

July 4, 2023

Email: [phc@toronto.ca](mailto:phc@toronto.ca)

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

Dear Members of the Planning and Housing Committee:

**Re: Item PH5.3  
Draft Official Plan Amendment 653 - MCR Employment Conversions  
2549 Weston Road**

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We represent Choice Properties Limited Partnership (“Choice”), owners of the property municipally known as 2549 Weston Road (the “Property”). The Property is located at the northeast corner of Weston Road and Oak Street within the Pelmo-Park Humberlea neighbourhood. It is surrounded by mixed-use and residential areas to the west, residential uses to the south, potential residential uses immediately east, and a large retail cluster to the north. The Property is 47,300 square metres and is currently occupied by a Real Canadian Superstore grocery store, a TD Bank branch, a Mobil gas station, a Mr. Lube and a large surface parking lot.

Choice applied for a conversion of the Property as part of the City’s Municipal Comprehensive Review in July, 2021. A conversion of these lands offers an opportunity to intensify an underutilized site while improving land use relationships within its immediate context and delivering new employment opportunities. Since filing its request, Choice has been working with City staff to develop Site and Area Specific Policy 833 (“SASP 833”) within Official Plan Amendment 653 (“OPA 653”) to redesignate these lands as a *Regeneration Area*.

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, our client has serious concerns with the proposed affordable housing rates that have been applied to the Property without consultation or negotiation.

Choice supports the provision of affordable housing in Toronto. However, the requirement to provide affordable housing should not be applied arbitrarily or as a blanket policy throughout the City. The Provincial Legislature created a statutory framework for inclusionary zoning to be applied in Protected Major Transit Areas (“PMTSA”) within a municipality. The City’s inclusionary zoning policies follow that framework and provide for a comprehensive program for the delivery of affordable housing within PMTSAs in the City.

The affordable housing rates applied to the Property through SASP 833 go beyond the statutory framework for inclusionary zoning and the City’s own implementing policies enacted less than two years ago. SASP 833 applies inclusionary zoning rates outside of the contemplated zones for

such housing. These rates are unsupported by any official City policy, Provincial policy, or legislated framework.

Moreover, these rates were applied to the draft SASP for the Property at the last minute without consultation with Choice or its consultants, and with no opportunity to discuss or negotiate alternative rates. This approach runs counter to the collaborative nature of the Municipal Comprehensive Review process led by the City thus far.

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, and in particular SASP 833, to simply require that affordable housing be provided as required by the City's existing inclusionary zoning policies. 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

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