

PH12.4.2

From: [Lakeshore Planning Council Corp.](#)
To: [Planning and Housing](#)
Subject: PH12.4 - CHRISTIE'S PLANNING STUDY
Date: January 21, 2020 2:29:04 PM
Attachments: [Letter to Planning and Housing Committee - Jan 21, 2020.pdf](#)

Please find attached our submission for the review of the above item by the Planning & Housing Committee.

Please ensure our submission is linked and available for interested members of the public to read online.

Thank you in advance.

P. Moulder
Director
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January 21, 2020

TO: The Members of the Planning & Housing Committee

CC: City of Toronto Integrity Commissioner & Others

**RE: PH12.4 – CHRISTIE’S PLANNING STUDY – Status Update
23 Park Lawn Road and 2150 Lake Shore Boulevard West – OPA Application –
Preliminary Report**

The decision by City Council, made behind closed doors, out of the hearing and view of the public, preventing public knowledge and response to any statements made behind those closed doors, and after considerable “lobbying” of Councillors by representatives and supporters for the Applicant, to convert the Christie’s property designation from Core Employment to Regeneration Areas and ultimately Mixed-Use, is unlawful and raises questions concerning “influence peddling” and similar concerns.

We have provincial and municipal planning laws, along with mandated transparent meetings of City Councillors that are open to the public and video-taped, for a reason. The “Confidential” Council meetings which result from appeals to LPAT (the former OMB) are being used by City Councillors, staff and others to undermine and circumvent laws and processes created to protect the public interest and the requirement for transparent governance. This is becoming a pattern with Toronto City Council for Ward 3 (former Ward 6).

Planning decisions taken by City Council that do not comply with statutory law are void, are not valid and do not have legal effect.

Contents

1. The Law – page 2
2. The Municipal Comprehensive Review – pages 3-4
3. The Christie Site as Core Employment Lands – pages 5-6
4. A new GO Station for Humber Loop, and not Park Lawn Road – pages 7-9
5. First Capital Corp. and Canada Pension Plan Investment Board proposal – page 10
6. Summary – page 11-13
7. Next steps – page 14-15
8. Conclusion – page 15

1. The Law

(a) **The Planning Act** - In accordance with Section 3 of the *Planning Act*, all decisions of City Council with respect to the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform with the Growth Plan. Staff will ensure that studies and Official Plan Amendment applications conform with the Growth Plan.

(b) **The Provincial Policy Statement** – Section 1.3.2.2 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.

(c) **The Growth Plan** - (2017)

2.2.5.9. The conversion of lands within employment areas or prime employment areas to non-employment uses may be permitted only through a municipal comprehensive review where it is demonstrated that:

a) there is a need for the conversion;

b) the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;

c) the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;

d) the proposed uses would not adversely affect the overall viability of the employment area or prime 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.

2.2.5.10. For greater certainty, the redesignation of an *employment area* to a designation that permits non-employment uses is considered a conversion and may occur only through a *municipal comprehensive review* undertaken in accordance with policy 2.2.5.9.

2. The Municipal Comprehensive Review

The Growth Plan allows municipalities to permit conversion of lands within employment areas to non-employment uses only through a 'municipal comprehensive review' where key criteria have been met. A municipal comprehensive review is an Official Plan Review initiated by a municipality that comprehensively applies the Growth Plan policies.

[PG19.5 – October 23, 2012 - Report from the Chief Planner and Executive Director, City Planning Division on Planning for a Strong and Diverse Economy: Official Plan/Municipal Comprehensive Reviews - Draft Policies and Designations for Employment - Part 1](#)

(p.9) Employment Areas are a Finite Resource to be Conserved

Our Employment Areas are a finite resource. Given relative land values we rarely see residentially designated lands converted to employment uses. Our consultant's projections show that we have sufficient lands designated as Employment Areas to meet demands by 2031, **but we will run out of land in our Employment Areas for the permitted business functions between 2031 and 2041**. There is a relatively low supply of vacant employment lands particularly given the potential expansion of commercial retail and institutions in Employment Areas, and that the expansion of manufacturing/warehousing uses is wholly confined to these lands. While conversion requests are addressed later in this report, it is recommended that the majority of the City's Employment Areas be maintained for the expansion of non-residential businesses, and that expansion take place in an intensified physical form.

PG28.2 November 5, 2013 – Report from the Chief Planner Report from the Chief Planner and Executive Director, City Planning, on Official Plan and Municipal Comprehensive Reviews: Amendments to the Official Plan for Economic Health and Employment Lands Policies and Designations and Recommendations on Conversion Requests – Attachment 2 (page 316-322 copy attached)

Excerpts from Attachment 2 - “The City Planning Division recommends that:”

(p.316) Based on the criteria in the Growth Plan, the Provincial Policy Statement and the Official Plan policies, City Council retain the lands at 23 Park Lawn Road and 2150 Lake Shore Boulevard West as *Employment Areas* and designate them as *Core Employment Areas*.

(p.318) There is no need to convert the employment lands at 23 Park Lawn Road and 2150 Lake Shore Boulevard West to meet the 2031 Provincial population forecast for Toronto or to address an incompatibility of *Employment Area* permissions with existing adjacent lands uses. (*Note: The current population forecast to 2041 now applies, and not 2031*)

(p.318) City Council’s planning decisions are required by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. Growth Plan policy 2.2.6.9 states that municipalities are encouraged to designate and preserve employment lands in the vicinity of existing highway interchanges, ports, rail yards and airports as areas for manufacturing, warehousing, and associated retail, office and ancillary facilities, where appropriate. Employment sites that front a major expressway or highway are valuable and well-suited for business, given their visibility and prominence as well as for truck and van access for the movement of goods. This site is located close to the Park Lawn Road ramp of the Gardiner Expressway.

(p.319) It is staff's opinion that the requested conversion of sites within the Gardiner/QEW corridor will adversely affect the overall viability of the South Etobicoke *Employment Area*. In particular, converting sites close to the Ontario Food Terminal ("OFT") has the potential to create undesirable land use conflicts.

(p.319) Converting this site to non-employment uses could limit the availability of suitable sites as per Growth Plan Policy 2.2.6.2.c which states:

Municipalities will promote economic development and competitiveness by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

(p.319) The requested conversion of the lands would directly conflict with Growth Plan Policy 2.2.6.9, given the site's adjacency to a major highway providing access for goods movement and visibility for commercial purposes. Policy 2.2.6.9 states:

Municipalities are encouraged to designate and preserve lands within settlement areas in the vicinity of existing major highway interchanges, ports, rail yards and airports as areas for manufacturing, warehousing, and associated retail, office and ancillary facilities, where appropriate.

(p.320) Council, at its meeting of November 27, 28 and 29, 2012 (Item CC28.5), requested the Minister of Municipal Affairs and Housing and the Minister of Infrastructure to consider exercising his authority under the Growth Plan for the Greater Golden Horseshoe to identify the employment lands in the vicinity of the OFT as well as the OFT site itself as a provincially significant employment area.

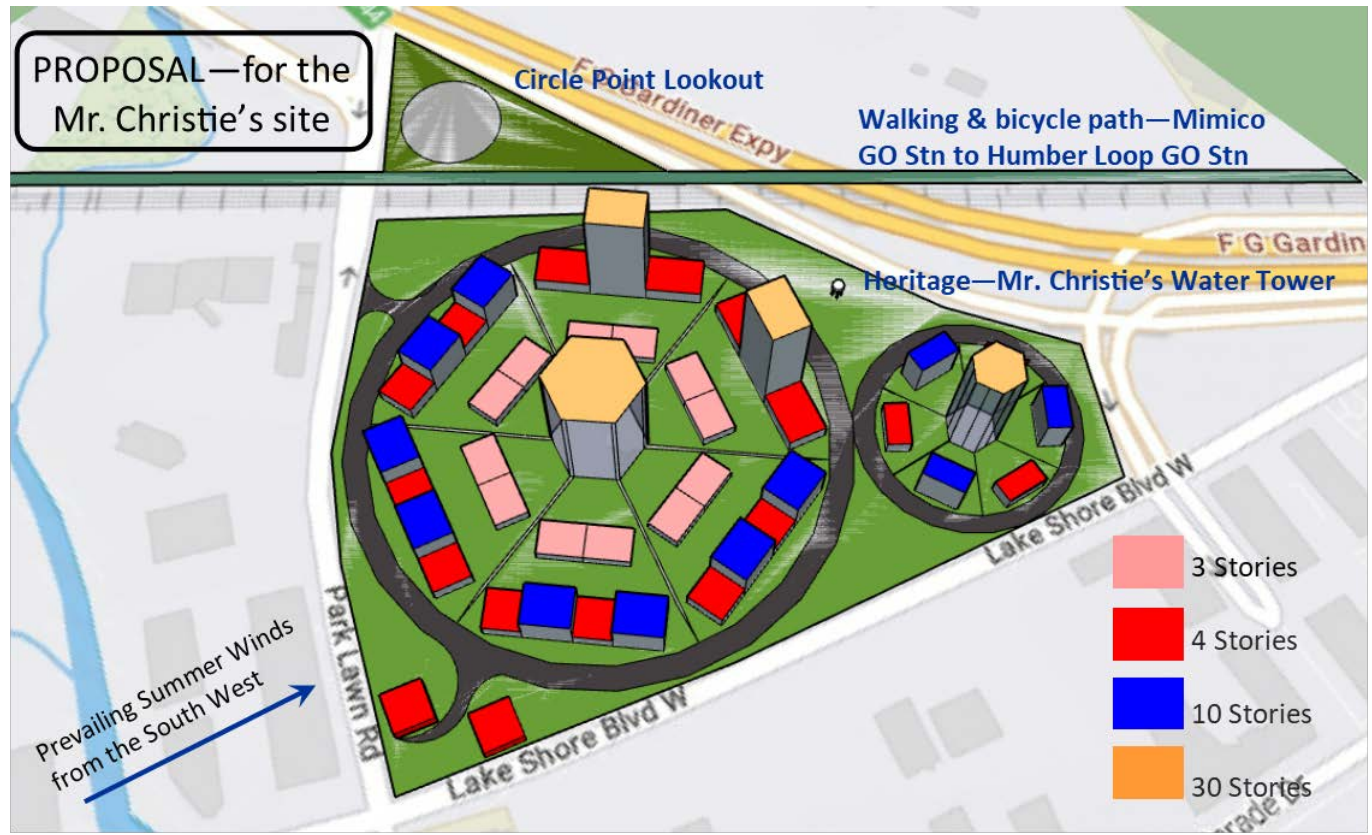
(p.321) It is staff's opinion that any improvements resulting from these studies may strengthen the attractiveness of the site for employment purposes. While residential intensification of the lands has the potential to add further stresses upon the existing infrastructure. (*Note: Studies refer to a Transportation Master Plan, a new GO Station at Park Lawn Road or relocating the existing Mimico GO Station.*)

(p.321) It is staff's opinion that there is no need for the requested conversion. Based on the criteria in the Growth Plan, the Provincial Policy Statement and the Official Plan policies, the City Planning Division recommends that City Council retain the lands at 23 Park Lawn Road and 2150 Lake Shore Boulevard West as Employment Areas, designate the lands as Core Employment Areas and amend Site and Area Specific Policy No. 15 that applies to these lands.

In short, Toronto will “will run out of land in our Employment Areas for the permitted business functions between 2031 and 2041”. Furthermore, any conversion of the Christie lands from Employment, or from Core Employment, to Mixed-Use is not supported by the Municipal Comprehensive Review, which confirmed key criteria of the Growth Plan have not been met.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. Council has no authority to override statutory law which has been created to protect the short and long-term public interest.

3. The Christie Site as Core Employment Lands



“THE CIRCLE” BUSINESS PARK AT HUMBER BAY, with ground level retail & food outlets

RATIONALE

CBRE—July 9, 2019—Vancouver and Toronto now share the title of North America's hottest office market. Toronto's downtown office vacancy rate remained stable at 2.6% amid a construction boom in the city's core. The record-low vacancy is producing record-high rental rates. Average Class A net asking rents in Toronto's financial core crossed the \$40.00 per sq. ft. mark.

Growth Plan for the Greater Golden Horseshoe (2017)

The Provincial **Growth Plan** is about accommodating forecasted growth in *complete communities* that are well designed to meet people's needs for daily living by providing convenient access to an appropriate mix and balance of jobs to reduce the need for long distance commuting, local services, *public service facilities*, and a full range of housing to accommodate a range of incomes and household sizes.

Planning and managing growth requires the provision of approximately one new job for every two new residents (Schedule 3 of the Growth Plan).

Major office and appropriate major institutional development will be directed to *urban growth centres*, *major transit station areas* or other *strategic growth areas* with existing or planned *frequent transit service*.

The conversion of lands within *employment areas* or *prime employment areas* to non-employment uses may be permitted only through a *municipal comprehensive review*.

THE CIRCLE PROJECT

6 3-storey buildings
17 4-storey buildings
11 10-storey buildings
4 30-storey buildings

38 buildings—total approx. 2,727,000 square feet

Ground floor retail—315,000 sf
Retail jobs—1,000 @ \$20,000 = \$20 million p.a.

Office space—2,412,000 sf
Office jobs—9,525 @ \$60,000 = \$571.5 million p.a.

Construction (hard) costs @ \$255/sf = \$695.4 million

Office/Retail space rents @\$16/sf = \$523.6 million p.a.

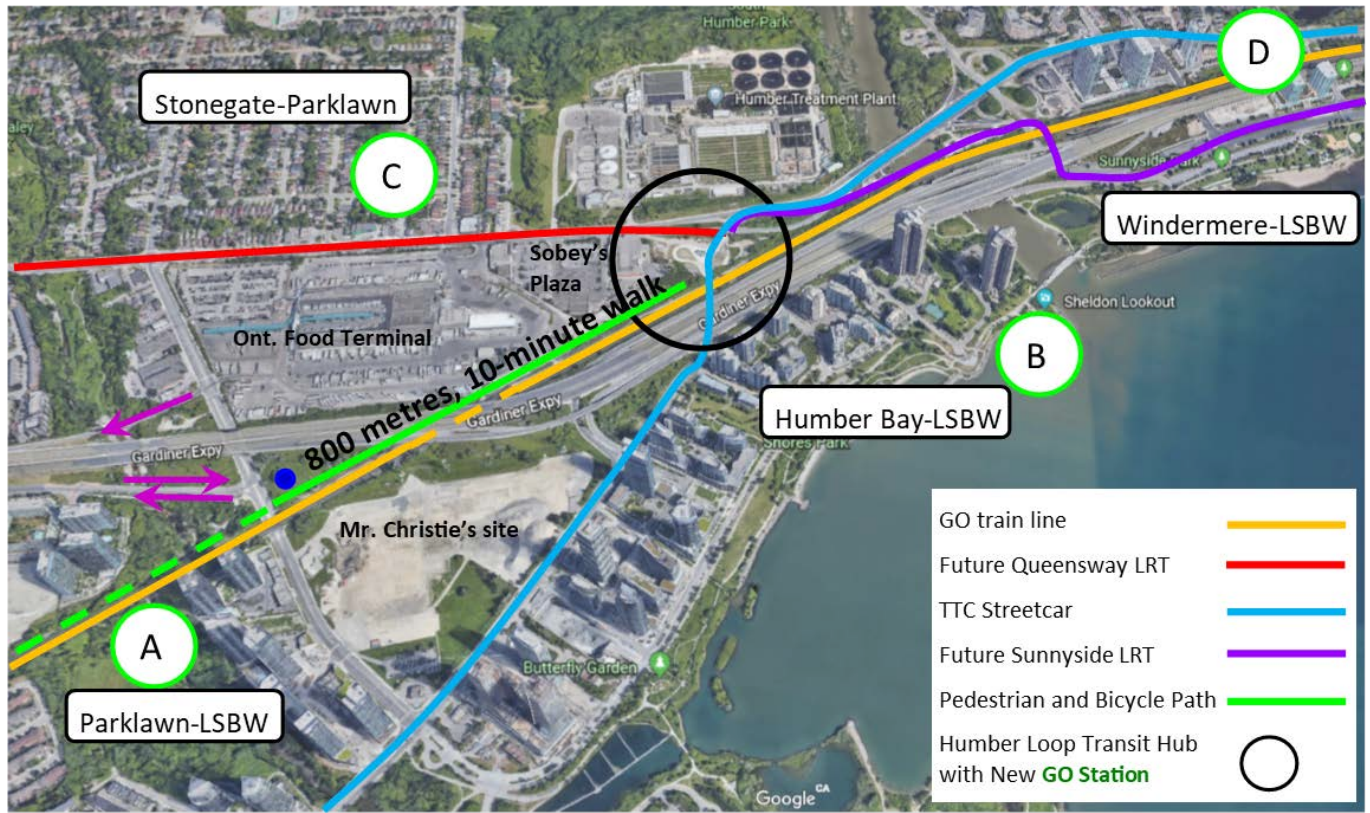
Circular roads—2 parking lanes, 2 driving lanes, wide sidewalks and two-way cycling lanes.
Underground parking will also be provided.

Reserving a generous amount of land for green space and planting numerous trees will ensure a park-like setting for residents, as well as for workers and visitors. A new **GO Station** at Humber Loop will provide a major transit link to The Circle Business Park. (See next page for info)

BENEFITS

- a) 10,525 new jobs will create a balance between the number of current Humber Bay residents (around 25,000) and jobs, approaching the 1:2 ratio as required by the Provincial Growth Plan.
- b) Office and retail space rental income at \$16 per square foot will approximate half a billion dollars annually.
- c) Office and retail jobs can provide more than half a billion dollars in employment income annually.
- d) Residents at Humber Bay can walk to work. Residents from outside the Humber Bay area who live along the TTC Streetcar line can take a short streetcar ride to work. The site can be accessed by bus from nearby communities north of the Queensway, and a new GO Station at Humber Loop.
- e) Creating 10,525 or more jobs on the Christie site will substantially reduce the number of vehicles on Lake Shore Blvd West and Park Lawn Road during “rush hours”. The bulk of vehicles creating the congestion in that area are owned by residents living at Humber Bay and in South Etobicoke who currently leave the area by car to get to jobs. There is no plan in place for a complete community for Humber Bay residents (in accordance with the Growth Plan requirements) with an appropriate number of jobs (1:2) for 25,000 or more residents.
- f) The flow of people to the Christie Core Employment Site will be in the opposite direction to the “rush hours” flow towards Downtown Toronto, and will have an overall positive effect on traffic congestion.
- g) The benefits to the public of retaining the Christie’s site as Core Employment lands far outweigh any proposal to convert the lands to residential use that adds at least 15,000 people with additional vehicles on the roads, and accompanying stresses for residents who must leave the area by car to access well-paying jobs and deal with crowding, traffic congestion and time lost commuting.

4. (a) A new GO Station for Humber Loop, and not Park Lawn Road



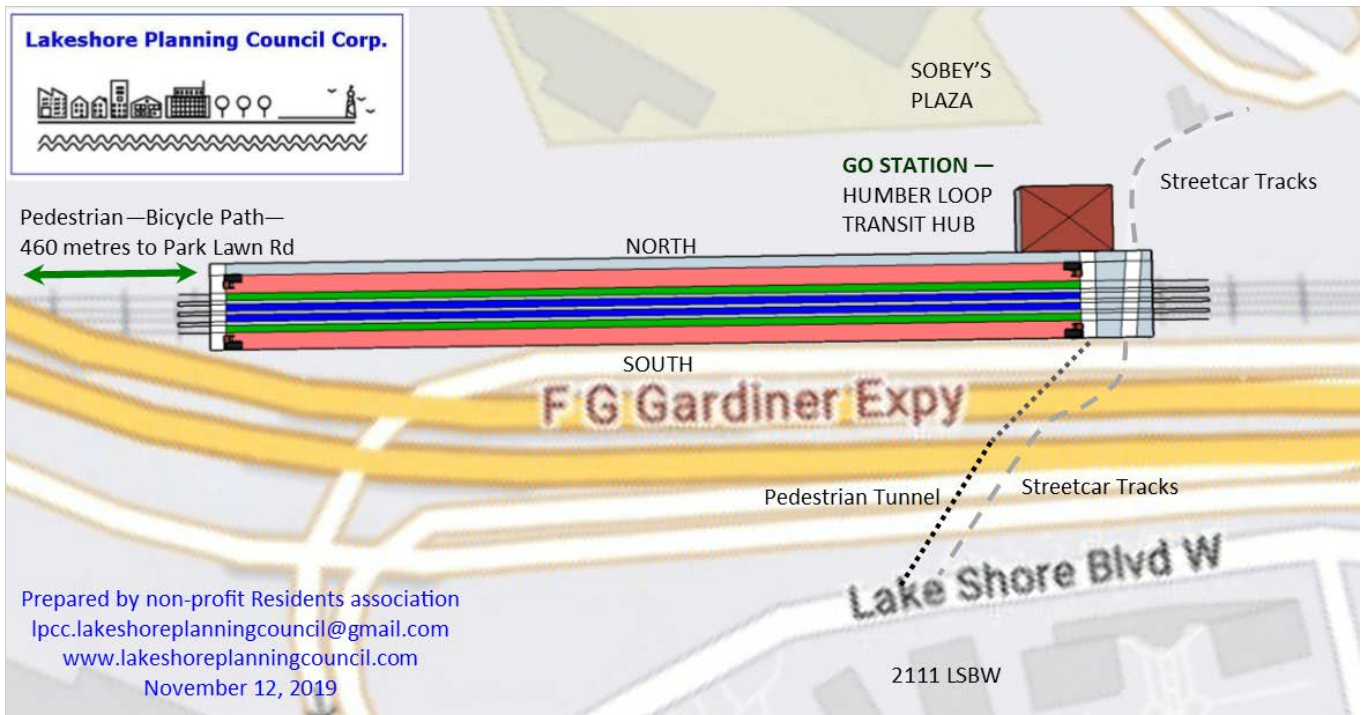
- A New GO Station located at Humber Loop will serve residents of 4 adjacent communities: Humber Bay-LSBW, Parklawn-LSBW, Stonegate-Parklawn, and Windermere-LSBW. [A thru D on the above map].
- Residents from Windermere condominiums [D] have advised they will use the GO Station at Humber Loop to travel both east to Downtown and west towards Mississauga. Residents at Mystic Pointe advised they prefer to use the Mimico GO Station.
- Park Lawn Rd provides major area access to the Gardiner Expressway and QEW, with on and off ramps, plus access to the Mystic Pointe condominiums. ←
- Park Lawn Rd/Lake Shore Blvd West is experiencing severe traffic congestion, negatively impacting residents at Parklawn-LSBW, who are having difficulty exiting and entering their properties by car, with concerns about past and future traffic accidents.
- Locating a GO Station on the NW corner ● of the Mr. Christie's site will substantially increase traffic congestion on Park Lawn Rd with additional cars and buses to and from the adjacent communities with passengers for the GO Station.
- The distance from the Mimico GO Station to Humber Loop of approx. 2 kilometres meets the minimum required distance between Metrolinx GO Stations of 1.5 km, while the Park Lawn Rd/ Christie's location does not.

Metrolinx Initial Business Case – June 2016

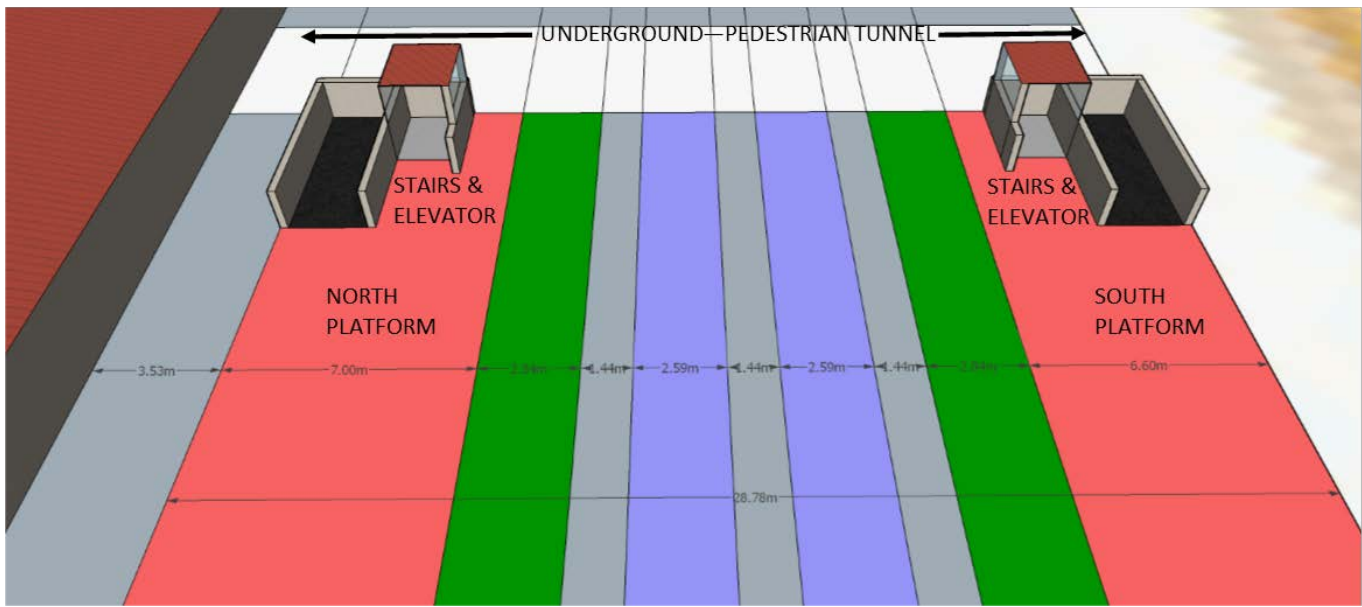
Given Metrolinx's minimum 1.5 km station spacing requirement for RER stations and the overlap of customer catchment areas, adding an additional station to the South Etobicoke portion of the Lakeshore West GO rail line is not an option. (i.e., the Park Lawn station would have to replace the existing Mimico station.)

- A new “greenway” pedestrian and bicycle path, running alongside train tracks, will provide a quick 800 metre (less than 10-minute) walk to the Humber Loop GO Station for Parklawn-LSBW residents, or only 460 metre walk to the western end of the Humber Loop GO train platform. Residents may also walk through the Christie site and use a new pedestrian tunnel into the GO Station. Or, they may also take a short ride on the TTC Streetcar to Humber Loop.
- A new pedestrian tunnel will run from LSBW under the train tracks and Gardiner Expressway straight into the new GO Station building at Humber Loop (see below).
- Locating the GO Station at Humber Loop will likely be far less expensive for taxpayers than at the Mr. Christie’s site, and will serve more residents, more efficiently.
- There is an existing “kiss-and-ride” stop at Humber Loop for cars and buses.
- The location of the GO Station at Humber Loop will draw traffic away from Park Lawn Rd and the intersection with LSBW and ease traffic congestion at that point.
- Humber Loop can already serve as a Transit Hub for the future, when future mass transit will be required for the Queensway to serve residents in the new condo buildings planned for Sherway Gardens, currently existing and planned future condos on the Queensway, and for area residents to travel from Hurontario Street in Mississauga along the Queensway to Humber Loop and onwards to Downtown (see detailed study “Humber Bay Transit Hub – South Etobicoke-Mississauga Integrated Public Transit Proposal” Rev. 2016 by Paul Chomik, P.Eng. at <http://lakeshoreplanningcouncil.com/transit/>)
- Transit planning should be considering public transit needs 100 years into the future to protect the broad public interest.

4. (b) GO platforms at Humber Loop



- Claims that there is no room in the Metrolinx right-of-way for GO platforms are incorrect.
- Ontario Land Surveyors, J.D. Barnes Limited, conducted surveys in the year 2010 which provide data for the Metrolinx right-of-way between Park Lawn Rd and Humber Loop, indicating there is sufficient space for a minimum South side GO Station platform width of 6.6 metres, with no portion of the Gardiner Expressway encroaching into this section of the R-O-W.
- The platform lengths in the drawing above are 329 metres, excluding the pedestrian tunnel portions at each end, which provide access to stairs and elevators to the platforms.
- Residents at Parklawn-LSBW can also access the western end of the platforms from Park Lawn Rd using the Pedestrian—Bicycle path, a distance of approx. 460 metres.
- Hydro towers located too close to the R-O-W can be re-located along with any train signals and miscellany. A Humber Loop Transit Hub including a full service (not reduced or partial service with fewer trains) GO Station will effectively serve future, long-term expansion of the Toronto public transit system. Please refer to the aforementioned study “South Etobicoke-Mississauga Integrated Public Transit Proposal”.
- Locating the GO Station at Humber Loop will conveniently serve residents at Windermere-LSBW, Stonegate-Parklawn, Humber Bay-LSBW and Parklawn-LSBW, utilizing existing Streetcar and bus service, vehicle kiss-and-ride, and walking. The Humber Loop GO station will draw traffic away from Park Lawn Rd, and will draw some cars off the road entirely.
- The property around Humber Loop is publicly-owned by the Toronto Transit Commission (TTC), Metrolinx and Toronto Hydro. A GO Station can be located at Humber Loop without having to acquire, or otherwise obtain permissions or access, to private property.



5. First Capital Corp. and Canada Pension Plan Investment Board proposal

- a) The proposal to put 7,500 new condo units and 15,000 new residents on the Christie site does not comply with the statutory requirements of the Growth Plan.
- b) The proposal to convert Employment lands to residential is not supported by the Municipal Comprehensive Review, which concludes that Toronto “will run out of land in our Employment Areas for the permitted business functions between 2031 and 2041.”
- c) The proposal allows for less than 4,000 jobs for 15,000 residents which does not provide for the required ratio of one job for every two new residents (1:2).
- d) The proposal does not address the lack of jobs (virtually no jobs) for the current residents of approximately 25,000 people living at Humber Bay.
- e) The proposal outlines an unnecessary and expensive transit plan that concentrates traffic at Park Lawn Rd and will increase traffic congestion at Park Lawn and LSBW.
- f) The proposal recommends that the streetcar be diverted from LSBW and loop up to a Park Lawn GO Station and back down to LSBW adding an additional 10 minutes to the streetcar trip from Long Branch to Humber Loop. In comparison, the streetcar already arrives at Humber Loop where passengers can access a Humber Loop GO Station at no new costs or delay.
- g) The proposal recommends that the Gardiner Expressway off-ramps be diverted through the Christie site, tunnelling under the train tracks and Gardiner. This expensive re-routing is entirely unnecessary when (a) the Christie site is retained as a Business Park, reversing the flow of “rush-hour” traffic, (b) creating jobs for residents so fewer cars leave the area, and (c) the GO Station is located at Humber Loop, drawing kiss-and-ride traffic away from Park Lawn Road and the existing Gardiner on-off ramps.

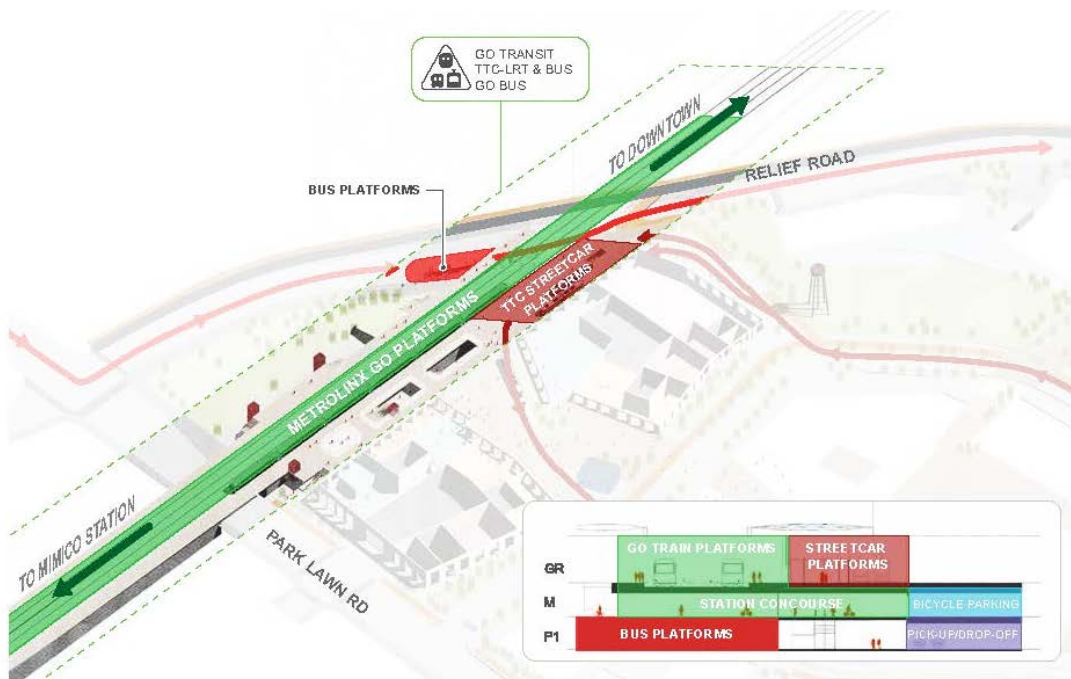


FIGURE 5 INTEGRATED TRANSIT HUB

6. Summary

City Council Decision – PG28.2

City Council on December 16, 17 and 18, 2013, adopted the following:

14. City Council adopt the recommendations pertaining to the conversion requests set out in **Attachment 2** to the report (November 5, 2013) from the Chief Planner and Executive Director, City Planning, with the exception of the lands at 158, 164, 181 and 200 Sterling Road, such exception outlined in Part 24, below.

Note: Attachment 2 provides the final assessment for the Christie property and Site Specific Policy 15 designating the lands as Employment areas (copy attached)

City Council Decision – ED27.7 – Working Group Report

City Council on December 16, 17 and 18, 2013, adopted the following:

1. City Council endorse the Vision Statement and ten Guiding Principles described in the report (October 29, 2013) from the General Manager, Economic Development and Culture and the Chief Planner and Executive Director, City Planning to support and guide future land uses for the lands known municipally as 2150 Lake Shore Boulevard West and 23 Park Lawn Road to encourage transformative employment opportunities for the site and area capitalizing on its unique size, location, visibility, and access to the downtown.

Note: The 26-page Working Group Report outlined the results of three meetings held by the Working Group, comprised of Labour, post-secondary institutions and other area stakeholders.

The Group recommended ten guiding principles, developed through a consensus based approach for re-development of the Christie site:

Guiding Principles

Redevelopment and future employment uses should:

Principle 1: Be guided by a shared vision for the site that creates a balance of certainty and flexibility for future employment-related uses.

Principle 2: Build upon the strengths of the site and area context:

- Reuse of existing structure/ building (or parts thereof)
- Location, location, location
- Size
- Visibility
- Accessibility
- Proximity to Labour Market
- Range of Uses

Principle 3: Acknowledge and leverage the importance and role of the Ontario Food Terminal by seeking to attract related/compatible employment uses.

Principle 4: Proactively address servicing and infrastructure requirements of the site and surrounding area such as energy needs, stormwater mitigation and transportation.

Principle 5: Connect and plan for enhancing the existing transportation network, including GO Transit, TTC, bike lanes and trails, sidewalks and streets.

Principle 6: Create a cluster of employment, businesses and services to attract different employers/users to the site at different times of the day and days of the year, by marketing/capitalizing on the site's locational attributes and providing a broad range of amenities.

Principle 7: Provide for a broad range of employment uses and built forms that transition from, and are compatible with, nearby uses.

Principle 8: Promote multi-uses/users creating and drawing on collective synergies which could include:

- Public-private partnerships;
- Exploring educational/institutional themes;
- Food, energy and water converging sectors

Principle 9: Provide for flexible employment spaces at varying scales and tenures to attract small, medium and large sized employer(s) to integrate into the City's urban fabric.

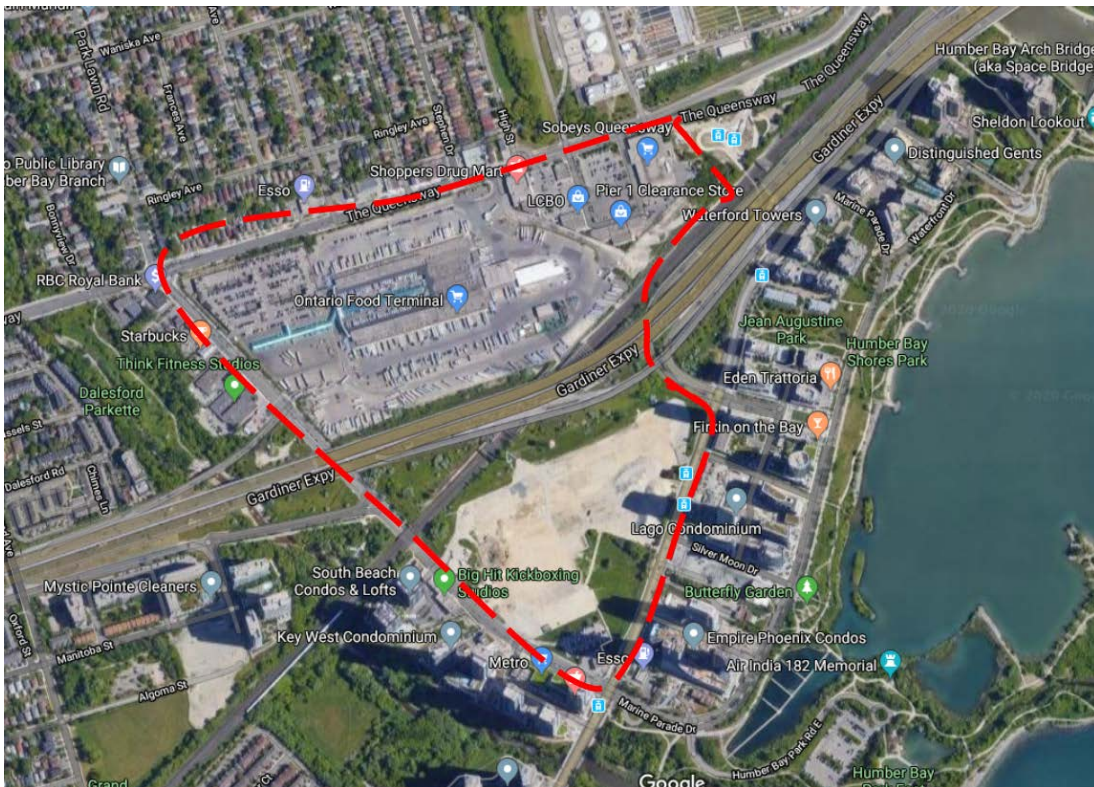
Principle 10: Provide for opportunities that capitalize on the strengths of the local labour market and encourage employment intensification on the site.

- Council is now proposing to reverse, or ignore, its own decisions of December 2013 for the Christie site.
- There is no legal, or even rational, basis for the reversal – only behind closed doors, secret meetings and negotiations.
- The conversion of Christie Employment lands to residential is less beneficial to residents and the community than retaining the Employment lands designation for the site.
- Employment lands can only be converted through a Municipal Comprehensive Review.
- Council has no authority to ignore and override the statutory requirements of the **Growth Plan for the Greater Golden Horseshoe**.
- There is no need for a GO Station at Park Lawn Rd when Humber Loop presents the better location for a new GO Station.
- On the question of funding the new GO Station, the normal practice is for Toronto to obtain transit funding through development charges. In the case of the sample project, **The Circle**, consists of 2,727,000 square feet, or 253,347 square metres of retail/commercial space. Using 2019 Development Charges data, 253,437 square metres of new commercial construction at \$167.97 per square metre yields \$42,554,627 for transit which can be contributed towards the GO Station at Humber Loop, since the GO Station directly benefits the Toronto area residents.

- In addition, there are substantial funds in the Section 37 account of which in excess of \$10,000,000 is available to contribute towards the GO Station for the benefit of area residents in former Wards 5, 6, and 17.
- The annual taxes on a billion dollars and more on employment and business revenue make funding a GO Station at Humber Loop a relatively minor cost over the longer-term.
- Consequently, funding a new GO Station is not a major impediment for the City or the Province.
- Developers such as First Capital Corp. (FCC) are purchasing our limited Employment Lands, which are substantially less expensive to purchase than lands zoned for Residential use, and then coordinating with politicians, litigation lawyers and the Local Planning Appeal Tribunal to ignore the Provincial Statutory Laws which protect these Employment lands from conversion to Residential use. This is not the independent, necessary professional “planning” required for our communities.
- There are already 25,000 or more residents living at Humber Bay, the density of which resembles downtown high-rise communities. Humber Bay residents must leave the area daily for work, because no jobs were planned and provided for their community. Employment lands and jobs are steadily being lost in South Etobicoke to condo developers. The FCC proposal increases the Humber Bay population by at least 60% without providing good paying jobs at a ratio of one new job for every two new residents.
- While new affordable housing is required for Toronto, the bulk of the new condo apartments proposed for the site do not constitute “affordable” housing. Furthermore, before residents can pay rents and living expenses, or purchase homes, most residents need good paying jobs.
- Eliminating the Christie site as Employment lands, which are finite and are insufficient for Toronto to the year 2041, is not an acceptable trade-off for housing which can be located elsewhere.
- The FCC proposal is not in the public interest.
- A new GO Station can be built on public lands at the Humber Loop which does not require any use of private property.

7. Next Steps

- a) The Christie site should remain as Employment lands.
- b) Council should again request the Province to identify the Christie Employment lands as a provincially significant employment area in the vicinity of the Ontario Food Terminal (OFT). The Province has recently identified the OFT as a provincially significant employment area.
- c) The Secondary Plan for Employment areas should encompass the Sobeys' Plaza, the Ontario Food Terminal and the Christie site. The Plaza should also be preserved as provincially significant employment lands.



- d) The area of the Secondary Plan is roughly 81 acres, or 33 hectares.
- e) As the years go by, surrounding residential neighbourhoods and communities will continue to be re-developed and intensified with mid-rise and high-rise buildings with new residents. These preserved Employment lands will prove to be an invaluable and necessary resource for jobs, institutional and related uses, for area residents.
- f) Council should reject the FCC application. FCC purchased Employment lands, knowing full well the law concerning conversion of these lands. If they are not interested in re-developing these Employment lands, then site can be sold to an entity/entities who are seeking employment land. As noted above, Vancouver and Toronto now share the title of North America's hottest office market.
- g) If necessary, the Province and/or City can purchase the 27 acres of Christie's land for approximately \$60 million – virtually a “steal” at \$2.2 million per acre.

- h) The Mayors of Halton region have passed a Resolution that LPAT (the former OMB) should be abolished and have requested the Province to do so.
- i) The serious problems concerning the rule of law and transparent governance as outlined above are products of the LPAT system, which is failing residents.
- j) Councillors are continuously subjected to lobbying by for-profit institutions. Councillors generally have no training in City Planning, and are consequently in a fundamental conflict of interest when deciding planning matters.
- k) We believe LPAT should be abolished. In its place for Toronto, we are proposing a [City of Toronto Planning Commission](#) , based on the New York City system, where Council will delegate planning decisions to their Commission to avoid concerns regarding “influence peddling” and corruption of the planning system.
- l) In New York City, completed development applications are publicly reviewed within 60 days, Community Councils have a further 30 days, and the independent, qualified members of the Commission, who cannot be lobbied, have 60 days for review. The Commission then submits its decision to approve the application, not approve, or approve with conditions. The entire review takes 150 days and the decision of the Commission cannot be appealed. 150 days is lightning speed compared to what the LPAT litigation system can deliver.
- m) The New York system includes [resident-based Community Boards](#) to ensure residents have input into decisions of City Council and the Planning Commission that goes on the record and cannot be ignored. Legislation obliges the Commission to explain its decisions to residents.

8. Conclusion

You will note that this letter is addressed to both the members of the Planning & Housing Committee and the City of Toronto Integrity Commissioner, and others.

There are serious breaches of the law and planning process with respect to the Christie site.

There are other examples and problems which we will be taking up with the Integrity Commissioner and others.

We trust that members of the Planning & Housing Committee will take their responsibility for planning matters, along with following the rule of law and good governance practices, seriously.

Thank you for taking the time to read this submission.

Yours truly,

(signed)

P. Moulder
 Director, Lakeshore Planning Council Corp. (a non-profit residents’ association)

Enc. Final Assessment of Appeals - **Recommended Official Plan Amendment – East of Park Lawn Road and North of Lake Shore Boulevard West**

5 Year Official Plan and Municipal Comprehensive Review: Final Assessment – Request to Convert Employment Lands

LOCATION

Address

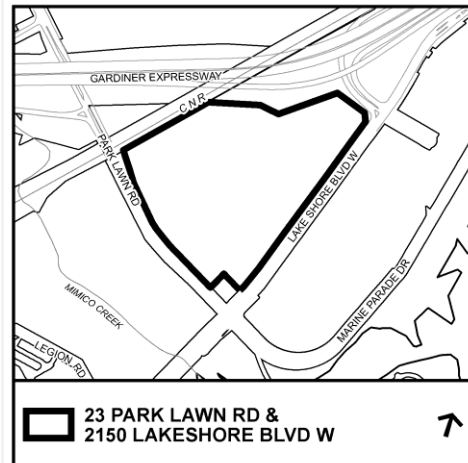
23 Park Lawn Road and
2150 Lake Shore Boulevard West

Major Intersection

Park Lawn Road and
Lake Shore Boulevard West

Community Council / Ward

Etobicoke York/Ward 6 - Etobicoke Lakeshore



RECOMMENDATIONS

The City Planning Division recommends that:

1. Based on the criteria in the Growth Plan, the Provincial Policy Statement and the Official Plan policies, City Council retain the lands at 23 Park Lawn Road and 2150 Lake Shore Boulevard West as *Employment Areas* and designate them as *Core Employment Areas*.
2. City Council amend Site and Area Specific Policy No. 15 for the lands east of Park Lawn Road and North of Lake Shore Boulevard West by deleting any references to "*the Christie Brown, Kraft Canada Inc.*", removing the density limit, and adding criteria for a comprehensive plan that responds to the *Employment Areas* policies of the Plan.

CONVERSION REQUEST DETAILS

Applicant / Owner

Weston Consulting Inc. and Bousfields Inc. (agents) / Mondelēz Canada Inc. (owner)

Request / Development Proposal

Request by letter (submitted on November 1, 2012 and revised on January 7, 2013) to re-designate the lands to *Regeneration Areas* to permit a range of uses including residential.

POLICY AND AREA CONTEXT

Official Plan and Zoning

The Official Plan identifies the site as an *Employment District* on Map 2: Urban Structure Map and it is designated as *Employment Areas* (Section 4.6, Land Use Plan Map 15). Map 2 also identifies this portion of Lake Shore Boulevard West frontage as *Avenues*.

Site and Area Specific Policy No. 15 applies to the site, which permits only light industrial uses and offices associated with Christie Brown, Kraft Canada Inc. and/or related businesses. It also limits the density to 1.0 times the lot area, requires development proposals to be considered through a comprehensive redevelopment application responding to the *Employment Areas* policies, and protects the integrity of the existing access points along Park Lawn Road.

The former City of Etobicoke Zoning Code zones the property as IC.1 – Industrial Class 1, permitting a range of commercial, industrial, and office uses. New citywide Zoning By-law No. 569-2013 zones these lands as Employment Industrial Zone (E 1.0) which permits manufacturing, warehouse, wholesaling and office uses.

The following land use designations and zoning categories surround the site:

North: *Employment Areas* / I.C1 – Industrial Class 1

South: *Mixed Use Areas* / CL-H – Limited Commercial Zone (Hold), R4 – Fourth Density Residential Zone and MU-H – Mixed Use (Hold)

East: *Mixed Use Areas* / MU – Mixed Use, OS – Open Space, R4 – Fourth Density Residential Zone

West: *Mixed Use Areas* / CL-H – Limited Commercial Zone (Hold) and MU-H – Mixed Use (Hold), R6 – Sixth Density Residential Zone, OS – Open Space

Site and Surrounding Area

The property is approximately 10.9 hectares (27 acres) in area, and contains a 58,000 square metre food-grade manufacturing building with office uses and surface parking.

The following uses surround the site:

North: Gardiner Expressway, CN Rail Corridor, and Ontario Food Terminal;

South: one-storey bank building at the northeast corner of Park Lawn Road and Lake Shore Boulevard West, and a gas station, high rise residential buildings (approved and under construction) across Lake Shore Boulevard West;

East: High rise residential buildings (approved and under construction) along Lake Shore Boulevard West; and

West: High rise residential buildings (approved and under construction) across Park Lawn Road.

PLANNING RATIONALE SUMMARY

The existing supply of *Employment Areas* is sufficient to meet the 2031 Provincial employment forecasts in Toronto and it is anticipated that the City will meet the employment forecasts allocated to the municipality pursuant to the Growth Plan. It should be noted however that while no single conversion request would affect this outcome, multiple conversions could impact Toronto's ability to meet the Provincial employment forecast.

There is no need to convert the employment lands at 23 Park Lawn Road and 2150 Lake Shore Boulevard West to meet the 2031 Provincial population forecast for Toronto or to address an incompatibility of *Employment Area* permissions with existing adjacent lands uses.

City Council's planning decisions are required by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. Growth Plan policy 2.2.6.9 states that municipalities are encouraged to designate and preserve employment lands in the vicinity of existing highway interchanges, ports, rail yards and airports as areas for manufacturing, warehousing, and associated retail, office and ancillary facilities, where appropriate. Employment sites that front a major expressway or highway are valuable and well-suited for business, given their visibility and prominence as well as for truck and van access for the movement of goods. This site is located close to the Park Lawn Road ramp of the Gardiner Expressway.

The most significant clustering of conversion requests/applications in the City is along the Gardiner Expressway/QEW corridor from the Humber River to the east, the City of Mississauga boundary to the west, Evans Avenue to the south and properties with frontage on The Queensway to the north. The Gardiner/QEW corridor forms part of the larger South Etobicoke *Employment Area*, which is the largest employment area in the City with regard to employment and third largest in terms of land area. In 2011 the broader South Etobicoke *Employment Area* had approximately 40,000 employees and accounted for almost 12 per cent of the City's total industrial square footage. The South Etobicoke *Employment Area* has access from Highways 427 and 27, the Gardiner Expressway and major streets, which provide TTC bus service. The employment area can also be accessed by the subway and GO Train and is located within equal distance and in close proximity to Pearson International Airport and Billy Bishop Airport.

In 2011, there were over 10,430 employees in 498 firms in the Gardiner/QEW corridor. Within the Gardiner/QEW corridor, both the number of firms and the number of employees has increased slightly between 2001 and 2011. A broader employment context area that goes north to North Queen Street and south to Horner Avenue contained 19,500 employees in 885 establishments in 2011.

Staff reviewed a total of 16 conversion requests within the Gardiner/QEW corridor, almost all of which proposed some form of residential uses on the sites. The total area of the 16 conversion requests is approximately 31 hectares (77 acres) of employment lands.

Although the conversion sites represent a small percentage (3.1 per cent) of the South Etobicoke *Employment Area* (987 hectares), the South Etobicoke *Employment Area* is able to accommodate manufacturing and warehousing uses that can take advantage of and rely upon the excellent truck access to highways and other modes of transportation for both goods movement and employee commuting. The sites along the Gardiner/QEW corridor provide visibility for businesses, making the South Etobicoke *Employment Area* an attractive area for industry.

It is staff's opinion that the requested conversion of sites within the Gardiner/QEW corridor will adversely affect the overall viability of the South Etobicoke *Employment Area*. In particular, converting sites close to the Ontario Food Terminal ("OFT") has the potential to create undesirable land use conflicts.

Given the size of the site, it provides the unique ability to accommodate a large single employment user or multiple users from a range of employment sectors. The site can be utilized in a number of ways to provide for current and future uses that could include the reuse of its building(s), its ability to be redeveloped into an employment campus or divided into smaller parcels. This creates the opportunity for a range and choice of sites that would be suitable to large, medium and small sized employment firms. Converting this site to non-employment uses could limit the availability of suitable sites as per Growth Plan Policy 2.2.6.2.c which states:

Municipalities will promote economic development and competitiveness by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

The requested conversion of the lands would directly conflict with Growth Plan Policy 2.2.6.9, given the site's adjacency to a major highway providing access for goods movement and visibility for commercial purposes. Policy 2.2.6.9 states:

Municipalities are encouraged to designate and preserve lands within *settlement areas* in the vicinity of existing major highway interchanges, ports, rail yards and airports as areas for manufacturing, warehousing, and associated retail, office and ancillary facilities, where appropriate.

The site is located directly south of the OFT, which is the largest wholesale produce distribution centre in Canada and the third largest in North America. According to a study conducted by the Canadian Urban Institute (June 2004), the OFT is an economic generator with a sales volume ranging between \$800 to \$900 million a year. Another study estimated that for every dollar of sales, about three dollars were returned to the Ontario economy, for a total of \$2.4 billion in economic benefits. According to the OFT website, the Terminal directly and indirectly supports about 100,000 jobs through its networks of wholesalers, growers, buyers, truckers, and warehouse and office operations. Deliveries to the OFT occur 24-hours a day and often in the early hours of the morning, since its market opens at 4 a.m. It is estimated that one million vehicles enter and leave

the site yearly (2,800 per day). In addition the truck traffic, the OFT is brightly lit at night to facilitate early morning deliveries. The OFT also plays an important role influencing and moderating the cost of fresh produce in the city by providing a venue for growers and smaller grocers to negotiate market prices, which prevents larger chain groceries to dominate the market.

A significant portion of the OFT operations occurs outdoors, which may result in land use conflicts associated with the lighting, noise and truck traffic. It is staff's opinion that the introduction of sensitive land uses on the site would produce an uncertainty within the *Employment Areas* across from the OFT, which could potentially threaten OFT's viability and impede its operations.

Council, at its meeting of November 27, 28 and 29, 2012 ([Item CC28.5](#)), requested the Minister of Municipal Affairs and Housing and the Minister of Infrastructure to consider exercising his authority under the Growth Plan for the Greater Golden Horseshoe to identify the employment lands in the vicinity of the OFT as well as the OFT site itself as a provincially significant employment area. In his response, the Minister of Municipal Affairs and Housing has not directly addressed the issue of identifying the lands in the vicinity of the OFT as a provincially significant employment area. The response did assure that Ministry staff will continue to work with the City's planning staff to support the City's employment policy vision.

In November 2012, City Council also directed staff to strike a working group with Labour, Post-Secondary institutions and other stakeholders to explore options on the Christie site to maintain existing jobs by possibly hosting educational and/or commercial food incubator programs and possible new food industry tenants for the site, amongst other uses. Over the course of the summer 2013, staff hosted three working group meetings with stakeholders representing various perspectives. The working group concluded that the site should be retained for employment uses and established a number of principles to help guide any future redevelopment of the site. A report from the General Manager, Economic Development and Culture Division containing the working group's principles and vision statement is targeted for the Economic Development Committee's November 22, 2013 meeting.

The site has access across a major road, Park Lawn Road, to a residential neighbourhood with community infrastructure such as public parks, public schools, community centre and a library to accommodate the proposed residential conversion. It should be noted that the site is physically isolated from the noted residential neighbourhood. This isolation presents major challenges for integration with its surrounding area and having access to community infrastructure in the surrounding areas.

The site is located close to the residential communities of Humber Bay Shores on the south side of Lake Shore Boulevard West and Mimico-by-the-Lake, located approximately 1 kilometre to the south of the site. The emerging Humber Bay Shores high-rise residential community encompasses approximately 12,000 residential units that are either existing, approved and under construction or proposed along Lake Shore

Boulevard West and Park Lawn Road. Given the increased residential population in the area, City Council has directed staff to conduct a Transportation Master Plan for the area, including looking at the possibility of adding a new GO Station at Park Lawn Road or relocating the existing Mimico GO Station. It is staff's opinion that any improvements resulting from these studies may strengthen the attractiveness of the site for employment purposes. While residential intensification of the lands has the potential to add further stresses upon the existing infrastructure.

These studies have not yet commenced, additional information on each can be accessed at the links below:

Transportation Master Plan for Park Lawn Road and Lake Shore Boulevard West
PW24.6: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PW24.6>

Study the Mimico GO Train Station in the Vicinity of Park Lawn Road
PG24.8: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG24.8>

There are no cross-jurisdictional issues related to the lands.

Staff are recommending that the site be retained for employment uses with amendments to Site and Area Specific Policy No. 15 (SASP 15) by removing any references to the "Christie Brown, Kraft Canada Inc.". Given the pending plant closure and sale of the lands, it is staff's opinion that limiting the employment uses to ones associated with the former bakery uses would not be appropriate. Amending SASP 15 would allow the site to be used for a broader range of employment uses in keeping with policies of the Growth Plan, the Provincial Policy Statement and the Official Plan. The remaining three policies of the SASP are still relevant as they limit the density of the site to a maximum 1.0 times the lot area, require development proposals to be considered through a comprehensive redevelopment application responding to the *Employment Areas* policies, and protects the integrity of the existing access points along Park Lawn Road. Any development proposal would need to respond to the remaining policies or provide a planning justification for any proposed amendments.

Conclusion

It is staff's opinion that there is no need for the requested conversion. Based on the criteria in the Growth Plan, the Provincial Policy Statement and the Official Plan policies, the City Planning Division recommends that City Council retain the lands at 23 Park Lawn Road and 2150 Lake Shore Boulevard West as *Employment Areas*, designate the lands as *Core Employment Areas* and amend Site and Area Specific Policy No. 15 that applies to these lands. The recommended Official Plan amendment is shown below.

**Recommended Official Plan Amendment –
East of Park Lawn Road and North of Lake Shore Boulevard West**

Chapter 7, Site and Area Specific Policies, is amended by replacing Site and Area Specific Policy No. 15 with the following:

"15. East of Park Lawn Road and North of Lake Shore Boulevard West

- a) Development proposals will be considered through a comprehensive plan that responds to the *Employment Areas* policies of the Plan and:
- i) locates a broad range of employment uses to the site, including possible educational and/or institutional uses through public-private partnerships;
 - ii) acknowledges the importance of the Ontario Food Terminal by not creating any adverse impacts upon the Ontario Food Terminal;
 - iii) facilitates the creation of a cluster of employment uses with a broad range of amenities for workers and nearby residents;
 - iv) contributes to the multi-modal transportation connectivity, including GO Transit, TTC, bike lanes and trails, sidewalks and streets;
 - v) designs a compatible built form that transitions from nearby uses and provides flexible employment spaces at varying scales and tenures, which could include the potential reuse of the existing structure/building or parts thereof;
 - vi) maximizes the site's location, visibility, accessibility, and size to accommodate employment intensification on the site; and
 - vii) accommodates and integrates infrastructure requirements for the site and surrounding area."

