



# BOUSFIELDS INC.

Project No. 20180

July 18, 2024

City Council  
Toronto City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

**Attention: Sylwia Przewdziecki (councilmeeting@toronto.ca)**

Dear Sirs/Mesdames:

**Re: *Item No. PH14.1 – Employment Land Use Permissions – Decision Report-Approval  
Proposed Official Plan Amendment No. 680***

We are the planning consultants to Northwest Healthcare Properties Corporation with respect to 20 Wynford Drive (the “**Subject Site**”).

## **Background**

The Subject Site is located on the northeast corner of Wynford Drive and Gervais Drive, within the delineated boundary of the City of Toronto’s adopted Site and Area Specific Policy (SASP) 684 – Aga Khan Park & Museum Major Transit Station Area (MTSA) under OPA 575. The Site is within 250 metres of two higher order transit stations, the planned Science Centre subway station on the Ontario Line and Science Centre LRT station on the Eglinton Crosstown line.

The current use of the Subject Site is a 3-storey office building with a large surface parking lot. There is no manufacturing, industrial and warehousing uses in any form on the Subject Site or in the immediate surrounding area. Further, the Site is 6,700 square metres in area and would not be suitable for modern manufacturing, industrial and warehousing uses.

The Subject site was the subject of a request to the City of Toronto for a conversion from *General Employment* to *Mixed Use Areas*, as part of the City’s Municipal Comprehensive Review (MRC) process, commenced in August 2022. City Council declined to approve the conversion, as part of their adoption of Official Plan Amendment (“OPA”) 653, pursuant to sections 26 and 17 of the Planning Act by By-law 822-2023. The OPA 653 proposes new and updated policies and mapping related to employment, including 36 employment conversions. The amendment applies to

Map 2 Urban Structure, Land Use Maps 13-23, and adds site and area specific policies to Chapter 7 of the City of Toronto Official Plan. Through the conversion request, the Subject Site would be redesignated to *Mixed Use Areas*, which in our opinion would facilitate the redevelopment of transit-supportive densities to support and optimize the use of land and investment in transit.

Given the status of the conversion request and the owner's desire to redevelop the Subject Site, we have been monitoring the City's Official Plan conformity exercise with the provincial definition of "area of employment" in the Planning Act, as amended by Bill 97, the Helping Homebuyers, Protecting Tenants Act.

### **Comments on OPA 680**

On April 10, 2024, the Province updated the draft Provincial Planning Statement (PPS) with the objectives of generating an appropriate housing supply, making land available for development, providing infrastructure to support development, balancing housing with resources and implementation policies to align municipalities with recent legislative amendments. In this regard, the draft PPS includes policy requiring municipalities to plan for and protect "employment areas" based on a new definition of "employment area" as follows:

**employment area:** means those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An employment area also includes areas of land described by subsection 1(1.1) of the Planning Act. Uses that are excluded from employment areas are institutional and commercial, including retail and office not associated with the primary employment use listed above.

The new definition of "employment area" would align with the new definition of "area of employment" in the Planning Act introduced through Bill 97 which has yet to be proclaimed into force, as follows:

**"area of employment"** means an area of land designated in an official plan for clusters of business and economic uses, those being uses that meet the following criteria:

1. The uses consist of business and economic uses, other than uses referred to in paragraph 2, including any of the following:
  - i. Manufacturing uses.
  - ii. Uses related to research and development in connection with manufacturing anything.

- iii. Warehousing uses, including uses related to the movement of goods.
  - iv. Retail uses and office uses that are associated with uses mentioned in subparagraphs i to iii.
  - v. Facilities that are ancillary to the uses mentioned in subparagraphs i to iv.
  - vi. Any other prescribed business and economic uses.
2. The uses are not any of the following uses:
- i. Institutional uses.
  - ii. Commercial uses, including retail and office uses not referred to in subparagraph 1 iv.

The proposed draft PPS alignment with the Bill 97 amendment to the *Planning Act* with respect to a new definition of “area of employment” narrows the scope of uses that are protected to manufacturing and warehousing and industrial uses. Further, office uses, such as the current use of the Subject Site, will no longer be permitted uses in employment areas (except for offices that are ancillary to the principal manufacturing or warehousing uses).

In July 2023, City Council adopted OPA 668, which introduced a transition provision to permit the continuation of “lawfully established” uses in *General Employment Areas* and *Core Employment Areas*. OPA 668 interprets “lawfully established” (a new term introduced through Bill 97) as any Employment Areas use permitted in the Official Plan prior to the new definition of “area of employment” under the *Planning Act* proclaimed into force. This would “grandfather” uses (such as standalone office and retail) where they are currently permitted by the Official Plan, regardless of if they physically exist in a brick-and-mortar form today. Office use is “lawfully established” on the Subject Site.

The intent of the new definition of “area of employment” under the Planning Act and its alignment with the Draft PPS “employment areas” definition is to limit the protection of employment areas to manufacturing, warehouse and industrial uses. Specifically, office uses, together with retail and institutional uses are excluded from these definitions to allow for their redevelopment to achieve the key objectives of the new draft PPS, which encourages intensification of Major Transit Station Areas to generate an appropriate housing supply, as is the case of the Subject Site. In particular, the narrowing of the definition of “area of employment” under the *Planning Act*, to excluded office, retail and institutional uses is intended to allow for redevelopment that would introduce residential uses without the need for a conversion request. OPA 668 and OPA 680 would compromise this provincial objective.

OPA 680, together with adopted OPA 668, would preclude the intensification of the Subject Site and therein the introduction of residential uses prior to the next Municipal

Comprehensive Review process. Therefore, OPA 680 and 668 would preclude the Subject Site from contributing to the intensification of a Major Transit Station Area which runs counter to the policy framework that supports intensification on sites well-served by municipal infrastructure, particularly higher order public transit.

For the reasons set out above, we request City Council not approve OPA 680 at this time and refer OPA 680 and 668 back to staff for a detailed review of all existing *Employment Areas* to determine which areas meet the new definition of “area of employment” before bringing back a revised decision report that better aligned with provision legislation.

We ask to be added to the City’s mailing list in connection with this matter and be notified of any further decision made by Council.

Thank you for considering our submission. Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,  
**Bousfields Inc.**



David Charezenko, MCIP, RPP

c.c. Vincci Wilson, Northwest Healthcare Properties Corporation  
Maggie Bassani, Aird & Berlis LLP