

February 1, 2023

Ministry of Municipal Affairs and Housing
777 Bay Street, 17th floor
Toronto, Ontario
M7A 2J3

Attn: Hon. Steve Clark, Minister of Ministry of Municipal Affairs and Housing (MMAH)

Dear Mr. Clark,

**Re: Application for Employment Land Conversion Request
17 Leslie Street, Toronto**

Urban Strategies Inc. has prepared the following planning opinion letter on behalf of Choice Properties Limited Partnership, in support of its employment conversion request to convert the property at 17 Leslie Street (the “subject site”) from a *General Employment Area* designation to a *Mixed Use Areas* designation in the City of Toronto Official Plan. The Conversion Request is being submitted for consideration in your review of Official Plan Amendment 591 (OPA 591) approved by Toronto City Council as part of the Municipal Comprehensive Review of the City of Toronto Official Plan. It is my opinion that the proposed employment conversion is appropriate and represents good planning, and that the Council decision to leave the site as employment areas should be reconsidered.

Background: The Employment Conversion Request

The subject site is 26,385 square metres and is currently occupied by a Loblaws grocery store, a large surface parking lot and a Starbucks on a stand-alone retail pad. The subject site is located on the southeast corner of Leslie Street and Eastern Avenue, and is located within the broader South of Eastern Employment Area.

The broader area in which the subject site is located is undergoing significant change, largely due to the planned East Harbour Transit Hub. The East Harbour Transit Hub will incorporate connections to the GO Transit network, the planned Ontario Line, and a future TTC streetcar connection along Broadview Avenue. It is envisioned as a new Union Station to the east, and is impacting patterns of employment and land use in the surrounding area. The proposed conversion represents an opportunity to intensify an

underutilized site in area that has access to this major transit hub while improving land use relationships within its immediate context and delivering new employment opportunities.

The request for a conversion proposed to re-designate the subject site to a *Mixed Use Areas* designation. Supporting technical studies were provided with the application that found that the proposed conversion of the subject site would not have a negative impact on the viability of the broader employment area, nor would it create incompatible land use relationships with the surrounding employment uses.

The proposed Conversion Request and its supporting studies appropriately responded to the policy tests for the approval of conversion requests outlined in Section 2.2.5.9 of the Growth Plan and Section 2.2.4 of the Official Plan. Further, the proposed Conversion Request also responded to the City's Conversion and Removal Policies for Employment Areas. The following reports were submitted with the conversion request to demonstrate compliance with provincial and municipal policy:

- Employment Conversion Request Planning Rationale, prepared by Urban Strategies Inc., dated July 29, 2021 (also included with this submission);
- Transportation Impact Assessment, prepared by LEA Consulting Ltd., dated July 2021;
- Preliminary Servicing Investigation, prepared by Counterpoint Engineering, dated July 2021;
- Compatibility and Mitigation Study, prepared by SLR Consulting Ltd., dated June 2021;
- Employment Area Impact Assessment, prepared by urbanMetrics, dated July 27, 2021;

To demonstrate how the subject site could be developed in a way that is compatible with the surrounding employment uses while contributing to the establishment of a complete community, the application included a conceptual development framework and demonstration plan within the Planning Rationale. The conceptual demonstration plan considered a broad mix of uses including residential uses, replacement of the retail space that exists on the site today, the introduction of office uses and new parks and open spaces. While the conceptual development framework and demonstration plan were for illustration purposes only and were not intended to represent a proposed concept or development application for the site, they demonstrated the potential to deliver new housing, retail and employment functions in a manner that represents good planning.

Response to Staff Comments on the Proposed Conversion

Through interim reports to the Planning and Housing Committee of Toronto City Council, City staff outlined preliminary assessments of each of the conversion requests submitted for consideration. The 17 Leslie site was considered in the Group 1 assessment, and a total of 13 issues were raised by staff with respect to the conversion request (see page 73 of the attachment to the staff report at: <https://www.toronto.ca/legdocs/mmis/2022/ph/bgrd/backgroundfile-174787.pdf>).

Many of these issues were appropriately considered and addressed in the materials originally submitted in support of the conversion request. However, I have outlined a series of brief responses below to each of the issues to provide additional clarity for the Minister's review and to further reinforce the planning rationale for the proposed conversion.

1. The lands are within the Lower Don Special Policy Area. Provincial Policy Statement policy 3.1.4 a) directs that any changes to the official plan policies, land use designations or boundaries applying to Special Policy Area lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the municipality approving such changes. Any conversion would require prior approval from the Province.

The Lower Don Special Policy Area is applicable to all development within the affected area, including changes to land use designations not considered employment conversions. It is understood that joint ministry approval of the conversion request would be required, which may require the submission of additional materials in support of the SPA policy change. Given the flood mitigation work currently underway, including construction of the naturalized mouth of the Don River and planning for flood protection along the east bank of the Lower Don River, it is anticipated that the Lower Don Special Policy Area will not be an issue in the long term.

2. On December 1, 2021, Economic and Community Development Committee adopted direction from the Film, Television and Digital Media Advisory Board, acknowledging the importance of the existing Official Plan Employment Area designations in the South of Eastern Employment Area to the protection of existing and development of new studio and production space across the City

The Employment Area Impact Assessment, prepared by urbanMetrics, found that “the former South of Eastern Employment District where the subject site is located is not

home to a significant cluster of any one industry. Although the broader area does contain many of the City's film and television studios, the existing uses to the east and west of the subject site are retail/service commercial and municipal in nature."

Given the retail, municipal and mixed use residential uses surrounding the subject site, the proposed conversion will not introduce residential uses in immediate proximity to film uses and will therefore not impact the film industry. Further, the existing film activities within the South of Eastern Employment Area operate within a setting that includes nearby residential uses, both inside the Employment Area and on the north side of Eastern Avenue.

3. Whether the proposed conversion would adversely affect the overall viability of the South of Eastern Employment Area and allow for a stable operating environment for businesses to be maintained.

The Compatibility Mitigation Study submitted with the application found that no adverse air quality, noise and vibration impacts are anticipated with the conversion. The Employment Area Impact Assessment submitted with the application found that the collection of Employment Area lands surrounding the site have already undergone a transition away from being a significant concentration of traditional employment uses toward primarily retail/service commercial uses over the past 20 years.

4. Resolution of the site specific appeal to Official Plan Amendment No. 231 regarding the lands, to which the Growth Plan (2006) is applicable and the Ontario Land Tribunal is the approval authority.

The site-specific appeal is currently active and is similar in nature to the current proposed conversion. Approval of the requested conversion would likely resolve the outstanding appeal.

5. The lands are internal to an Employment Area and are surrounded by land that is used for and planned for business and economic activities, including film and production uses, manufacturing, distribution and warehousing.

The subject site is at the edge of an Employment Area and in a part of the Employment Area that features mostly commercial retail uses. Further, the site faces onto existing residential uses and land use designations that permit residential uses to the immediate north and east. The lands to the west and southwest include primarily retail uses, and the lands further to the west are planned as an office campus for General Motors. The lands to the south across Lake Shore Boulevard include the existing TTC Leslie Barns

streetcar storage and maintenance facility, and the lands to the east include a City of Toronto Fleet Services yard and other municipal uses. The Compatibility Mitigation Study found that any noise, vibration and air quality considerations can be appropriately mitigated in relation to those uses. Further, the public municipal nature and ownership of the adjacent streetcar and fleet service uses mean these lands are not used for traditional business and economic activities, and as such are not subject to market impacts.

6. Sufficiency of lands, for both current and future needs, for economic functions such as manufacturing, distribution and warehousing;

The sufficiency of land was addressed in the conversion request application, where the Employment Area Impact Assessment demonstrated that the lands are not required for such uses. The study found that:

“Although employment in the City is forecast to continue to grow to 2051, Employment Land employment is expected to decrease, as detailed in the Technical Report accompanying the recent Growth Plan amendment. This continues the shift toward higher density employment in Major Office and Population Related employment that the City has been experiencing for some time.

Furthermore, we note that the conceptual development for the subject site will accommodate more jobs than the existing large format retail/service commercial development of the site.”

7. Ability to provide a stable and productive operating environment for existing and new businesses and their economic activities.

The subject site is currently used for commercial retail uses, including a Loblaws store and related retail, and is located adjacent to commercial retail uses. Given Choice Properties ownership, any redevelopment of the site is anticipated to include a grocery store and other retail uses, which will be compatible with surrounding retail uses. The introduction of new residential uses will therefore allow for reinvestment in existing businesses and the new population will provide an increased customer base for the surrounding retail uses.

The proposed conversion would not have an impact on non-retail employment lands, as those adjacent uses are primarily municipal in nature (e.g. streetcar yard, fleet yard, fire

station, etc.) and do not contribute to economic activities in the same manner as private businesses.

8. Assess whether the conversion would adversely affect the ability to provide opportunities for the clustering of similar or related employment uses.

See response to question #2 above regarding the film industry and question #7 above regarding impacts to existing and new businesses and their economic activities.

9. The cumulative impact of multiple conversion requests on the overall viability of the Employment Area and its planned function.

The subject site is located within a narrow strip of lands that are designated General Employment use that bifurcate the much larger area of Core Employment uses in the South of Eastern area. This unique land use designation, the site's current retail uses, and its frontage on Leslie Street, a designated major street, make the subject site distinct from its surroundings. Conversion of the subject site is not anticipated to spread to other nearby lands, and particularly not to the adjacent City of Toronto lands to the east and south.

With a conversion, the future redevelopment of the site is anticipated to accommodate new employment uses along with retail and residential uses. In this way, the subject site will contribute to the continued evolution of the employment uses within the area, and will lead to a net increase in jobs on the site.

10. Employment lands are being strategically preserved near important transportation infrastructure to facilitate the movement of goods including highway interchanges, rail corridors and airports.

The site does not have direct access to major highway or rail infrastructure. There is limited access to the nearby Gardiner Expressway and Don Valley Parkway. However, this access is limited in functionality, providing access only to the Don Valley Parkway, which limits the flow of goods.

In terms of transportation impacts, the Transportation Impact Assessment submitted with the conversion request found that:

- *“The conversion will not impact the surrounding employment lands as no changes are proposed to the transportation network, thus the major transportation infrastructure in*

the area will not change, thus enabling the movement of goods satisfying the City of Toronto Official Plan Policy 2.2.4.17.g.”

- *“As the conceptual development framework is expected to generate almost the same number of trips the existing site currently generates, it can be concluded that the conceptual development framework will have a negligible impact on the surrounding road network. Since the conceptual development framework is expected to have a negligible impact on the surrounding road network, it can be concluded that the conversion will not have an adverse effect on the overall viability of the Employment Area and the existing infrastructure will be able to accommodate the proposed conversion, satisfying Policies 2.2.4.17.d.8. and 2.2.4.17.e in the City of Toronto Official Plan.”*

11. Existing or planned infrastructure can accommodate the proposed conversion.

As indicated above in the response to question #10, the redevelopment of the subject site is anticipated to have negligible impact on the existing street network. The Preliminary Servicing Investigation submitted with the conversion request found that the municipal water distribution system and stormwater infrastructure can support redevelopment, and that an update to the Basement Flooding Class EA sewer Model (Study Area 32) would be required in order to assess the impact to the City’s sewer system. This assessment would be undertaken through future development approvals processes. Final confirmation of sanitary capacity would be required prior to zoning approval of any proposed development for the site, which would require sign-off by City engineering staff.

12. Sufficient community services and facilities such as parks, libraries, recreation centres and schools exist or are planned within walking distance for new residents.

The Planning Rationale submitted in support of the conversion request included an analysis of community services and facilities at a scope required by the City of Toronto to assess the conversion request. The analysis found that *“the subject site is within walking distance of a full range of recreational facilities, schools and public amenities, many within a 10 to 20-minute walk. These services include the nearby parks/open spaces, libraries, community/recreational facilities and schools.”*

Further, it found that *“the subject site is in close proximity to the Port Lands, which is currently undergoing a multi-year revitalization process guided by the Port Lands Planning Framework. The Port Lands Planning Framework identifies a number of schools, child care facilities, community recreation centres and other community services and*

facilities that will be needed to accommodate planned growth in the Port Lands. While none of these community services and facilities have yet been built or actualized, it is likely that these future community services and facilities will accommodate new residents within the broader area.”

13. Other issues that may arise as a result of further review and stakeholder engagement.

No other issues were raised.

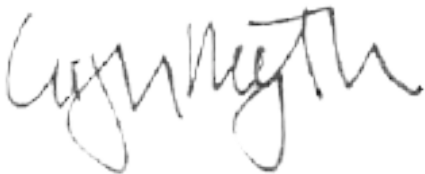
Summary

As stated in our Planning Rationale provided in support of the conversion request, it is my opinion that the proposed employment land conversion is appropriate and desirable for the subject site and its surrounding context and represents good planning. The proposed conversion is consistent with the Provincial Policy Statement and conform to the policies of the Growth Plan and the City of Toronto Official Plan. The conversion request satisfies all the tests for employment land conversion set out in Section 2.2.5.9 of the Growth Plan and Section 2.2.4 of the Official Plan.

The materials provided with the original application demonstrate, along with the above response to concerns raised by City staff, provide an appropriate justification for a conversion of the 17 Leslie Street. It is my opinion that the proposed employment conversion is appropriate and represents good planning, and that the Council decision to leave the site as employment areas should be reconsidered.

Yours very truly,

URBAN STRATEGIES INC.



Leigh McGrath, MCIP, RPP
Partner, Urban Strategies Inc.