigate undue adverse effects on the residential uses from noise, vibration and emissions, including dust and odour.”

Planning Opinion

In support of this request, Mr. McKay, a Registered Professional Planner with MHBC, has prepared a Planning Opinion on the modification (attached hereto). In summary, Mr. McKay concludes that the proposal and the modifications represent good planning and are in the public interest for the following reasons:

- The proposed conversion of employment lands to a land use designation which permits residential uses in addition to employment uses has addressed the Growth Plan and Toronto Official Plan conversion tests within the context of a MCR process.
- The Subject Lands are not located within a Provincially Significant Employment Zone which is where employment areas of Provincial interest are intended to be protected.
- The modification provides for much needed housing, including seniors, long term care, ownership, rental and affordable rental options. 660 new residential units, including 68 affordable housing units, and 110 long term care beds will be created through this proposal.
- While the conversion will permit residential uses within the Mixed Use Area, the SASP policies will ensure that the Subject Lands will continue to support economic development and help the City achieve its employment forecasts through the provision of 1,200 jobs, a net increase of 950 jobs over what is accommodated on site today. It is not the type of conversion (i.e. provision of no employment) which the conversion policies of the Growth Plan were intended to prevent.
- The proposal for the Subject Lands is compatible and complementary with the surrounding eclectic mix of employment uses (retail, light industrial, service commercial). Where required, standard mitigation measures will be implemented to prevent or mitigate undue adverse effects on the proposed development by adjacent employment uses.
- The Subject Lands are fully serviced with water, wastewater and stormwater services that ensure the optimization and efficient use of existing municipal infrastructure for the proposed development.
- The proposed SASP policies are reasonable and appropriate.

His summary conclusion is that the requested modification will achieve three important planning objectives: (1) providing badly needed housing, with an emphasis on housing and long term care facilities for seniors (2) providing badly needed local medical facilities, while also (3) significantly increasing the number of jobs on the Subject Lands.

Overall Conclusion

The proposed conversion of employment lands to a Mixed Use Areas designation meets the intent and purpose of the policies with respect to employment land conversions as outlined in the Growth Plan and the City of Toronto Official Plan and represents good planning.

The proposal would allow the construction of a six storey medical office building and an 11 storey commercial office building on the western portion of the property and 660 new residential dwelling units (including rental and ownership, with 68 affordable units being provided) and 110 long term care beds, with the non-residential components accommodating at least 1,200 jobs. It will address a pressing need for locally accessible medical facilities, including a community surgical and diagnostic centre to address the recently announced provincial government initiative.

The Subject Lands represent a situation where a conversion is appropriate, given that the existing use of the Subject Lands as a space extensive retail/commercial Plan represents an underutilization of the Subject Lands in comparison to the proposed mid- and high-rise mixed use development. Furthermore, it does not result in the loss of lands providing employment, but rather provides for an increase in employment on the lands.

The proposal will revitalize and reinvigorate the Subject Lands, through redevelopment, into a vibrant, transit-oriented development as depicted in Figures 2 and 3 above.

This proposal is consistent with and conforms to Provincial Policy and contributes to the optimization of existing municipal services, infrastructure and transit services through appropriate intensification.

If you have any questions regarding any of the above information, plans and reports, please contact the undersigned.

Yours very truly,
Wood Bull LLP



Dennis H. Wood

cc: *Client*
Project Team

Encl.

ATTACHMENT – PLANNING OPINION

January 31, 2023

Mr. Dennis Wood
Wood Bull LLP
65 Queen Street West, Suite 1400
Toronto, Ontario
M5H 2M5

Dear Mr. Wood:

**RE: 4646 DUFFERIN STREET, TORONTO
MODIFICATION TO CITY OF TORONTO OPA 591
TO ALLOW MIXED USE REDEVELOPMENT
OUR FILE 15258A**

Further to your request, please accept this planning opinion regarding the request to the Minister of Municipal Affairs and Housing by 2129152 Ontario Inc., the owner of 4646 Dufferin Street, Toronto to modify City of Toronto Official Plan Amendment 591 (“OPA 591”) by redesignating the lands to *Mixed Use Areas* and adding to Chapter 7, Site and Area Specific Policies of the City’s Official Plan, a Site and Area Specific Policy applicable to 4646 Dufferin Street which would permit a mixed use development subject to certain site specific conditions.

This modification involves an employment land conversion of 4646 Dufferin Street (the “Subject Lands”) in order to permit residential uses on the Subject Lands along with employment lands uses.

Summary of Opinion

The request to modify OPA 591 as requested is appropriate and reasonable. It represents good planning and is in the public interest for the following reasons:

- The proposed conversion of employment lands to a land use designation which permits residential uses in addition to employment uses has addressed the Growth Plan and Toronto Official Plan conversion tests within the context of a MCR process.
- The Subject Lands are not located within a Provincially Significant Employment Zone which is where employment areas of Provincial interest are intended to be protected.
- The modification provides for much needed housing, including seniors, long term care, ownership, rental and affordable rental options. 660 new residential units, including 68 affordable housing units, and 110 long term care beds will be created through this proposal.

- The proposal will address a pressing need for locally accessible medical facilities, including a community surgical and diagnostic centre to address the recently announced provincial government initiative.
- While the conversion will permit residential uses within the *Mixed Use Areas*, the SASP policies will ensure that the Subject Lands will continue to support economic development and help the City achieve its employment forecasts through the provision of 1,200 jobs, a net increase of 950 jobs over what is accommodated on site today. It is not the type of conversion (i.e. provision of no employment) which the conversion policies of the Growth Plan were intended to prevent.
- The proposal for the Subject Lands is compatible and complementary with the surrounding eclectic mix of employment uses (retail, light industrial, service commercial). Where required, standard mitigation measures will be implemented to prevent or mitigate adverse effects by adjacent employment uses.
- The Subject Lands are fully serviced with water, wastewater and stormwater services that ensure the optimization and efficient use of existing municipal infrastructure for the proposed development.
- The proposed SASP policies are reasonable and appropriate.
- In summary, the requested modification will achieve the twin planning objectives of providing badly needed housing and facilities for seniors while also significantly increasing the number of jobs on the Subject Lands.

Description of Subject Lands & Surrounding Area

The Subject Lands are approximately 2.5 ha (6.17 acres) in size with frontage of and surrounded on three sides by roads, with frontage of approximately 145 metres along Dufferin Street, 174 metres along Martin Ross Avenue, and 144 metres along Brisbane Road.

The Subject Lands are located on the easterly edge of the Dufferin Keele North Employment Area. This Employment Area can be described as an eclectic mix of light industrial / manufacturing uses, retail, institutional and service commercial uses.

The Subject Lands are currently utilized for retail, service commercial, education and office uses. Photos of the Subject Lands are shown on **Figures 1, 2 and 3** and immediate environs are shown below.

The abutting property to the south is used for retail (Construction Distribution & Supply Company; Discounter's Pool and Spa Warehouse), educational uses (Canadian All Care College, Zareinu Events) and an automotive dealerships (MG Auto Service and MG 2010 Auto Sales). It is not used for industrial/manufacturing uses.

Land uses to the west of Brisbane Avenue include a variety of light manufacturing, retail, institutional and service commercial uses (Toronto Research Chemicals, Canada Flowers, Collection International

Interiors Furniture Store, ME Contracting, Anatolia Islamic Centre, Pro Auto Body, Sobies Barbecues Grill Store, Faith Miracle Temple).

Further to the south and north, the land uses are primarily commercial in nature and include various retail and service commercial establishments (Major Hockey Store, Living Expressions Furniture Store, Coppa's Fresh Market).

To the east beyond Dufferin Street is the Dufferin Creek and G. Ross Lord Reservoir with residential uses beyond.



Figure 1: Subject Lands (in orange)

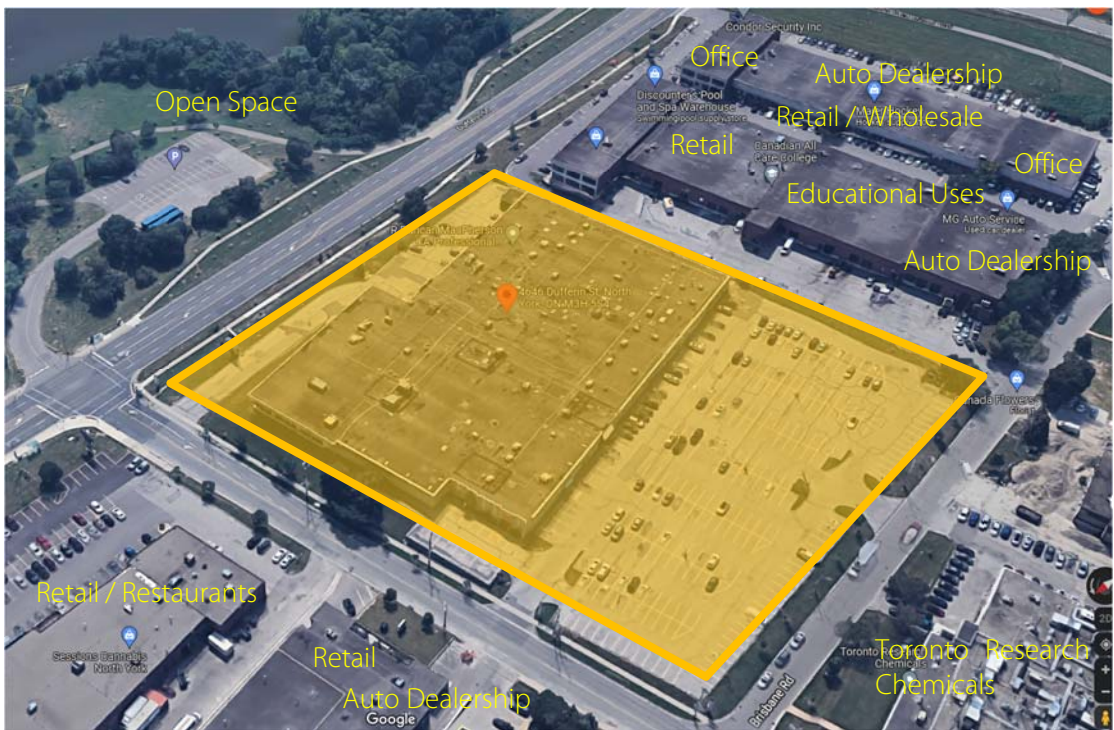


Figure 2: Bird's Eye View of the Subject Lands (in orange)



1. Looking South-East from Brisbane



2. Looking East from Brisbane



3. Looking North-West from Dufferin



4. Looking South-West from Dufferin + Martin Ross



5. Looking South-West from Dufferin



6. Looking North-West from Dufferin + Martin Ross

Figure 3: Photos of Subject Lands and surrounding area

In summary, the employment uses in immediate proximity to the Subject Lands are entirely commercial in nature except for one light industry and it is located to the west of the site across Brisbane Road.

Proposed Vision for the Subject Lands

If granted, the proposed modification would permit the redevelopment of the Subject Lands for a mixture of residential, employment and service commercial uses through a conversion of employment lands. The mixed-use redevelopment would include medical facilities (offices, clinics, extended care facilities, outpatient housing), affordable / attainable housing and market housing, both focused on seniors housing. Supportive commercial uses, including retail, restaurants and other service commercial uses would be provided at grade. A site plan and rendering of the proposal are shown below in **Figures 4** and **5**.

The proposed mixed use development would include a six storey medical office building and an 11 storey commercial office building on the western portion of the property. This would transition to a nine storey Long Term Care Facility and 10 storey Seniors Residence in the middle of the site. Two residential buildings (one ownership and one rental), each 15 storeys in height, would be located along Dufferin Street facing G. Lord Ross Reservoir. Approximately 985,000 sq ft of development would occur, including approximately 370,000 sq ft of office space and 55,000 sq ft of retail / service commercial space. This would result in approximately 1,200 employees working on site upon full build out.

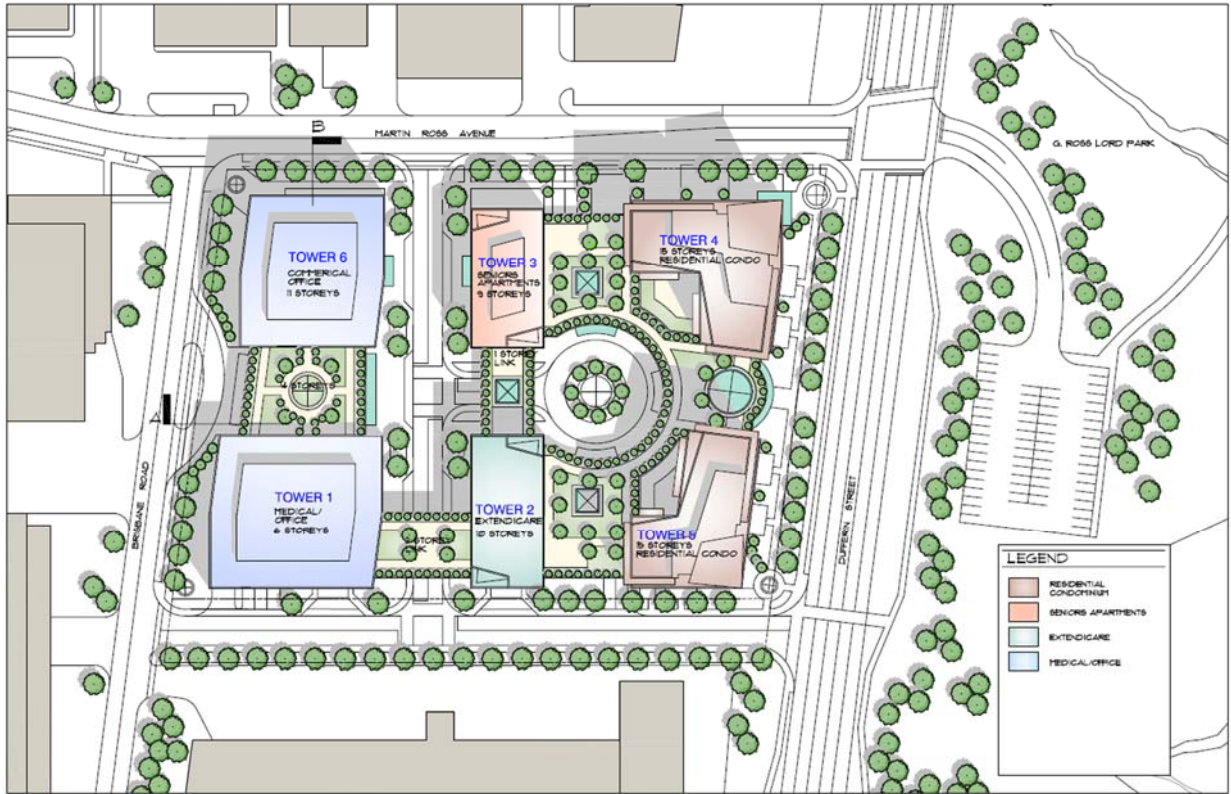


Figure 4: Proposed Mixed Use Redevelopment of 4646 Dufferin Street



Figure 5: Rendering of Proposed Mixed Use Redevelopment of 4646 Dufferin Street

The concept is that of the provision of a continuum of care inclusive of a range of medical services, facilities and independent living, assisted living and memory care accommodation. Further, the project will include a community surgical and diagnostic centre to address the

recently announced provincial government initiative intended to eliminate surgical backlogs and reduce wait times. The proposal would therefore bring a range of benefits to the community including employment replacement well beyond existing employment as well as new affordable housing.

A total of 660 residential units, consisting of seniors, condominium and rental tenures would be created. Of these, 68 rental units would be designated as affordable units. In addition, 110 long term care beds will also be provided. Statistics for the proposal are shown below.

PROPOSED DEVELOPMENT		GBA (sf)	GFA (sf)	GLA (sf)	Units	
Building	storeys					
1	Medical	5	118,400	111,300	⁽¹⁾ 95,700	
	Podium Clinic	1	23,700	22,300	22,500	
2	Extended Care	8	67,000	62,980	-	110
	Podium Clinic	1	13,250	12,450	-	
	Podium Retail		2,600	2,450	2,500	
3	Seniors Apartments	9	84,200	78,700	-	240
	Seniors Podium	1	5,500	5,200	-	
	Podium Retail		5,850	5,500	5,600	0
4	Residential Condo	15	221,000	207,700	-	225
	Community Centre		15,000	14,000	-	
	Lower Retail		4,000	3,750	3,800	
5	Residential Condo	15	214,500	202,300	210,800	195
6	Commercial Office	10	244,700	226,800	⁽¹⁾ 234,800	
	Podium Clinic	4	18,200	17,100	16,300	
	Podium Retail		12,550	11,800	11,900	
Building Services			9,000			
Total Above Grade Area			1,059,450	984,330	603,900	770

The redevelopment would be phased, such that a proportion of the employment uses would be developed before or concurrently with the residential components of the project.

Modification/Conversion Request Analysis

We have assessed the supportability of converting the Subject Lands to permit the additional residential uses against the tests set out in Policies 2.2.5.9 and 2.2.5.10 of the 2020 Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) and in the context of the Provincial Policy Statement and the policies of the Toronto Official Plan.

In support of the proposed redevelopment a variety of studies have been prepared including:

- Architectural Plans
- Economic Impact Analysis
- Land Use Planning Noise Assessment
- Vibration Assessment
- Air Emissions Assessment
- Traffic Assessment

These reports and plans have been utilized to address the various policies in support of the conversion request.

1. REVIEW OF APPLICABLE EMPLOYMENT POLICY

PROVINCIAL POLICY STATEMENT (PPS) 2020

The 2020 PPS came into effect on May 1, 2020, and is an important part of the More Homes, More choice: Ontario's Housing Supply Action Plan. The goals of the proposed changes to the preceding 2014 PPS were to encourage an increase in the mix and supply of housing, protect the environment and public safety, reduce barriers and costs for development and support the economy and job creation. Overall, the PPS sets the policy foundation for regulating the development and use of land and also supports the provincial goal to enhance the quality of life for all Ontarians.

Building strong, healthy communities is one of the key policy directives of the PPS by managing land use efficiently and resiliently through accommodating an appropriate mix of residential, employment, institutional, recreation, park and open space uses and improving accessibility by removing land use barriers in order to create livable communities (**Policy 1.1.1**). Further, the PPS supports the promotion of healthy, livable, and safe communities through such matters as growth and intensification within settlement areas (**Policy 1.1.3.1**), land use compatibility (**Policy 1.2.6**), provision of housing (**Policy 1.4.1 & 1.4.3**), and the efficient use of public services and infrastructure (**Policy 1.6.3 & 1.6.6.1**) to support the City's long-term economic prosperity while promoting a sense of place through well-designed built forms (**Policy 1.7.1**).

In particular, **Policy 1.3.1** of the PPS promotes economic development and competitiveness by providing an appropriate mix and range of employment uses, maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, encouraging compact, mixed-use development to support liveable and resilient communities, and ensuring the necessary infrastructure is in place for current and projected needs.

Policy 1.3.2.1 states that employment areas shall be protected and preserved for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs. Further, **Policy 1.3.2.4** states that planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

Finally, **Policy 1.3.2.6** states that planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.

GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2020

The Growth Plan for the Greater Golden Horseshoe ("Growth Plan") was approved by the Province of Ontario on June 16th, 2006 and recently amended on May 2, 2019. It was most recently amended through an Order in Council under the *Places to Grow Act* that came into effect on August 28, 2020. The Growth Plan sets out policies to manage growth in the Greater Golden Horseshoe to achieve compact, complete communities in the future. Similar to the PPS, the objectives of the Growth Plan are to create complete, healthy and safe communities with a focus on intensification in settlement areas and optimizing the use of existing infrastructure.

Schedule 3 of the Growth Plan forecasts a population of 3,650,000 and 1,980,000 jobs for the City of Toronto respectively by 2051.

The policies within Section 2.2 discuss the management of growth to accommodate a greater number of people and jobs in order to build complete, compact and transit-oriented communities through the better use of land and infrastructure. Policies within the Growth Plan require development to support and achieve complete communities. Of key importance to the current analysis are **Policy 2.2.5.9** and **Policy 2.2.5.10** respecting conversions of employment lands.

The conversion of lands within employment areas to non-employment uses may be permitted only through a municipal comprehensive review (MCR) where it is demonstrated that in **Policy 2.2.5.9**:

- 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.

Notwithstanding the above, until the next MCR, **Policy 2.2.5.10** states that 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” unless the part of the employment area is located within a “major transit station area” as delineated in accordance with the policies in subsection 2.2.4.

It is noted that the Subject Lands are not located within a Provincially Significant Employment Zone, whereas the remainder of the Employment Area is.

CITY OF TORONTO OFFICIAL PLAN

The City of Toronto Official Plan (“Toronto OP”) was approved on July 6, 2006 by the Ontario Municipal Board. The Toronto OP was consolidated in February 2019 with sections remaining under appeal. The Subject Lands are designated “Employment Areas” on Map 2 “Urban Structure” of the Toronto OP, and “General Employment Area” on Map 16 “Land Use Plan”.

On May 8, 2020, the final LPAT Order was issued which approved the “Conversion and Removal Policies for Employment Areas” for the Toronto Official Plan (i.e. Policies 2.2.4.14 to 2.2.4.18), which establish the tests for employment conversions, in conjunction with the noted policies of the Growth Plan (and further discussed in Section 4 of this letter).

Additional policies currently in force and relevant to the Subject Lands, amongst others, are as follows:

- Build a more liveable urban region by better utilizing existing urban infrastructure and services (**Policy 2.1.1 b**)
- Increase the supply of housing in mixed use environments to create greater opportunities for people to live and work locally (**Policy 2.1.1 g**)
- Coordinate transportation and land use planning to attract more people and jobs to targeted growth areas in the City that are supported by good and affordable transit services and other infrastructure (**Policy 2.2.1.a**)
- Sensitive land uses, including residential uses, where permitted or proposed outside of and adjacent to or near to Employment Areas or within the influence area of major facilities, should be planned to ensure they are appropriately designed, buffered and/or separated as appropriate from Employment Areas and/or major facilities (**Policy 2.2.4.5**)
- A complete application to introduce, develop or intensify sensitive land uses, including residential uses, in a location identified in Policy 5 shall include a Compatibility/Mitigation Study, which will be addressed in the applicant’s Planning Rationale (**Policy 2.2.4.6**)
- **Policy 3.4.21** which requires compatibility to occur between major facilities and sensitive land uses, including mitigation as required (covered by Policy 2.2.4.6 as noted above)

2. RATIONALE FOR CONVERSION AND ANALYSIS RELATIVE TO APPLICABLE CRITERIA/POLICY TESTS

An employment conversion request is to address **Policies 2.2.5.9 and 2.2.5.10** of the Growth Plan, as well as **Policies 2.2.4.14 to 2.2.4.18** of the Official Plan. We have considered these applicable policy tests for conversion of employment lands to non-employment purposes, and the following is a summary of our analysis with respect to the revised proposal.

2.1. GROWTH PLAN EMPLOYMENT CONVERSION POLICY TESTS & ANALYSIS

Growth Plan Policy	Analysis/Response
<p>Policy 2.2.5.9 <i>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:</i></p> <p><i>a) there is a need for the conversion;</i></p>	<p>There is a need for this conversion.</p> <p>There is a significant need for all types of housing in Toronto, including affordable housing.</p> <p>Allowing for the conversion to a mixed use designation will unlock the current underutilized land to better accommodate the City’s growing housing needs, <u>including ownership, rental, seniors, long-term care and affordable housing</u> (660 new units will be provided for, including 68 affordable rental units and 110 long term care beds) which addresses a number of important Provincial and City objectives.</p>

Growth Plan Policy	Analysis/Response
	<p>The proposal for the Subject Lands achieves and addresses this key Provincial and City need, while increasing employment at the same time. To this effect the proposal will also provide increased employment opportunities that will replace the existing jobs on the Subject Lands (an increase from the existing 250 jobs to 1,200 jobs).</p>
<p><i>b) the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;</i></p>	<p>This criterion does not apply for a conversion outside of a Provincially Significant Employment Zone, which is the case here.</p> <p>Regardless, the Subject Lands are designated as “General Employment Area” on the Land Use Plan of the Toronto OP. General Employment Areas are intended to provide for retail and service commercial uses. The use of these lands today is for retail and service commercial uses, which will continue to be permitted following the conversion. Further, the significant amount of new employment created (1,200 jobs) through the office, medical office and health care jobs associated with the seniors housing enhance the employment base from what presently exists on the Subject Lands.</p> <p>In our opinion the Subject Lands will continue to provide for employment; however, with further increased employment and therefore conforming with the intent of this policy.</p>
<p><i>c) the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;</i></p>	<p>This criterion does not apply for a conversion outside of a Provincially Significant Employment Zone, which is the case here.</p> <p>Notwithstanding, the Subject Lands will not be removed from the inventory of lands providing employment because (as previously noted in this letter), the proposal expands the employment base on the Subject Lands, from 250 jobs to 1,200 jobs (a net increase of 950 jobs) while providing for much needed housing.</p>
<p><i>d) the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and</i></p>	<p>The proposal would not adversely affect the <u>overall</u> employment area to the north, south and west of the Subject Lands. The analysis by the</p>

Growth Plan Policy	Analysis/Response
<p><i>density targets in this Plan, as well as the other policies of this Plan; and</i></p>	<p>environmental and economic consultants confirms that the conversion will not adversely affect the overall viability of the Dufferin Keele North Employment Area, which contains a broad mixture of employment uses – industrial, research, retail and service commercial uses.</p> <p>Furthermore, the proposed development contributes to the achievement of the minimum intensification and density targets in the City through the provision of accommodation of 1,200 jobs on the Subject Lands (at an estimated 1,000 persons and jobs per hectare) as well as 660 new housing units and 110 long term care beds.</p> <p>There will be no significant compatibility issues caused by the conversion.</p>
<p><i>e) there are existing or planned infrastructure and public service facilities to accommodate the proposed uses.</i></p>	<p>The Subject Lands have available full municipal services (water, sanitary, storm). Transit is prevalent with TTC bus routes 36AB, 105, 107, and 939B within walking distance (with connections to Line 1 Finch, Line 1 Finch West, Line 1 Downsview Park, Downsview Park GO, and Line 1 Sheppard West Subway Stations). There are several nearby places of worship, government offices, and schools. A significant park in the form of G. Ross Lord Park immediately to the east of Dufferin Street will service future residents and employees of the proposal. In our opinion this policy has been satisfied.</p>

2.2. CITY OF TORONTO EMPLOYMENT CONVERSION & REMOVAL POLICY TESTS & ANALYSIS

Official Plan Policy	Analysis/Response
<p>Policy 2.2.4.14 <i>The redesignation of land from an Employment Area designation to any other designation, by way of an Official Plan Amendment, or the introduction of a use that is otherwise not permitted in an Employment Area is a conversion of land within an Employment Area and is also a removal of land from an Employment Area, and may only be permitted by way of a Municipal Comprehensive Review. The introduction of a use that may be permitted in a</i></p>	<p>The proposal for the Subject Lands represents an employment conversion request within the context of adopted OPA 591 (resulting from a Municipal Comprehensive Review).</p> <p>The request would redesignate the Subject Lands from <i>General Employment Area</i> designation to a <i>Mixed Use Areas</i> designation.</p>

Official Plan Policy	Analysis/Response
<p><i>General Employment Area into a Core Employment Area or the redesignation of a Core Employment Area into a General Employment Area designation is also a conversion and <u>may only be permitted by way of a Municipal Comprehensive Review.</u></i></p>	<p>This is the appropriate time to make this request.</p>
<p>Policy 2.2.4.15 <i>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.</i></p>	<p>See above commentary re: Policy 2.2.4.14.</p>
<p>Policy 2.2.4.16 <i>Applications to convert lands within an Employment Area will only be considered at the time of a municipal review of employment policies and designations under Section 26 of the Planning Act and a concurrent Municipal Comprehensive Review under the Growth Plan for the Greater Golden Horseshoe. Applications to convert lands within an Employment Area received between such City-initiated Official Plan Reviews will be not be considered unless Council directs that a Municipal Comprehensive Review be initiated.</i></p>	<p>See above commentary re: Policy 2.2.4.14.</p>
<p>Policy 2.2.4.17 <i>The City will assess requests to convert lands within Employment Areas, both cumulatively and individually, by considering whether or not:</i></p> <p><i>a) There is a demonstrated need for the conversion(s) to:</i></p> <ol style="list-style-type: none"> <i>1. meet the population forecasts allocated to the City in the Growth Plan for the Greater Golden Horseshoe; or</i> <i>2. mitigate existing and/or potential land use conflicts;</i> 	<p>As is commonly accepted, there is a housing crisis facing the Province and the City, in particular in regard to affordable housing.</p> <p>The proposal will contribute to the City of Toronto in meeting its population forecasts and specifically through the provision of seniors housing and affordable housing <u>including ownership, rental, seniors, long-term care and affordable housing</u> (660 new units will be provided for, including 68 affordable rental units, and 110 long term care beds).</p> <p>There will be no significant compatibility issues caused by the conversion.</p>
<p><i>b) The lands are required over the long-term for employment purposes;</i></p>	<p>The Subject Lands will continue to provide, over the long term, 1,200 jobs (a net increase of 950 jobs), therefore conforming to this policy.</p>
<p><i>c) The City will meet the employment forecasts allocated to the City in the Growth Plan for the Greater Golden Horseshoe;</i></p>	<p>The proposal will contribute to the City meeting its employment forecasts by providing for 1,200 jobs (a net increase of 950 jobs), therefore conforming to this policy.</p>

Official Plan Policy	Analysis/Response
<p><i>d) The conversion(s) will adversely affect the <u>overall</u> viability of an Employment Area and maintenance of a stable operating environment for business and economic activities with regard to the:</i></p>	
<p>1. <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;</i></p>	<p>1. As described previously, the Subject Lands are separated from adjacent lands on three sides by roads. The only immediately abutting property is used for retail, educational and automobile dealership uses. The only adjacent manufacturing use, Toronto Chemical Research, undertakes all its operations indoors, with an air emissions released being required to meet EPA requirements at their property limits. Therefore compatibility is generally achieved by the lack of immediately abutting employment uses. Further, the Subject Lands are at a size where mitigation, if required, can occur on-site, in addition to any building mitigation.</p>
<p>2. <i>prevention or mitigation of adverse effects from noise, vibration, and emissions, including dust and odour</i></p>	<p>2. The proposal will not be adversely affected by noise, vibration, and air emissions (including dust and odour) given the surrounding light employment and commercial uses and the requirement for any industrial to meet EPA requirements at their property limit.</p>
<p>3. <i>prevention or mitigation of negative impacts and minimization of the risk of complaints;</i></p>	<p>3. See response to #2 above. As to the risk of complaints, given the surrounding light employment and commercial uses and the requirement for any industrial to meet EPA requirements at their property limit, complaints are not anticipated.</p>
<p>4. <i>ability to ensure compliance with environmental approvals, registrations, legislation, regulations and guidelines;</i></p>	<p>4. The analysis which has been carried out in support of this proposal suggests that it is unlikely that the proposal will cause any existing industry to “fall out of compliance”.</p>

Official Plan Policy	Analysis/Response
<p>5. <i>ability to provide appropriate buffering and/or separation of employment uses from sensitive land uses, including residential;</i></p>	<p>5. The proposal locates the office buildings along the western portion of the Subject Lands to provide “buffering” and “separation” between the proposed residential uses and the only industrial use in the immediate area (Toronto Chemical Research).</p> <p>There is no need for buffering or separation in regard to the land uses to the north, south and east of the Subject Lands, given the nature of these land uses.</p>
<p>6. <i>ability to minimize risk to public health and safety;</i></p>	<p>6. No public health and safety risks are anticipated given the nature of the surrounding land uses.</p>
<p>7. <i>reduction or elimination of visibility of, and accessibility to, employment lands or uses;</i></p>	<p>7. There is no reduction or elimination of accessibility to the remaining employment land in the employment area.</p> <p>The Subject Lands are a relative small property (in the context of the size of the employment area), located on the edge of this large existing employment area. Visibility to the employment area will not be eliminated or materially reduced.</p>
<p>8. <i>impact upon the capacity and functioning of the transportation network and the movement of goods for existing and future employment uses;</i></p>	<p>8. No undue impacts on the capacity and functioning of the surrounding transportation network and the movement of goods for existing and future employment uses are anticipated based on the transportation work completed.</p>
<p>9. <i>removal of large and/or key locations for employment uses;</i></p>	<p>9. The proposal does not remove employment uses from the Subject Lands. 1,200 jobs will be accommodated as part of the proposal (a net increase of 950 jobs).</p>
<p>10. <i>ability to provide opportunities for the clustering of similar or related employment uses; and</i></p>	<p>10. The proposal will result in the clustering of medical / health / seniors related employment uses.</p>

Official Plan Policy	Analysis/Response
<p>11. provision of a variety of land parcel sizes within the Employment Area to accommodate a range of permitted employment uses;</p>	<p>11. The proposal does not remove employment uses from the Subject Lands. 1,200 jobs will be accommodated as part of the proposal (a net increase of 950 jobs).</p> <p>The proposed mixed use development is a more efficient and optimal utilization of the Subject Lands. The proposal intensifies the lands and provides for increased employment density through a mixed use format.</p>
<p>e) The existing or planned sewage, water, energy and transportation infrastructure can accommodate the proposed conversion(s);</p>	<p>The Subject Lands have direct access to TTC bus routes that operate along Dufferin Street which connects to several subway stations and a GO station. The proposal will be connected to, and will optimize the efficiency of existing municipal infrastructure (water, sanitary, storm).</p>
<p>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;</p>	<p>The Subject Lands are located in proximity to existing public service facilities, such as G. Ross Lord Park, Northview Heights Secondary School, Toronto Public Library Centennial Branch, the West Don Parkland trail system, Irving W. Chapley Community Centre and a variety of nearby places of worship.</p>
<p>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;</p>	<p>The Subject Lands are not located in proximity to major transportation infrastructure such as intermodal rail yards or ports. Highway 401 and Highway 407 are not in proximity to the Subject Lands (being over 5 km away in either direction). The lands are therefore not strategically positioned to directly access important transportation infrastructure which would service the movement of goods.</p>
<p>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</p>	<p>The proposal includes medical, office and ancillary retail employment opportunities which will occur concurrently with any residential development of the Subject Lands. Approximately 1,200 jobs will be accommodated at full build out. The proposal will enhance the economic base as a result of the proposed employment uses on site.</p>

Official Plan Policy	Analysis/Response
i) <i>Cross-jurisdictional issues have been considered.</i>	There are no cross-jurisdictional issues associated with the proposed conversion.
<p>Policy 2.2.2.4.18 <i>When assessing proposal(s) to convert lands within Employment Areas, the City will:</i></p> <p>a) <i>notify all major facilities whose influence area(s) includes any portion of the lands proposed to be converted; and</i></p> <p>b) <i>notify all facilities that store, distribute or handle propane whose required separation distances by law and/or regulation may include any portion of the lands proposed to be converted.</i></p>	<p>a) Any major facilities within the influence area of the proposal have previously been notified of the proposal.</p> <p>b) There are no propane facilities within required separation distances.</p>

Based on the assessment above, it is our opinion that the proposal to convert the Subject Lands to permit residential uses in addition to employment uses is appropriate and represents good planning. The proposal and request for conversion has addressed the Growth Plan and Toronto OP conversion tests within a MCR process. In order to implement this conversion, OPA 591 is required to be modified accordingly.

3. THE PROPOSED MODIFICATION TO OPA 591

Based on our assessment and conclusions above, the following modifications to OPA 591 would be required:

1. **Removal of the Subject Lands from Employment Areas on Map 2** of the Official Plan as shown below.



Figure 6 – Removal of Subject Lands from Employment Area as shown on excerpt from OPA 591, Appendix 1: Map 2

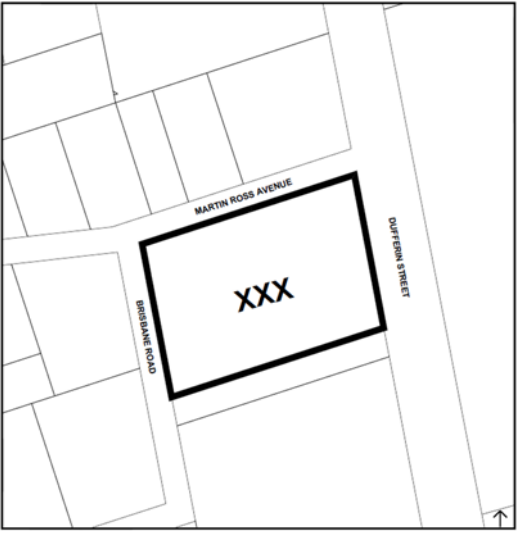
2. The Subject Lands would be **designated Mixed Use Areas on Land Use Designation Map 13** (part of Tile Index Maps 4 of Appendix 2 of OPA 591) as shown below.



Designate 4646 Dufferin Street to Mixed Use Areas

Figure 7 – Designate Subject Lands from *General Employment Areas* to *Mixed Use Areas* as shown on excerpt from Official Plan Land Use Designation Map 16 (Tile Map 4 of OPA 591, Appendix 2)

3. A new Chapter 7 Site and Area Specific Policy would be added to OPA 591 as follows:



“XXX. 4646 Dufferin Street

1. A minimum of 30,000 square metres of non-residential gross floor area, including office, medical office, retail and service commercial uses, shall be permitted, and may be constructed in a phased manner, with at least 12,000 square metres of non-residential gross floor area being constructed prior to or concurrently with permitted residential uses.
2. A minimum of 660 residential units and 110 long term care beds shall be permitted. 68 affordable housing units shall be provided in a phased manner.
3. Policies 2.2.4.5 to 2.2.4.10 and 3.4.21 do not apply provided that any residential uses proposed within the *Mixed Use Areas* will be appropriately designed, and buffered from the adjacent *Employment Areas*, to prevent or mitigate undue adverse effects on the residential uses from noise, vibration and emissions, including dust and odour.”

These modifications would implement the proposal as discussed above. They would ensure that a significant amount of the non-residential components are constructed prior to or concurrently with any residential development, ensuring that the lands remain as a source of significant employment. It is anticipated that mitigation of any potential undue adverse affects would be addressed in the detailed design stage in accordance with the policy of the Site and Area Specific Policy.

The proposed modifications to OPA 591 are appropriate, reasonable, represent good planning and are in the public interest.

4. OVERALL CONCLUSION

This proposal is in line with Provincial Policy and structured around the optimization of existing municipal services, infrastructure and transit services. The proposal contemplates a high-rise mixed use development that will provide office, retail and medical employment opportunities. This will be combined with the provision of 660 residential units, include ownership, rental, affordable rental and seniors housing as well as 110 long term care beds.

It is acknowledged that the City is determined to preserve employment lands wherever possible. In this context, the Subject Lands represent a unique instance where a conversion to permit some residential uses is appropriate, given that the existing use of the Subject Lands represents an underutilization of the Subject Lands in comparison to the proposed high-rise mixed use development, and also considering that the employment potential of the them is enhanced not diminished by the proposal. In the result, there is no removal of lands from the City's supply of employment lands; merely the addition of a supply of badly needed housing.

In our opinion, the proposal and the modifications represent good planning and are in the public interest for the following reasons:

- The proposed conversion of employment lands to a land use designation which permits residential uses in addition to employment uses has addressed the Growth Plan and Toronto Official Plan conversion tests within the context of a MCR process.
- The Subject Lands are not located within a Provincially Significant Employment Zone which is where employment areas of Provincial interest are intended to be protected.
- The modification provides for much needed housing, including seniors, long term care, ownership, rental and affordable rental options. 660 new residential units, including 68 affordable housing units, and 110 long term care beds will be created through this proposal.
- The proposal will address a pressing need for locally accessible medical facilities, including a community surgical and diagnostic centre to address the recently announced provincial government initiative.
- While the conversion will permit residential uses within the *Mixed Use Areas*, the SASP policies will ensure that the Subject Lands will continue to support economic development and help the City achieve its employment forecasts through the provision of 1,200 jobs, a net increase of 950 jobs over what is accommodated on site today. It is not the type of conversion (i.e.

provision of no employment) which the conversion policies of the Growth Plan were intended to prevent.

- The proposal for the Subject Lands is compatible and complementary with the surrounding eclectic mix of employment uses (retail, light industrial, service commercial). Where required, standard mitigation measures will be implemented to prevent or mitigate adverse effects by adjacent employment uses.
- The Subject Lands are fully serviced with water, wastewater and stormwater services that ensure the optimization and efficient use of existing municipal infrastructure for the proposed development.
- The proposed SASP policies are reasonable and appropriate.

In conclusion, the requested modification will achieve three important planning objectives: (1) providing badly needed housing, with an emphasis on housing and long term care facilities for seniors; (2) providing badly needed local medical facilities; and (3) significantly increasing the number of jobs on the Subject Lands.

Please feel free to us if you have any questions or wish to discuss in further detail.

Thank you.

Yours Truly,

MHBC



David A. McKay, MSc, MLAI, MCIP, RPP
Vice President & Partner

cc: Client