

July 4, 2023

Email: phc@toronto.ca

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

Dear Planning and Housing Committee:

**Re: Item PH5.3
Draft Official Plan Amendment 653 - MCR Employment Conversions
681 Silver Star Boulevard**

We represent Choice Properties Limited Partnership (“Choice”), owners of the property municipally known as 681 Silver Star Boulevard (the “Property”). The Property is developed as an existing retail store (No Frills) and forms part of a broader commercial node, as lands immediately to the north, south and west are developed for a mix of commercial/retail purposes. The Property is further surrounded by high density residential uses on the north side of Steeles in the City of Markham, residential uses to the west approved through the recent redesignation of the Splendid China Mall site, and low density residential uses on the east side of Midland Avenue.

Having reviewed the Final Report, dated June 16, 2023 and the draft OPA 653 to be considered by the Planning and Housing Committee at its meeting on July 5, 2023, we are disappointed that staff has recommended the Property remain within a *General Employment* designation. It is our opinion that a *General Employment* designation is not appropriate within the current planning framework, or within the evolving nature of employment areas recently defined through Bill 97.

The Property is approximately 150m from the Milliken GO station, well within the radius of a Major Transit Station Area (“MTSA”). Within MTSA’s, the Growth Plan directs development to be supported by a diverse mix of uses, including additional residential units and affordable housing, to support existing and planned transit service levels, and to prohibit land uses and built form that would adversely affect the achievement of transit-supportive densities.

While staff have appropriately noted that MTSA’s are intended to support density for jobs as well as residents, they have failed to consider that the commercial nature of the Property (and the surrounding commercial node) do not generate significant employment, and are not anticipated to contribute to the achievement of transit-supportive densities required within an MTSA. The introduction of residential uses on the Property would support and grow the existing commercial and retail uses on and surrounding the Property, and facilitate achievement of the intended densities within the MTSA.

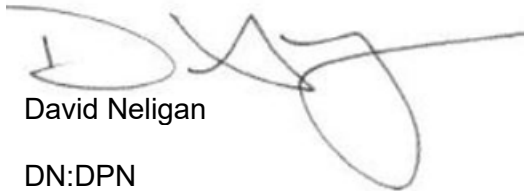
Further, the existing uses on site and the surrounding commercial properties are no longer consistent with the amended definition of an “area of employment” brought forward through Bill 97. Commercial uses, including the longstanding retail use on the Property, are expressly

excluded from this definition. These lands do not fit within the purpose of *Employment Areas*, they do not behave as *Employment Areas* and they do not contribute to the vitality of the City's *Employment Areas*. It makes little sense to require that these lands continue to remain as *General Employment* instead of optimizing their use and viability as productive *Mixed Use Areas* supporting surrounding growth.

For the reasons stated above, we respectfully request that, prior to this instrument being forwarded to Council for approval, the Planning and Housing Committee modify OPA 653 to include 681 Silver Star Boulevard. In the alternative, we request that this Committee direct staff to reconsider its employment conversion recommendations in light of Bill 97, the City's proposed Official Plan Amendment for Bill 97 Transition, and the forthcoming Provincial Planning Statement expected to be enacted this fall. We further ask to be notified of any decision made by this Committee or City Council in connection with this matter.

Yours truly,

AIRD & BERLIS LLP



David Neligan

DN:DPN

C. Client
Eileen Costello, Aird & Berlis