



BOUSFIELDS INC.

Project No. 20180-1

Via Digital Delivery

May 7, 2025

Planning and Housing Committee,
100 Queen Street West,
Toronto ON M5H 2N2
Attention: Nancy Martins, City Clerk's Office

Re: *Draft Official Plan Amendment 804*
Planning and Housing Committee Item No. 2025.PH21.1
Address: 20 Wynford Drive, Toronto

We are the planning consultants for Northwest Healthcare Properties Corporation (the "Owner") with respect to a 0.67-hectare site located at the northeast corner of Wynford Drive and Gervais Drive and municipally known as 20 Wynford Drive (the "Subject Site").

On behalf of the Owner, we are writing to provide our comments and objections for the proposed Official Plan Amendment 804 ("Draft OPA 804"). The Draft OPA 804, released by the City on April 16, 2025, would amend the Official Plan and redesignate certain General Employment Areas and repeal By-laws 1107-2024 and 1108-2024, that pertains to the previously Council-adopted OPA 668 and OPA 680, respectively. Additionally, a Decision Report dated April 23, 2025 and titled "Official Plan Amendments to align with Provincial Legislative and Policy changes related to Employment Areas" was released by the City on May 1, 2025.

With respect to the Subject Site, the Draft OPA 804 would add a new Site and Area Specific Policy titled "Don Mills Regeneration Area" ("SASP 913") to the City of Toronto Official Plan. The Subject Site is identified within the boundaries of SASP 913 and would be redesignated to a *Regeneration Areas* designation.

The purpose of this letter is to provide a list of our concerns with the proposed Draft OPA 804, which are set out below.

Background

Subject Site

The Subject Site is 6,700 square metres (0.67 hectares) in area, with frontages of approximately 46.1 metres along Wynford Drive and 103.1 metres along Gervais Drive and is located approximately 250 metres walking distance north of the secondary entrance to the Science Centre Station and TTC Bus Terminal at Don Mills Road and Eglinton Avenue East, which equates to approximately a 3- to 4-minute walk.

The Subject Site is currently occupied by a 3-storey medical office building with a building footprint of approximately 1,475 square metres and gross floor area of approximately 4,425 square metres. The building is set back approximately 9.8 metres from Wynford Drive and 11.0 metres from Gervais Drive. In addition, there is a large “L” shaped surface parking lot which provides paid parking for the existing building on the Site, with access from both Wynford Drive and Gervais Drive. The existing building has a density of 0.66 floor space index (“FSI”).

There is no manufacturing, industrial and warehousing uses in any form on the Subject Site or in the immediate surrounding area.

Employment Conversion Request

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 (“MCR”) 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. OPA 653 was approved by the Minister of Municipal Affairs and Housing on January 27, 2025. 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.

On June 8, 2023, Bill 97, *Helping Homebuyers, Protecting Tenants Act*, received royal assent. Bill 97 changed the definition of “area of employment” in the *Planning Act*, which excludes office uses not associated with the primary employment uses including manufacturing, warehousing, and research and development. The Site’s existing medical office building is excluded from the new definition of “area of employment” and therefore is appropriate for a redesignation to permit a mix of uses that would be appropriate for the Subject Site’s emerging transit-oriented development context.

As a result of the new definition of “area of employment” in the *Planning Act*, the Owner has begun the preparation of Official Plan and Zoning By-law Amendments application that would permit the redevelop the Site with a mixed use development and is currently in the process of submitting the application to the City for approval.

Concerns with the Draft OPA 804

The Owner has the following concerns and suggested revisions for the Draft OPA 804:

1. Provincial Directive as set out in *Planning Act* and PPS 2024

***Planning Act* and Provincial Planning Statement, 2024 (“PPS 2024”)**

The public notice provides that the intent of the Draft OPA 804 in redesignating the Subject Site through SASP 913 is to ensure consistency with the PPS 2024 and to provide for transitional permissions in accordance with Bill 97.

The intent of the Bill 97, in providing a new definition of “area of employment” is to clarify the distinct character of employment uses (i.e. manufacturing, warehousing, and research and development) from commercial uses including office and retail uses not associated with those primary employment uses.

In this regard, subsection 1(1) of the *Planning Act*, R.S.O. 1990, c. P.13 (the “*Planning Act*”) defines “area of employment” as an area of land designated in an official plan for clusters of business and economic uses, those being uses that meet the following criteria:

Subparagraph 1 identifies the business and economic uses that are included in an “area of employment” as 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.

Subparagraph 2 of Subsection 1(1) specifically excludes institutional and commercial uses, including retail and office uses not referred to in subparagraph 1 iv.

The PPS 2024 defines an “Employment Area” as following:

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.

In our opinion, the Subject Site, which is currently occupied by medical office uses, would not be considered an “area of employment” or “Employment Area” as per the *Planning Act* and PPS 2024.

In our opinion, the Subject Site should not be redesignated to *Regeneration Areas* by SASP 913, as there is no restriction currently on the Owner submitting a private Official Plan Amendment application to permit the redesignation of the Site to a more appropriate land use designation, such as Mixed Use Areas.

Additionally, there is no timing associated with the completion of a Local Area Study, as identified in SASP 913, which is contrary to the objectives of the PPS 2024, which encourages development and intensification within Major Transit Station Areas in a timely manner.

Given that the Subject Site would not be considered an “area of employment” or “Employment Area” and given that it is planned for significant intensification to support minimum density requirements set out in the Aga Khan Museum PMTSA, we request that the Subject Site be redesignated to *Mixed Use Areas*. The Owner can address servicing, transportation and all other relevant matters through future Zoning By-law Amendment and Site Plan Approval applications.

2. Don Mills Crossing Secondary Plan and Proposed SASP 913

The Draft OPA 804 proposes to redesignate a portion of the lands within the Don Mills Crossing Secondary Plan to a Site and Area Specific Policy. 11.1 (“SASP 11.1”) which would redesignate these lands to *Regeneration Areas*. These lands are located directly across from the Subject Site, at the southwest corner of Wynford Drive and Gervais Drive. Further, the lands at the southeast corner of Wynford Drive and Gervais Drive (15 Gervais Drive and 39 Wynford Drive) were redesignated to *Regeneration Areas* through SASP 828 (OPA 653). In this regard, the proposed SASP 11.1 and SASP 913 and approved SASP 828 and would require the completion of Local Area Studies, separately and without a timeline for initiation or completion.

Further, proposed SASP 913 would redesignate three separate areas surrounding the Don Mills Crossing Secondary Plan area to *Regeneration Areas*. The SASP 913 would

also prescribe site specific policies prior to the redevelopment of these lands, including the completion of Local Area Studies. Given that these areas are separated physically, either by railway corridor or road, function independently of each other, it's likely that separate Local Area Studies would be required.

In our opinion, the Draft OPA 804 does not ensure a comprehensive approach for the Don Mills Crossing Secondary Plan area and the surrounding lands within the proposed SASP 913 given that the Draft OPA 804 policies would require the preparation of four separate and independent Local Area Studies in addition to the Local Area Study of SASP 828 (OPA 653). The Draft OPA 804 does not contain any policies to link these four separate Local Area Studies or SASP 828 (OPA 653), particularly the four quadrants of Wynford Drive and Gervais Drive, to ensure a coordinated and comprehensive approach to the redevelopment of the area surrounding the Science Centre Station and TTC Bus Terminal at Don Mills Road and Eglinton Avenue East. Additionally, the policies do not specify a timing associated with the completion of these Local Area Studies, which would add years of delay to the timely redevelopment of the application.

While the Subject Site is proposed to be redesignated *Regeneration Areas* in SASP 913, it is our opinion that the Site is physically linked with the lands at the other three corners of Wynford Drive and Gervais Drive. It is our opinion that should a Local Area Study proceed it would be appropriate to study the four quadrants Wynford Drive and Gervais Drive concurrently. Further, the policies of OPA 804 should specify a timing for the completion of a comprehensive Local Area Study, as well as specific policies to link SASP 913 and SASP 11.1, together with SASP 828, to ensure a coordinated approach to planning this area as concurrently.

3. Concerns regarding the proposed SASP 913

We have the following concerns with respect to the proposed policies of SASP 913:

i) Requirement for minimum non-residential gross floor area

The SASP 913 proposes the following policy regarding the minimum non-residential gross floor area requirement:

913 c) A minimum of 15 per cent of the total gross floor area on the lands, or 1.0 times the site area excluding lands conveyed to the City or other public body for new parks, open spaces, natural areas, streets and/or lanes, whichever is greater, will be non-residential gross floor area, and:

i) A minimum of 51 per cent of the minimum required non-residential gross floor area will be comprised of:

A) uses permitted in General Employment Areas such as lab, research and development facilities, media, and information and technology facilities; and/or

B) office, medical office, cultural industry spaces, incubator and/or co-working uses;

ii) will be comprised of uses that are compatible with residential uses; and

iii) be developed prior to or concurrent with any residential uses on the lands.

In our opinion, it is not appropriate to require non-residential gross floor area (“GFA”) by prescribing a minimum percentage of the total GFA on the lands. This policy does not take into consideration site specific issues, including existing non-residential uses. The SASP 913, and at a wider scale, Draft OPA 804 specifies a single “one-size-fits all” approach to all lands subject to this amendment while disregarding the unique site and area characteristics of these lands. In our opinion, this approach is not feasible, especially in the context of challenging office market conditions, which the City has also acknowledged through its office needs study.

Additionally, it is not appropriate to assume how a site might develop in the future and as such, it is unknown whether a 15 percent requirement of non-residential GFA would be feasible.

The Subject Site currently includes an existing medical office building comprising a non-residential GFA of approximately 4,425 square metres. The Owner’s proposed redevelopment of the Subject Site contemplates the replacement of existing medical office GFA. In our opinion, the replacement of existing non-residential GFA is an appropriate measure to ensure a range and mix of uses are provided and not prescribed by a minimum percentage of total GFA on the lands.

ii) Requirement for Affordable Housing

The SASP 913 proposes the following policies regarding the requirements for the tenure and percentage of rental and ownership affordable housing units:

913 f) The Housing Plan will be considered as part of the Secondary Plan Study and will guide the provision of affordable housing in the Secondary Plan area. The Housing Plan will identify an affordable housing strategy, the affordable housing requirements,

and the range of mechanisms for the delivery of required affordable housing on the lands, through one or more of the following, or other affordable housing approaches which achieve the objectives of the Housing Plan, to the satisfaction of the City:

- i. a minimum of 7% percent of the total new residential gross floor area shall be secured as affordable ownership housing for a period of at least 99 years from the date of first residential occupancy of the unit; or*
- ii. a minimum of 5% percent of the total new residential gross floor area shall be secured as affordable rental housing for a period of at least 99 years from the date of first residential occupancy of the unit; and*
- iii. there is no minimum requirement for affordable housing within purpose built rental buildings or the portions of a development containing student residences, retirement homes, nursing homes and residential care homes.*

In approving the employment conversion related official plan amendments adopted the Council of the City of Toronto, the Ministry of Municipal Affairs and Housing made modifications to the affordable housing policies by replacing “secure” with “encourage”, or “as otherwise agreed upon by the City and the landowner”. As such, it is our opinion that the Draft OPA 804 should be consistent with the provincial direction regarding encouraging affordable housing rather than requiring a minimum percentage of the total new residential gross floor area.

We trust that the enclosed materials are satisfactory for the purposes of this application. However, should you require additional information, or wish to discuss further, please do not hesitate to contact the undersigned or Himanshu Katyal (hkatyal@bousfields.ca) of our office.

Yours very truly,

Bousfields Inc.



David Charezenko, MCIP, RPP
Principal

cc:

Northwest Healthcare Properties Corporation (c/o Vincci Wilson)