



July 5, 2023

Ministry of Municipal Affairs and Housing
Provincial Land Use Plans Branch
777 Bay St, 13th Floor
Toronto, ON
M7A 2J3

RE: Comments:
Proposed Provincial Planning Statement,
Ministry Reference Number 019-6813
-and-
City of Toronto Official Plan Amendment No. 591 (“OPA 591”),
Ministry Reference Number 019-5868
The Good Shepherd Chaldean Catholic Community
2 High Meadow Place, City of Toronto (“Subject Lands”)

I write to provide comments, on behalf of the Registered Owners of the above captioned lands (e.g., *The Good Shepherd Chaldean Cathedral*) as it pertains to the proposed Provincial Policy Statement and, City of Toronto OPA 591 being an Official Plan Amendment containing new and updated employment policies including site specific employment conversions.

We recognize the Commenting Period for OPA 591 has closed.

However, given the changing Ministry directive pertaining to the redefinition of ‘Areas of Employment’, these Comments seek the Ministry’s consideration for removing our Client’s lands from the existing ‘Core Employment Areas’ designation of Toronto’s Official Plan, including removal of the lands from the Provincially Significant Employment Zone No. 11 (*PSEZ, Toronto, York*).

In terms of the proposed Provincial Policy Statement, our Client is generally supportive of the Statement including support for the revocation of Provincially Significant Employment Zones (*PSEZs*).

PSEZs pose an unnecessary policy barrier to permitting the expansion and operation of Institutional uses, as is the case regarding The Good Shepherd Chaldean Catholic Church, which is seeking the introduction and expansion of uses including a Parish Centre with office, chapel rectory, classrooms, and a banquet facility with administrative offices.

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Accordingly, we are supportive and request PSEZ No. 11 being the Toronto, York Zone be revoked, or the Subject Lands be removed from the noted PSEZ.

We are also requesting the updated ‘Areas of Employment’ definition proposed, be implemented in the most expeditious manner, within existing Municipal Official Plans including the *City of Toronto Official Plan* and permitting, as of right, the expansion of Institutional uses to include sensitive land uses and commercial uses, on lands, which are not in accordance with the proposed definition.

Site Location & Description:

The Subject Lands are located within the City of Toronto and municipally addressed as 2 High Meadow Place with a Total Site Area of approximately 1.21 Hectares or 12, 157 Square Metres.

The Subject Lands are currently occupied by an existing 2-storey Church building, together with existing surface parking and service areas.

The Subject Lands are municipally serviced with existing water, wastewater, storm services, hydro and gas.

Existing Site Access is from a Municipal Road being, High Meadow Place, with an additional Site Access proposed from Signet Drive.

Surrounding land uses include existing manufacturing uses, commercial uses, and institutional uses including other places of worship.

As mentioned, the Subject Lands are designated ‘Core Employment Areas’ per *the City of Toronto Official Plan*, with no applicable Secondary Plan or Site and Area Specific Policies.

The Subject Lands are Zoned ‘Employment Industrial, EH 1.0 (x9) Zone’ per *City of Toronto Zoning by-law 569-2013*, as amended.

The Subject Lands are unique, in that, the existing uses are not representative of ‘employment uses,’ but rather institutional uses, which have also been included, within the PSEZ, and the City’s Employment Area designation, of the Official Plan and Zoning By-law.

The existing land use planning framework, applicable to the Subject Lands, has significantly prevented the continued sustainability of the Church use, including its operations and the Church’s future plans to expand uses.

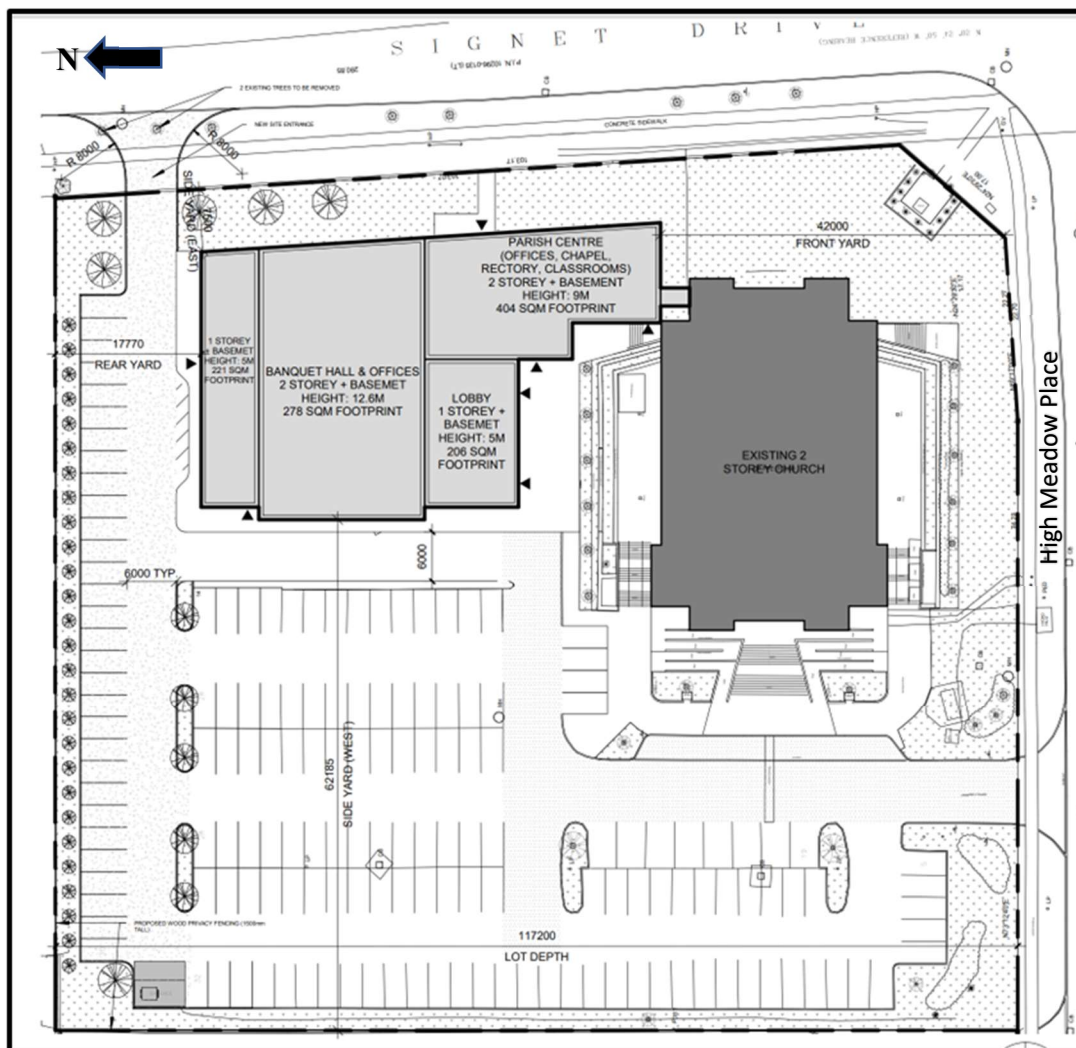
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Proposed Expansion of Uses:

To sustain the Church's operations and to continue to provide required community services to parishioners and visitors of the Church, our Client is seeking to redevelop the lands by means of adding an additional structure attached to the existing Church building.

The proposed structure includes a Parish Centre with office, chapel rectory, classrooms, and a banquet facility, together with administrative offices, as shown within a Concept Site Plan, prepared by Larkin Architect Limited.

Concept Site Plan



Source: Larkin Architect Limited.

The proposed redevelopment would provide significant benefits including the regeneration of use to support existing uses, support for Church staff, clergy, and the community.

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The proposed expansion of uses is supportable, from a site programming perspective, with improved site access and existing infrastructure, capable of accommodating the proposed expansion of uses. Ensuring land use compatibility with the surrounding industrial uses, can be undertaken through various studies including a D6-Land Use Compatibility Study and ensuring provincial and municipal design standards are adhered to.

However, under the current land use planning policy framework, the proposed redevelopment would be representative of an Employment Land Conversion, which can only be considered as part of a Municipal Comprehensive Review.

Provincially Significant Employment Zones & Institutional Policy Barriers:

As mentioned, the Subject Lands are located within PSEZ No. 11, being the Toronto, York Zone.

Being within a PSEZ and as mentioned, the introduction of the proposed land uses, outlined above, may only occur through a Municipal Comprehensive Review (*MCR*), in accordance with the current Places to Grow Plan and *Planning Act* requirements.

Through an MCR, the City of Toronto has advanced an Official Plan Amendment being OPA 591, which seeks to convert specific lands from an employment designation(s), together with area and site-specific policies.

OPA 591 remains the subject of the Minister's review and as mentioned, these Comments also request consideration of the Minister to remove the Subject Lands from the 'Core Employment Areas' designation, placing the lands within an 'Institutional Areas' designation.

Being within an existing PSEZ, a policy barrier, preventing the advancement of a conversion review, to permit the proposed redevelopment of Subject Lands exists.

While it is acknowledged that institutional uses do exist within PSEZs, advancing a change in use is burdensome and reliant on an MCR, which cannot be appealed to the Ontario Land Tribunal.

The City's criteria for consideration of conversions, within PSEZs, was 'rigid' and not cognizant of site-specific attributes including the recognition that existing institutional uses, especially places of worship play a significant community use role within the mosaic of complete communities, provincial and municipal land use planning seeks to achieve.

The Subject Lands, already occupied by an existing Church, should have land use permissions which do not hinder but rather, promote expansion of the use and facilities required, for the congregation to continue to support the local and wider community's spiritual needs.

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The current policy regime requiring an MCR to introduce uses which are similar and compatible with the existing uses on the Subject Lands is draconian and prohibitive in nature.

Permitting the timely redevelopment of the Subject Lands would permit revitalization of the existing uses and ensure the Good Shepherd Chaldean Catholic Church can continue to serve the community.

As noted, the existing uses are excluded from the updated definition of ‘Areas of Employment’, which would remove the need for an Employment Conversion, should the *Helping Homebuyers Protecting Tenants Act, 2023* (e.g., *Bill 97*) be proclaimed without amendment.

Our Client has long awaited the Provincial Guidelines pertaining to the implementation of PSEZs, with the hope of being able to advance the proposed redevelopment of the Subject Lands.

As such, our Client welcomes the proposed Provincial Planning Statement, which, once approved, would result in the lands not being considered ‘Employment.’ This policy change should permit the advancement of proposed redevelopment, at the earliest opportunity.

Municipal Consultation & Request to Modify OPA 591:

The proposed redevelopment of the Subject Lands has been formally consulted upon, with the City of Toronto, through the Pre-Application Consultation process, held in accordance with the *Planning Act*.

Through the formal consultation, the City outlined the policy prohibitions associated with PSEZs and, the existing ‘Core Employment Areas’ designation.

Through OPA 591, the City’s MCR failed to recognize the existing land use designation is not appropriate nor reflective of the existing uses, being generally described as institutional uses and not employment uses.

The City has also prepared Comments, to be approved by City Council and advanced to the Ministry, regarding the proposed Provincial Planning Statement. Per our review, the City’s Chief Planner and Executive Director’s Comments, if approved by City Council, would, in general terms, request the Ministry maintain the existing Provincial policy framework and enhance employment policy protections including maintenance of the current timeframes applying to conversion of employment lands, film industry land use protections, strengthening land use policy protections for all Employment Areas (*regardless of existing uses*), and transition regulations.

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The City's Comments do not support the flexibility proposed through Bill 97 and the proposed Provincial Planning Statement, essentially supporting a 'blanket' approach of employment protectionism across all Areas of Employment.

The approach to maintain and enhance existing protectionist policies does not recognize the evolving economy, trends toward a greater focus on e-commerce including mixed-use development and the need to innovate our land use planning policies regarding employment areas and lands.

As both the current land use framework and the City's position on the proposed Provincial changes would continue to hinder our Client's ability to advance the expansion of institutional and commercial uses, on the Subject Lands, we are also requesting the Minister consider a Modification to OPA 591, by:

- i. Adding the Subject Lands to the Summary Table located on Pages 3 and 4 of the OPA, to be shown as being re-designated from the 'Core Employment Areas' designation to a 'Institutional' designation.
- ii. Amending OPA 591, by adding an additional employment conversion being the Subject Lands, as follows:

V. Chapter 7, Site and Area Specific Policies, is amended by adding the Site and Area Specific Policy No. 798 for the lands addressed as 2 High Meadow Place, as follows:

'798. Lands known municipally in 2022 as 2 High Meadow Place



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Expansion of the existing Church including a Parish Centre with office, chapel rectory, classrooms, and a banquet facility, together with administrative offices are permitted provided that:

- a) A Site Plan Control application be filed with the City of Toronto demonstrating compatibility with surrounding land uses and ensuring provincial and municipal design standards are adhered to.
- iii. Amending Appendix 1, Map 2 of OPA 591 to include the Subject Lands as being part of the Employment Areas Modifications.
- iv. Amending Appendix 2, adding a Map of the Subject Lands to re-designate the Subject Lands, from the 'Core Employment Areas' designation to a 'Institutional' designation.
- v. Amending subsection 'V' to 'W' and adding the Subject Lands to the Site and Area Specific Polices chart as conversion number 798.

Request for as of Right Institutional Permissions for Non-Employment Lands:

To guide the implementation of the proposed Provincial Planning Statement, the Ministry has released an implementation document.

The implementation document states the intention to update existing Municipal Official Plans would be to update Official Plans, through the ordinary review cycle, being every five years or every ten years, for a new Official Plans.

However, with the proposed, new definition for 'Areas of Employment' per Bill 97, the implementation document states municipalities should advance updates to Official Plans on a 'time-sensitive' basis, to align with the new definition.

Accordingly, on behalf of our Client we respectfully request the Minister consider that upon proclamation of Bill 97, lands which do not contain the uses described within the new definition of 'Area of Employment' be permitted, as of right, to permit the proposed redevelopment of the Subject Lands.

Awaiting the update to Municipal Official Plans will further delay the implementation of the proposed redevelopment, not only for the Subject Lands but several other parcels, which do not contain employment uses including manufacturing, research, warehousing, goods movement and ancillary or accessory uses.

Continued protection of the Subject Lands, for employment use is inconsistent with the proposed Provincial Policy Statement and Bill 97.

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The appropriate design and land use standards to implement redevelopment of the Subject Lands is assured through subsequent *Planning Act* requirements including Site Plan Control and Zoning remedies required, to implement the proposed redevelopment.

On behalf of our Client, we commend the Government on their efforts to advance changes to our land use planning framework, in a clear and expeditious manner, through continued streamlining of the land use planning process and securement of the public interest.

We respectfully request our Comments and Requests related to OPA 591 and the Provincial Planning Statement will be considered with a response and Notice of Decision provided.

Thank you for the opportunity to provide Comments.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Yours truly,

BLACKTHORN DEVELOPMENT CORP.

Maurizio Rogato, B.U.R.Pl., M.C.I.P., R.P.P.

Principal

Email Copy:

Ms. Alejandra Perdomo, Senior Planner (A), Community Planning and Development (West),
Central Municipal Services Office, Ministry of Municipal Affairs and Housing

Bishop Robert Jarjis, The Good Shepherd Chaldean Cathedral

Mr. Allen Toma, President, Metroly Development

Mr. Michael Nicholas-Schmidt, B.A.S., M. Arch, OAA, MRAIC, Principal, Larkin Architect Limited

Mr. Wamid Shamon P.Eng., PEO Designated Consulting Engineer