

Posted Online (to Environmental Registry Ontario)

28 February 2019

Charles O'Hara
Ontario Growth Secretariat
Ministry of Municipal Affairs and Housing
777 Bay Street
c/o Business Management Division, 17th floor
Toronto, ON M5G 2E5

Dear Mr. O'Hara:

**Re: Proposed Amendment 1 to the *Growth Plan for the Greater Golden Horseshoe, 2017*
(ERO # 013-4504)
Proposed Modifications to O. Reg. 311/06 (Transitional Matters - Growth Plans)
(ERO # 013-4505)
Proposed Framework for Provincially Significant Employment Zones
(ERO # 013-4506)**

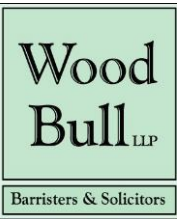
Submissions by 2129152 Ontario Inc. regarding 4646 Dufferin Street, City of Toronto

We represent 2129152 Ontario Inc. ("212"), the owner of the property municipally known as 4646 Dufferin Street in the City of Toronto (the "Site"), as shown on the attached map. On behalf of 212, we have reviewed the Province's proposals noted above as they apply to the Site and submit the following comments for the Minister's consideration.

212 would welcome an opportunity to discuss these comments with the Minister's office, and would be pleased to provide additional information related to the Site if it would assist in considering the requests made in this submission.

Background

The Site is currently designated *Employment Area*. During the City of Toronto's municipal comprehensive review process, the owner of the Site proposed that the site be converted for mixed-use development. The proposed development would include 6 mixed-use buildings, providing over 1200 jobs on-site, including many high-tech and medical jobs and approximately 770 residential dwelling units, including seniors apartment units and extended care units. The conversion request for the Site is under appeal at the Local Planning Appeal Tribunal ("LPAT").



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This submission and the comments herein are offered in the context of that proposed mixed-use development for the Site.

Provincially Significant Employment Zones (“PSEZ”)

212 supports the Minister’s stated intention to create “a modernized employment area designation system that ensures lands used for employment are appropriately protected while unlocking land for residential development” (ERO 013-4504). In particular, 212 is supportive of the proposed amendments, which amongst other things, permit municipalities the opportunity to consider employment land conversions before the next municipal comprehensive review, allowing more development flexibility within employment areas (mixed-use developments) and encouraging more transit-supportive development (ERO 013-4506).

Remove Site from PSEZ #9

212 submits that the Site should be removed from the boundaries of PSEZ #9 – 400 407 (Keele Dufferin). The Site does not meet the following criteria outlined in the Proposed Framework for PSEZ:

- the Site does not contain a high concentration of employment uses and does not play an economically strategic or significant role to the region;
- the Site is not required in the region to retain existing industries;
- the Site, if redeveloped as proposed, would attract new investment in community-based healthcare, create more high-tech and medical jobs in the region, and contribute to the Province’s goals for increased seniors/multi-generational housing, affordability, and intensification;
- the Site is located on the edge of an *employment area*, abutting a major arterial road where surrounding uses have evolved from industrial uses to mostly service, office, and retail uses; and
- the Site is less than 10 acres.

Proposed Modifications to Section 2.2.5: Employment Policies

In addition, 212 submits the following comments on the proposed amendments to the employment policies in Section 2.2.5.

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Policy 2.2.5.8:

- Should be clarified to address the intent and meaning of “over” if it means “on top of”. Suggest “*in the upper levels of major retail or major office uses*” or “*in the same building as major retail uses or major office uses*” or “*above major retail uses or major office uses*”.
- Should be amended to change “minimize and mitigate adverse impacts” to “mitigate adverse effects” which more closely mirrors the language of the Provincial Policy Statement and Environmental Protection Act.
- The use of the terms “major retail” and “major office” in this policy should be italicized as these are defined terms in the *Growth Plan, 2017*.

Policy 2.2.5.14:

- The term “employment lands” is not defined in the policy in the *Growth Plan, 2017*, in the Provincial Policy Statement, or the Planning Act.
- As drafted, any site which has present employment could be required to provide “a similar number of jobs” upon redevelopment, regardless of the number of existing jobs and even if this is impractical or not viable.
- An alternative would be to replace the words “employment lands” with the words “lands upon which significant employment is provided” to restrict the policy to property with significant existing employment.
- The word “retain” should be replaced with the word “include” to make clear that the replacement jobs can be accommodated in new space.

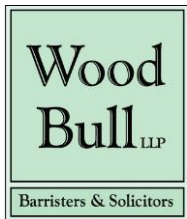
Policy 2.2.5.16:

- Office parks is a defined term in the *Growth Plan, 2017*; however the words “office park” are not italicized in policy 2.2.5.16 of the Proposed Amendment 1 or 2.2.5.13 of the current *Growth Plan, 2017* to indicate the defined term is intended.
- The words “office park” should be italicized in policy 2.2.5.16 to ensure that the new limiting policy in 2.2.5.16 d. is not applied to developments other than defined office parks.

Proposed Modifications to O. Reg. 311/06 (Transitional Matters - Growth Plans)

We appreciate the Province’s explicit request for feedback as to whether there are any specific planning matters in process that should be addressed through the transition regulation - the example given being official plan amendments that have been adopted and are currently under appeal.

In 2013, the City adopted Toronto Official Plan Amendment No. 231 (“OPA 231”), its municipal comprehensive review under the 2006 Growth Plan. OPA 231 was approved by the Ministry in 2014



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and appealed to the LPAT by various parties including 212. Since 212 has an existing appeal in regard to OPA 231, it would be appropriate to exempt OPA 231 from the proposed Growth Plan Amendment 1 for the duration of the LPAT appeal process.

We thank you in advance for your consideration of these matters, and reiterate our client's interest in meeting with the Minister's office to discuss these matters further.

Yours very truly,

Wood Bull LLP

A handwritten signature in black ink, appearing to read "DHW", is positioned below the firm name.

Dennis H. Wood

DHW

c. Client



City Comments on Proposed Provincially Significant Employment Zones (PSEZs)

