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Our File No.: 85128.11

May 16, 2025

**Via E-Mail – [councilmeeting@toronto.ca](mailto:councilmeeting@toronto.ca)**

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

**Attention: Sylwia Przewdziecki**

Dear Mayor Chow and Members of Council:

**Re: Proposed Official Plan Amendment 804 ("OPA 804")**

**Item – 2025.PH21.1**

**Nos.: 185 Yorkland Blvd. and 55 Hallcrown Place, North York (Consumers Office Park)**

On behalf of our clients, 2608838 Ontario Inc. and 2447496 Ontario Inc., operating as the Sunray Group, we are writing to express their concerns regarding the City of Toronto's proposed Official Plan Amendment ("**OPA 804**"), as it affects their landholdings located at 185 Yorkland Boulevard ("**Yorkland Hotel/Shelter**") and 55 Hallcrown Place ("**Hallcrown Hotel/Shelter**"), being the combined "**Subject Lands**" in the North York Consumers Office Park..

We have reviewed OPA 804 and monitored the May 8, 2025, Planning and Housing Committee (the "**P+H Committee**") meeting. Our client supports the fact that City Planning staff identified office parks as appropriate for redesignation from "**General Employment**", as they do not meet the Provincial definitions of *areas of employment*. However, our client does not support the limitations and conditions that have been added to the "**selective use permission**" redesignation to "**Regeneration Area**."

### **King-Spadina Regeneration Area: A Successful Model that Should be Followed**

Perhaps the most successful regeneration area in the City of Toronto has been the King-Spadina "**Regeneration Area**". This area shares similarities with the Consumers Office Park in that it was once a thriving employment hub that had seen little investment and declining employment over many years. When the City finally released the area and converted it to a "**Regeneration Area**", the district took off. By 2020, the area had seen a significant increase in both residents and jobs, a trend that continues to this day.

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The secret to the success of the King-Spadina area was the flexibility it provided. Rather than freezing the area to the permitted uses at the time of redesignation, the City allowed a wide range of uses that could respond to evolving market conditions. This flexibility unleashed the area's potential. With the right policies in place, the Consumers Office Park could experience a similar revival.

So far, this sort of visionary leap is not reflected in OPA 804. Requiring City-led further studies prior to providing residential permissions will delay any new housing by at least three years based on City Planning's past track record with such studies.

Furthermore, even existing uses—such as our clients' hotels and/or municipal shelters—would not be permitted under the City's current proposal. This signals an attempt to cling to the outdated “**office park**” vision of previous, failed plans, rather than embracing the vibrant, mixed-use community that this area has the potential to become.

We respectfully request that City Council take this opportunity to grant the Subject Lands the full range of residential and non-residential permissions, as envisioned in the King-Spadina “**Regeneration Area**”. A comprehensive list of permitted uses is essential to unlocking the Subject Lands' potential and contributing meaningfully to the creation of a complete community.

### Context of Subject Lands

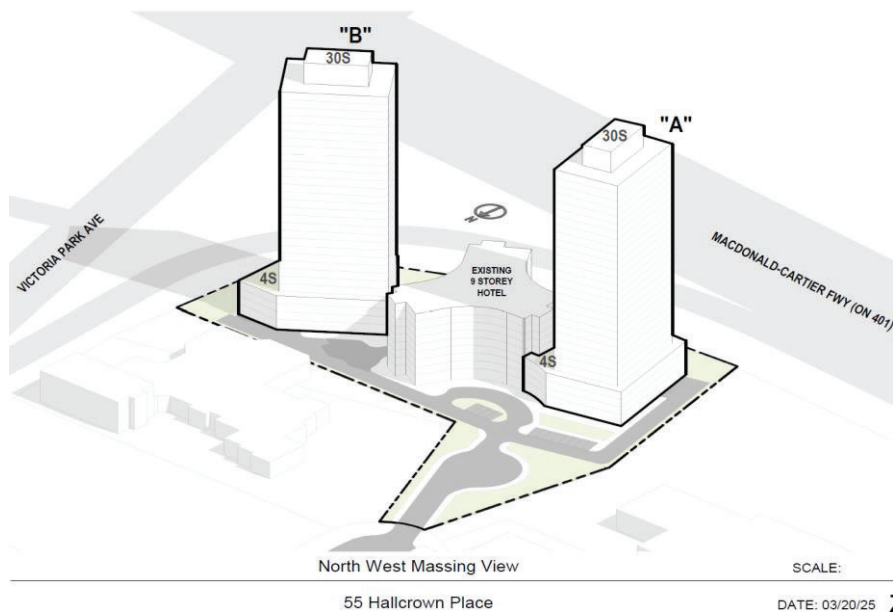
The Subject Lands are comprised of two very similar properties that our client owns within the Consumers Office Park. Both contain older, former high-rise-style hotels, now being operated as municipal shelters by the City of Toronto. Both are surrounded by surface parking lots and abut properties that are not being used for manufacturing or warehousing, despite being presently designated “**General Employment**” in the City's Official Plan.

The surrounding neighbourhood to the Subject Lands is characterized by auto dealerships, institutional uses, offices, hotels, and surface and above-grade parking. The Subject Lands are best served by conversion, and doing so would be consistent with the evolving Provincial policy noted earlier.

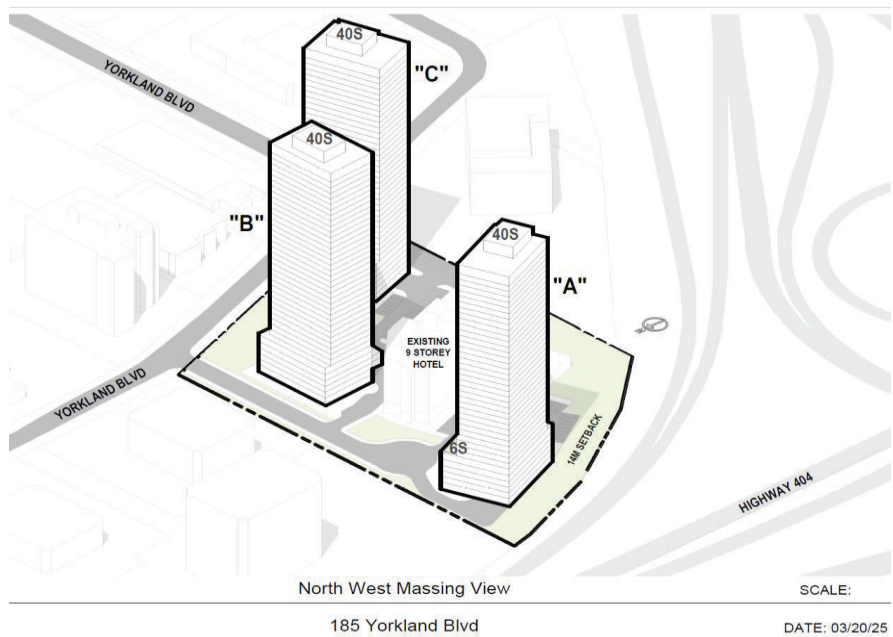
The area is prime for redevelopment into a modern, complete community in the line of the “**City's Kings**”, which will eventually house more jobs than are currently in the area, while also providing community uses and housing. This fact is reinforced by the four other conversion requests that have been submitted in the vicinity of the Property. It is clear that other property owners recognize it is time to reinvigorate this part of the City. To that end, our client has worked with its consultants and architects to explore redevelopment options.

The proposal that has been provided to City Planning staff and presented to Ministry of Municipal Affairs staff in Autumn 2024 could look like this when approved.

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**Figure 1. 600 plus residential units and the retention of the 9-storey hotel**



**Figure 2. 1300 residential units plus retention of the 9-storey hotel**

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### Concerns with OPA 804

City staff have recognized that the Subject Lands (and those adjacent) do not meet the definition of an Area of Employment per Bill 97, nor an Employment Area per the Provincial Planning Statement 2024 (“PPS 2024”).

Our client's concerns relate to two main issues with the proposed “**Regeneration Area**” redesignation.

The first is the failure to provide as-of-right residential permissions.

The second is the fact that the proposed “**Regeneration Area**” policies impose a whole series of conditions on both non-residential uses and residential uses, such that their viability will certainly be restricted.

At a more specific level, we have concerns with the following Policy 10.4 ConsumersNext Regeneration Areas items:

1. It is our client’s position and that of its consultants that another City Planning led study is not necessary. The appropriate, required studies can be undertaken through a Zoning By-law Amendment process. This is especially the case given the extensive work undertaken previously through the Secondary Plan which established a number of key public realm strategies and direction which will continue to apply to the new neighbourhood. The existing residential and institutional land uses in proximity to the Subject Lands, as well as the number of site-specific applications and requests with their own supporting consultant studies make the need for another larger, City led planning study unnecessary.
2. Our client and its consultants object to the extensive list of conditions and study requirements set out in Policy 10.4 of OPA 804. Specifically:
  - (a) It is both burdensome and ambiguous how the non-residential requirement set out in 10.4(c) will be implemented. Is this on an individual property basis or throughout the Policy 10.4 area? Further, it is unclear whether the 15% /1.0 FSI requirement can be achieved given the limited uses that are contained in the 51% minimum requirement. Our client’s hotels would not be considered in the 51% minimum. Policy 10.4 c) should be deleted as the individual developers will be able to best determine what non-residential uses are appropriate and required. A restrictive policy such as this will prevent individual sites from rapidly responding to market conditions and delivering much needed space (residential, office, hotel, retail, etc.). Instead, if residential space is needed, that residential space will be burdened by non-residential requirements that may not be in demand at the same time. This would only add to the cost of housing and slow down its introduction. As noted earlier, a model more in line with the King-Spadina neighbourhood would allow for rapid implementation and will, in the long term, result in more jobs and more housing than attempts to dictate an exact mix from above.

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- (b) Policy 10.4(d) and (e) sets out requirements for a future City led study for the redesignated Office Park lands. This list does not take into consideration the extensive work completed for the existing Secondary Plan, and private initiated, publicly available studies. We believe this is not necessary and that any additional studies that are necessary/applicable, can be addressed through Zoning By-law Amendment applications. This request is very much in keeping with the direction of the Province through *Protect Ontario by Building Faster and Smarter Act, 2025*, for municipalities to accept and rely upon studies from certified professionals.
- (c) Policy 10.4(f) and (g) fail to recognize the direction provided in the Province's recently modified approval of Toronto employment conversion OPAs 644 and 653 in terms of affordable housing requirements. In OPAs 644 and 653, the Province modified them to read "**encouraged**" rather than an inflexible requirement. Policy 10.4(f) needs to be modified accordingly. We believe that the "**encouraged**" language also recognizes the legality of enforcing such requirements through an official plan where inclusionary zoning does not apply. Furthermore, the City's proposed language goes beyond that which can be achieved within an inclusionary zoning by-law (which is limited to 5% of units and a 25-year affordable term). Finally, it is important to note that the City's own Inclusionary Zoning by-law regime (both Official Plan and Zoning By-law) evaluated and then did not recommend that residential development in or around this area be subject to any inclusionary zoning ("**IZ**") requirements because doing so would not be economically supportable. An attempt now to impose new requirements (higher than any IZ by-law can impose) without even doing a study similar to that completed for the IZ by-laws, is reckless at best and does not represent good planning.

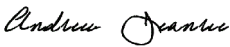
It is understandable that the drafted housing policies were not prepared recognizing the recent release of *Protect Ontario by Building Faster and Smarter Act, 2025*, but this serves as even more reason to simply delete 10.4(f) and (g).

- (d) It is unclear why Policies (j) and (k) are required, given the existing compatibility policies in the Official Plan. We request their deletion as they are redundant.

We would be pleased to meet with City staff or local Councilor in order to move our client's proposal forward. Should you have any questions, please reach out to the undersigned.

Yours truly,

**BENNETT JONES LLP**

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 Andrew L. Jeanrie

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