



PARENTE • BOREAN
BARRISTERS AND SOLICITORS

July 4, 2023

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Planning and Housing Committee
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Members of Planning and Housing Committee:

Re: 1. 3710 Chesswood Drive, Toronto (the “Montecassino Property”) Employment Land conversion to allowed mixed-use re development.

2. Item 2023.PH&.2 - Official Plan Amendment for Bill 97 Transition - Authorizing the Continuation.

We represent Montecassino Inc. (“Montescassino”) with respect to the above-noted Property.

On behalf of Montecassino, please accept this correspondence as Montecassino’s continued notice of concerns with respect to the proposed Official Plan Amendment for Bill 97 Transition - Authorizing the Continuation of Institutional and Commercial Uses in Employment Areas (“Draft OPA 668”), which is to be considered by the Planning and Housing Committee at its meeting on July 5, 2023 and is also provided in reply to the City of Toronto (the “City”) Final Staff Report, dated June 19, 2023, with respect to the draft OPA 668.

Background

The Montecassino Property is approximately 2.2 acres in size and is located at the northwest corner of Sheppard Avenue West and Chesswood Drive within 250 metres of the Downsview park TTC and Go Stations (proposed to be designated as a Protected Major Transit Station Area).

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It is noteworthy that the Montecassino Property has functioned for in excess of fifty (50) years as a banquet hall/hotel and has never been known as an industrial site.

Montecassino has sought an MCR conversion of the Montecassino Property from general employment area to mixed use area. A number of updates have been provided to the City; including, refining the development plans, so as to also provide a “Newcomers” hotel (144 suites) which would provide housing for new immigrants and confirming the affordable housing component of this proposal. A complete supplementary submission was provided to City staff in May of 2022, which responded to the City’s preliminary assessment comments.

Concerns with respect to Draft Official Plan Amendment 668

Montecassino takes the position that:

a. OPA 668 is premature

- i. change to the definition of “Area of Employment” is not in effect, this acknowledged by the City’s staff;
- ii. implementation details have not been finalized and further Planning Act changes, regulations and new Provincial Policy Statements are required. This has not occurred. There is no need to move this matter forward at this time.

b. Creates legal non-conforming situation

- i. Many business owners likely don’t even know about this initiative – those that do are very concerned with losing their permissions. Montecassino has raised these concerns in various letters submitted to the Planning and Housing Committee (“PHC”);
- ii. Changes proposed will effectively make existing permitted uses, such as hotels and retail, which were lawfully approved in employment designations, legal non-conforming;
- iii. Significant impact to businesses results in the opposite effect of what City, through its staff, has suggested as its goal. It will undermine confidence and investment in these properties.

c. Intent is to remove uses from Areas of Employment so why keep them there as proposed?

- i. Intent is to protect manufacturing, warehousing, etc. by removing retail, commercial and office uses from Areas of Employment;

- ii. Why should the City keep these areas in Core and General Employment Areas – should be redesignated not made legal non-conforming;
- iii. These existing uses will not redevelop to manufacturing or warehousing – so to meet intent of legislation they should be redesignated.

Conclusion

Draft OPA 668, if adopted, would render the new definition of “Area of Employment” to be pointless.

On behalf of Montecassino, we submit that it is our opinion that Draft OPA 668 does not represent good planning and that PHC should require City’s Staff to reconsider its position and revise its report once the new definition of “Area of Employment” and the revised PPS 2023 are in force.

If you have any questions, please do not hesitate to contact me.

Yours Very truly,

PARENTE, BOREAN LLP

*Gerard C. Borean **

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