



PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

May 7, 2025

Chair Perks and Members of Planning and Housing Committee

City of Toronto
100 Queen Street West, 10th Floor, West Tower
Toronto, Ontario
M5H 2N2

Sent by email: phc@toronto.ca

Dear Chair Perks and Members of Planning and Housing Committee:

**RE: PH21.1 – CITY OF TORONTO OFFICIAL PLAN AMENDMENT 804
MORGUARD CORPORATION
200, 279 & 285 YORKLAND BOULEVARD, NORTH YORK
OUR FILE 9519'U'**

On behalf of our client, Morguard Corporation, we are writing to express their concerns in regards to City of Toronto Draft Official Plan Amendment (hereinafter "OPA 804") as it affects their landholdings located at 200, 279 & 285 Yorkland Boulevard in North York (combined the "Subject Lands").

The Subject Lands contain two single-storey non-residential buildings containing a variety of commercial uses.

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"). OPA 804 therefore intends to redesignate the Subject Lands from General Employment Areas to Regeneration Areas and to amend the Consumers Next Secondary Plan (the "Secondary Plan") to add Site and Area Specific Policy 10.4 ("Policy 10.4") thereto. We believe that a redesignation from General Employment Areas is the correct approach and implements the Province's direction to protect as Employment Areas core manufacturing / warehousing type uses.

We do, however, have concerns with the approach taken by City staff relative to the Subject Lands, as noted as follows:

1. We question the need to designate the site as Regeneration Area. Similar to the Municipal Comprehensive Review process recently undertaken, it is our position that the Subject Lands and other lands within Policy 10.4 should be designated as Mixed Use Areas in order to expedite the redevelopment as contemplated by the PPS 2024. This designation is consistent with the Mixed Use Areas designation of the lands immediately to the east, which are occupied by a

high-rise apartment building. This residential use effectively prohibits employment uses on our site.

2. We do not believe a broader planning study as contemplated by Policy 10.4 is required. Necessary 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 based on the approach by staff will continue to apply to the area. The existing residential and institutional land uses in proximity to the site make the need for a larger planning study that includes our site unnecessary.
3. Should Policy 10.4 remain, it is unclear how the interface of the previous Consumers Next Secondary Plan policies, which focus on non-residential use permissions, will align with Policy 10.4. Either: a) the Secondary Plan should be rescinded in its entirety, being replaced by Policy 10.4 to establish a new land use framework; b) Policy 10.4 should be revised to reflect the previous work undertaken in the Secondary Plan with studies / requirements be removed accordingly; or c) a comprehensive review of both documents should occur to remove any redundant policies / requirements.
4. We have concerns with the extent of the conditions and study requirements set out in Policy 10.4. Specifically:
 - a) It is unclear how the non-residential requirement set out in Provision c) will be implemented – is this on an individual site 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. In our opinion Provision c) should be deleted and the market should determine what non-residential uses are required in any future redevelopment of the area.
 - b) As noted above, Provision d) sets out requirements for a future study for the area. This list appears not to take into consideration the extensive work completed for the existing Secondary Plan. We believe this is not necessary and that the studies stated, if necessary / applicable, can be addressed through Zoning By-law Amendment applications.
 - c) Given the Province's recent modified approval of OPA 653, we question why City staff are revisiting the affordable housing requirement (Provision f). Where these were set out in OPA 653, the Province modified them to read as "encouraged" rather than a requirement. Should City Council retain Provision f), we believe the language should be modified to an "encouraged" statement accordingly.
 - d) It is unclear why Provision j) and k) are required, given the existing compatibility policies in the Official Plan. We recommend their deletion as they are redundant.

We kindly request to receive notifications regarding any decisions made by the City Council or Committee of Council pertaining to this matter.

Thank you.

Yours truly,

MHBC

A handwritten signature in dark ink, appearing to read 'David A. McKay', is written over a light beige rectangular background.

David A. McKay, MSc, MLAI, MCIP, RPP
Vice President & Partner

cc: Clients



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Sent by email: phc@toronto.ca

Dear Chair Perks and Members of Planning and Housing Committee:

**RE: PH21.1 – CITY OF TORONTO OFFICIAL PLAN AMENDMENT 804
MORGUARD CORPORATION
1875 LESLIE STREET, NORTH YORK
OUR FILE 9519'U'**

On behalf of our client, Morguard Corporation, we are writing to express their concerns in regards to City of Toronto Draft Official Plan Amendment (hereinafter "OPA 804") as it affects their landholdings located at 1875 Leslie Street in North York (the "Subject Lands").

The Subject Lands contain a single-storey non-residential building containing a variety of commercial uses.

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"). OPA 804 therefore intends to redesignate the Subject Lands from General Employment Areas to Regeneration Areas and apply Site and Area Specific Policy 912 ("SASP 912") thereto. We believe that a redesignation from General Employment Areas is the correct approach and implements the Province's direction to protect as Employment Areas core manufacturing / warehousing type uses.

We do, however, have concerns with the approach taken by City staff relative to the Subject Lands, as noted as follows:

1. We question the need to designate the site as Regeneration Area. Similar to the Municipal Comprehensive Review process recently undertaken, it is our position that the Subject Lands and other lands within SASP 912 should be designated as Mixed Use Areas in order to expedite the redevelopment as contemplated by the PPS 2024.

2. We do not believe a broader planning study as contemplated by SASP 912 is required. Necessary studies can be undertaken through a Zoning By-law Amendment process. This is especially the case for the lands fronting onto Leslie Street which are contained by adjacent major streets and the adjacent rail corridor.
3. We have concerns with the extent of the conditions and study requirements set out in SASP 912. Specifically:
 - a) It is unclear how the non-residential requirement set out in Provision c) will be implemented – is this on an individual site basis or throughout the SASP 912 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. Given the Subject Lands and most of the area contained within the Leslie Street / York Mills / Rail Corridor triangle are retail / service commercial oriented, why is there a need to tailor these specific requirements within this area of SASP 912. In our opinion Provision c) should be deleted and the market should determine what non-residential uses are required in any future redevelopment of the area.
 - b) As noted above, Provision d) sets out requirements for a future study for the area. We believe this is not necessary and that the studies stated, if necessary / applicable, can be addressed through Zoning By-law Amendment applications.
 - c) Given the Province's recent modified approval of OPA 653, we question why City staff are revisiting the affordable housing requirement (Provision f). Where these were set out in OPA 653, the Province modified them to read as "encouraged" rather than a requirement. Should City Council retain Provision f), we believe the language should be modified to an "encouraged" statement accordingly.
 - d) It is unclear why Provision j) and k) are required, given the existing compatibility policies in the Official Plan. We recommend their deletion as they are redundant.

We kindly request to receive notifications regarding any decisions made by the City Council or Committee of Council pertaining to this matter.

Thank you.

Yours truly,

MHBC



David A. McKay, MSc, MLAI, MCIP, RPP
Vice President & Partner

cc: Clients



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City of Toronto
100 Queen Street West, 10th Floor, West Tower
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M5H 2N2

Sent by email: phc@toronto.ca

Dear Chair Perks and Members of Planning and Housing Committee:

**RE: PH21.1 – CITY OF TORONTO OFFICIAL PLAN AMENDMENT 804
MORGUARD CORPORATION
2041 to 2151 MCCOWAN ROAD, SCARBOROUGH
OUR FILE 9519'U'**

On behalf of our client, Morguard Corporation, we are writing to express their concerns in regards to City of Toronto Draft Official Plan Amendment (hereinafter "OPA 804") as it affects their landholdings located at 2041 to 2151 McCowan Road in Scarborough (the "Subject Lands").

The Subject Lands contain three buildings containing a variety of non-residential uses including retail and office uses. The Subject Lands are currently designated General Employment Areas in the Official Plan.

As discussed in the staff report, OPA 804 proposes various amendments to Official Plan Employment Areas policies in Chapter 2, 3 and 4 of the City of Toronto Official Plan. Specifically these changes would limit permitted office and retail uses within Employment Areas to only those which are ancillary to industrial, warehousing and other Core Employment Area uses. Our client is concerned with the approach being taken by City staff.

Through Bill 97, the Province introduced new legislative changes to the definition of "Area of Employment" in the Planning Act. Municipalities, including Toronto, would be required to amend their Official Plans to implement this change in definition. It is our understanding that the intent behind this legislative change was to remove office, retail and institutional uses as being protected as "Area of Employment" rather than revoking use permissions.

This distinction is crucial. The proposed amendment appears to misinterpret the original intent, leading to unnecessary restrictions on these uses and ultimately leading to a site becoming legal non-conforming. The clear intent is to protect traditional industrial uses, while not protecting areas containing offices, retail and institutional uses.

The City previously attempted to implement Bill 97 and the PPS 2024 through OPA 668 and 680 which the Province had concerns with, leading to the removal of the City as approval authority for those OPAs. Specifically, our client does not believe that the changes proposed by City staff are appropriate nor what the Province intended as noted above for the following reasons:

1. Doing so could lead to a detrimental impact on its properties and the ongoing operations and services its tenants provide within Employment Areas.
2. City staff have only indicated that various business parks should be removed from employment areas, however, this leaves numerous properties with retail and office uses as Employment Areas despite the direction of Bill 97 and the PPS 2024. Again, this is not the intent of the Province's direction and is only a token gesture and does not recognize properties, like the Subject Lands, which currently permit retail and office uses. If OPA 804 is adopted as written, these uses would not be able to locate on the Subject Lands in the future. This is a significant concern for our client.

A more thorough review and analysis (parcel by parcel) is required to determine what should or should not be Employment Areas, as intended by the Province. To this effect, we request the Subject Lands be either redesignated to *Mixed Use Areas* or a new designation which permits their existing uses continue (i.e. Commercial).

3. By rendering sites as "legally non-conforming" through this initiative (as the Zoning By-laws will need to be updated to conform to Official Plan policy), our client is concerned that their ability to mortgage and further invest in these properties will be undermined by this unwanted new status. This will have a tremendously negative impact on this property, undermining other key economic development policies and initiatives of the City.

The current approach taken by City staff has not fully considered the implications for landowners, retail and building industries, the general public and other stakeholders. A decision of this scale requires a more inclusive dialogue, ensuring that all affected parties have the opportunity to provide input and that the City fully understands the impact of such changes.

We therefore request the Planning and Housing Committee defer this matter for future review and consultation. A thorough review and analysis of individual properties must be undertaken to determine what should and should not remain as Employment Areas. **In our client's case, we request that the Subject Lands be either redesignated to Mixed Use Areas or to a new designation which permits their existing uses continue (i.e. Commercial).**

We kindly request to receive notifications regarding any decisions made by the City Council or Committee of Council pertaining to this matter.

Thank you.

Yours truly,

MHBC

A handwritten signature in black ink, appearing to read 'D. McKay', written over the printed name.

David A. McKay, MSc, MLAI, MCIP, RPP
Vice President & Partner

cc: Clients