



BOUSFIELDS INC.

February 1, 2023

Project No. 19320

Hon. Steve Clark, MPP, Minister
Ministry of Municipal Affairs and Housing
Municipal Services Office – Central Ontario
777 Bay Street – 13th Floor
Toronto, ON M7A 2J3

Attn: Jennifer Le

Dear Minister Clark:

Re: *Toronto Official Plan Amendment 570*
ERO Number 019-5937
Ministry Reference Number 20-OP-227259

Toronto Official Plan Amendment 570
Protected Major Transit Station Areas
Modification for Site and Area Specific Policy 624
347 to 375 Kennedy Road

Executive Summary

We are the planning consultants for Laurier Paradise CC 347-357 Kennedy Inc. and Laurier Paradise CC 375 Kennedy Inc., owners of the lands municipally known as 347-357 and 375 Kennedy Road (the “**subject site**”). The subject site is 4.3 hectares in size, and is located on the east side of Kennedy Road, between Danforth Road in the north and the Kingston Subdivision Rail Corridor in the south and is currently occupied by three one-storey light industrial warehouse buildings and surface parking.

The subject site forms part of the Scarborough Junction Triangle (the “**Triangle lands**”), which is bounded by St. Clair Avenue East to the north, Danforth Road to the northwest, Kennedy Road to the west and the Kingston Subdivision Rail Corridor to the southeast. With respect to the existing urban structure, lands interior to the Triangle are largely comprised of low-rise light-industrial uses, while lands exterior to the Triangle (e.g., beyond Kennedy Road, Danforth Avenue, St. Clair Avenue East and the CP rail corridor), include a variety of low-scale residential uses, with some low-scale commercial uses.

The subject site is located within the Scarborough GO Protected Major Transit Station Area (“PMTSA”), as delineated by Site and Area Specific Policy (“SASP”) 624 of Official Plan Amendment (“OPA”) 570, which was adopted by City Council at its meeting of July 22, 2022.

On Map 2 – “Minimum Densities, Scarborough GO Protected Major Transit Station Area”, of SASP 624, a portion of lands within the Triangle have a minimum density of 2.0 FSI (“Floor Space Index”), while the balance of lands, inclusive of the subject site and the lands at 399 Kennedy Road, have a minimum density of 0.5 FSI. Lands exterior to the Triangle, which are currently occupied by primarily low-rise residential uses and designated *Neighbourhoods* by the City of Toronto Official Plan, are also identified as having a minimum density of 0.5 FSI. As outlined below, it is our opinion that the proposed minimum densities within the Triangle lands are artificially low, and do not encourage the delivery of new housing supply, the creation of transit-oriented complete communities or the prioritization of intensification and higher densities in strategic growth areas. As well, they do not reflect the planned built form context within the Triangle, nor the emerging and adopted policy framework which encourages a mix of residential and non-residential uses within the Triangle.

With respect to the planned built form context, there are currently active Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications for the subject site to facilitate its comprehensive redevelopment with a transit-supportive, mixed-use community, comprised of +/- 2,345 residential units, along with non-residential gross floor area (“GFA”), with a proposed gross density of 3.96 FSI, and a net density of 5.17 FSI. As well, to the north and northeast of the subject site, also within the Triangle lands, are active Official Plan, Zoning By-law and Draft Plan of Subdivision applications at 411-415 Kennedy Road, 636-643 Danforth Road, 641-663 Danforth Road and 3585-3595 St. Clair Avenue East (the “Harlo-Republic lands”), for a master-planned community with 17 residential and mixed-use buildings, with heights ranging from 19-58 storeys, with approximately 7,391 units, and a proposed gross density of 4.88 FSI. Collectively, these applications would provide in the order of 9,750 residential units, along with 28,385 square metres of non-residential gross floor area.

With respect to the emerging and adopted policy framework for lands within the Triangle, at its meeting of July 22, 2022, City Council adopted OPA 591, amending the Official Plan’s Economic Health and *Employment Areas* policies. OPA 591, as adopted, redesignates the subject site, and the lands at 399 Kennedy Road, from *General Employment Areas* to *Regeneration Areas*, and a portion of the Harlo-Republic lands from *General Employment Areas* to *Mixed Use Areas*. It is noted that the remaining portion of the Harlo-Republic lands have existing *Mixed Use Areas* and *Apartment Neighbourhoods* designations by virtue of a 2019 LPAT order (File PL061248). Accordingly, as a result of OPA 591, the entirety of the Harlo-Republic lands would have residential use permissions outright. As it relates to the subject site and the lands at 399 Kennedy Road, OPA 591 also introduced a number of SASPs, including SASP 790, which would require the preparation of a scoped local area study leading to a Secondary Plan or Site and Area Specific Policy prior to residential uses being permitted.

Despite the proposed *Regeneration Areas* designation by the City of Toronto, through the Municipal Comprehensive Review (“MCR”) process, City Staff were satisfied that the

employment conversion for the subject site, and the introduction of residential uses, was appropriate and conformed to the applicable Growth Plan (and City of Toronto Official Plan) policies. In order to permit the timely redevelopment of the Triangle lands, and to ensure its comprehensive redevelopment, on behalf of the owners, we submitted a Planning Letter in support of a Modification Request to OPA 591, seeking to redesignate the subject site and the lands at 399 Kennedy Road to a *Mixed Use Areas* designation consistent with the Harlo-Republic lands (Comment ID 82299).

Accordingly, as a result of the emerging built form and policy contexts, it is our opinion that the minimum densities of 2.0 FSI and 0.5 FSI for lands within the Triangle are artificially low. Such densities are inconsistent with provincial and municipal policy objectives which encourage an integrated approach to transportation and land use planning, promote the development of complete communities, and support the optimization and efficient use of land and infrastructure within the built-up areas, including at Major Transit Station Areas along Priority Transit Corridors as identified in the Growth Plan. As well, a minimum density of 0.5 FSI was arbitrarily selected for lands designated *General Employment Areas* previous to the City's adoption of OPA 591, despite approved employment conversion requests for lands within the Triangle. Accordingly, the proposed minimum density of 0.5 FSI is not reflective of the City's adopted policy context, which would permit a mix of residential and non-residential uses on the subject site and on lands within the Triangle. Lastly, the proposed minimum densities do not reflect existing applications within the Triangle, which have proposed gross densities of 3.96 and 4.88 FSI, well in excess of the proposed minimums.

With respect to the delineation of PMTSAs throughout the City more broadly, the intent is to provide for an intensification strategy that directs transit-supportive development and prioritizes growth where transit and other infrastructure currently exists or is planned. In consideration of the existing urban structure, the majority of lands exterior to the Triangle within the Scarborough GO PMTSA are designated *Neighbourhoods*, which would generally preclude significant forms of redevelopment. In this regard, an opportunity exists to provide for more intensified forms of development within the Triangle lands, that would assist in the delivery of new housing supply in accordance with the Housing Supply Action Plan, and would assist in the achievement of minimum intensification targets outlined in the Growth Plan. As well, significant forms of intensification within the Triangle lands would meet the following provincial and municipal objectives:

- the optimization of provincial investments in higher order transit;
- the delivery of new housing supply in accordance with the Housing Supply Action Plan;
- the integration of transportation and land use planning, including focusing development at a Major Transit Station Area along a Priority Transit Corridor as identified in the Growth Plan;

- the achievement of transit-supportive complete communities with a range and mix of housing options; and
- the prioritization of intensification and higher densities in strategic growth areas, as defined by the Growth Plan, to make efficient use of land and infrastructure and support transit viability.

In this regard, subject to the outcome of our Modification Request to OPA 591, we are writing to request that the Ministry of Municipal Affairs and Housing modify OPA 570 as follows:

- 1. Revise SASP 624 Map 2 – “Minimum Densities, Scarborough GO Protected Major Transit Station”, OPA 570, to increase the minimum density for the subject site and the lands at 399 Kennedy Road, to 4.0 FSI, as illustrated in Figure 1, attached to the submission prepared by Aird and Berlis.**

Site and Surroundings

Site

The subject site is located on the east side of Kennedy Road, within the Triangle lands. The site is currently occupied by three warehouse buildings, constructed between 1950 and 1970:

- 347 Kennedy Road: a 24,100 square foot warehouse building;
- 357 Kennedy Road: a 20,600 square foot warehouse, office, and storage building, which is occupied by a moving company; and
- 375 Kennedy Road: an approximate 204,000 square foot warehouse building, occupied by a skin care wholesaler and a furniture rental company.

As it relates to the subject site, the proposed comprehensive redevelopment of the subject site includes a transit-supportive, mixed-use community comprised of mid-rise and tall buildings ranging from 8- to 48-storeys in height on three development blocks. An approximate total gross floor area ("GFA") of 170,037 square metres is proposed, comprised of residential, retail and office GFA, along with +/- 2,345 residential units in a mix of unit types (including integrated townhouse units), resulting in a gross density of 3.96 FSI, and a net density of 5.17 FSI.

Surroundings

With respect to the broader urban structure, lands interior to the Triangle are largely comprised of low-rise light-industrial uses, while lands exterior to the Triangle (e.g., beyond Kennedy Road, Danforth Avenue, St. Clair Avenue East and the CP rail corridor), include a variety of low-scale residential uses, with some low-scale commercial uses.

To the immediate south and east of the subject site is the Kingston Subdivision Rail Corridor. Beyond the Rail Corridor are low-rise single-detached residential dwellings in lands designated *Neighbourhoods*. To the southeast is Natal Park, a 2.3-hectare public park providing a variety of amenities including a playground and bike trails.

To the immediate west of the subject site, fronting the west side of Kennedy Road (between Danforth Road and the Kingston Subdivision Rail Corridor) is a one-storey religious institution and surface parking (398 Kenned Road) and low-rise single-detached residential dwellings (386, 380 to 370 Kennedy Road). Further west are lands generally comprised of low-rise residential neighbourhoods.

To the southwest, lands fronting Raleigh Avenue adjacent to the rail corridor are occupied by a number of commercial properties, generally consisting of automotive service uses, as well as several small-scale studios, manufacturing and warehousing operations.

To the northwest, lands fronting the west side of Kennedy Road (between Danforth Road and St. Clair Avenue East) are comprised of one- to two-storey commercial buildings occupied by automotive uses (440-450 Kennedy Road and 526 Kennedy Road), a storage yard (528 Kennedy Road), and a two-storey strip plaza set back behind a surface parking lot and comprised of various retail, restaurant and automotive uses (3547 St Clair Avenue East).

To the immediate north of the subject site is a large-format one-storey non-residential building, occupied by a food production distributor and at-grade parking (Sun Ming Hong (Canada) Ltd.) (399 Kennedy Road).

Further north (and northeast) of the site, the lands at 411-415 Kennedy Road, 636-643 Danforth Road, 641-663 Danforth Road and 3585-3595 St. Clair Avenue East, i.e. the Harlo-Republic lands) are the subject of Official Plan and Zoning By-law Amendment applications to permit the redevelopment of the lands for a master-planned community with 17 residential and mixed-use buildings, with heights ranging from 19-58 storeys. These lands are currently occupied by a mix of low-rise large-format industrial and commercial buildings.

To the northeast of the site is the Scarborough GO Transit Station on the Lakeshore East GO Rail Line, which provides service on the Lakeshore East and Stouffville GO Rail Lines. As part of the GO Expansion, the Lakeshore East and Stouffville Lines are expected to accommodate two-way, all-day service every 15 minutes as part of the electrification of the GO Regional Express Rail (RER) network. The purpose of these improvements is to promote the use of the GO network for local transit, rather than solely for regional trips.

Policy and Regulatory Framework

Provincial Policies

The Provincial Policy Statement, 2020 (“PPS”) provides policy direction on matters of provincial interest related to land use planning and development. The subject site is also subject to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended by Amendment No. 1 in 2020 (“the Growth Plan”), which sets out regional growth management policies for the Greater Golden Horseshoe area.

One of the key policy directions expressed in the PPS is to build strong communities by promoting efficient development and land use patterns. To that end, Part V of the PPS contains a number of policies that promote intensification, redevelopment and compact built form, particularly in areas well served by public transit. In particular, Policy 1.1.1 provides that healthy, liveable and safe communities are to be sustained by, among other matters, promoting efficient development and land use patterns and promoting the integration of land use planning, growth management, transit-supportive development, intensification and

infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

Policy 1.1.3.2 supports densities and a mix of land uses which efficiently use land, resources, infrastructure and public service facilities and which are transit-supportive, where transit is planned, exists or may be developed. Policy 1.1.3.3 directs planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment, where this can be accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities.

The Growth Plan policies emphasize the importance of integrating land use and infrastructure planning, and the need to optimize the use of the land supply and infrastructure. Key objectives in the Growth Plan support the development of complete communities and promote transit-supportive development adjacent to existing and planned higher order transit. This is further emphasized in Section 2.1 of the Plan:

“To support the achievement of complete communities that are healthier, safer, and more equitable, choices about where and how growth occurs in the GGH need to be made carefully. Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields. Concentrating new development in these areas provides a focus for investments in transit as well as other types of infrastructure and public service facilities to support forecasted growth, while also supporting a more diverse range and mix of housing options... It is important that we maximize the benefits of land use planning as well as existing and future investments in infrastructure so that our communities are well-positioned to leverage economic change.”

The subject site is located within a “strategic growth area” as defined by the Growth Plan and would fall within the definition of a “major transit station area”, as it is located within an approximate 500 metre radius of the Scarborough GO Transit Station and forms part of the Scarborough GO Protected Major Transit Station Area. Schedule 5 of the Growth Plan also shows the Lakeshore East GO Line as a “priority transit corridor”. The Growth Plan defines “strategic growth areas” as those areas identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed-uses in a more compact built form.

Section 2.2.4 of the Growth Plan includes a number of policies applying to “major transit station areas”. Policy 2.2.4(1) requires that “priority transit corridors” shown on Schedule 5 be identified in official plans and that planning be prioritized for “major transit station areas” on

“priority transit corridors”, including “zoning in a manner that implements the policies of this Plan”. The Growth Plan indicates that “priority transit corridors” are identified to optimize provincial investments in higher order transit and that the Province expects municipalities to complete detailed planning for “major transit station areas” on these corridors to support planned service levels.

Policy 2.2.4(2) requires the City of Toronto to delineate the boundaries of “major transit station areas” on priority transit corridors or subway lines “in a transit supportive manner that maximizes the size of the area and the number of potential transit users that are within walking distance of the station”. As well, Policy 2.2.4(3)(c) goes on to require that “major transit station areas” served by the GO Transit rail network be planned for a minimum density of 150 residents and jobs combined per hectare

With regard to targets, Policy 5.2.5(1) provides that the minimum intensification and density targets are minimum standards and municipalities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of the Growth Plan, the PPS or any other provincial plan.

Policy 2.2.1(4) states that applying the policies of the Growth Plan will support the achievement of complete communities that, among other things, feature a diverse mix of land uses including residential and employment uses, and convenient access to local stores, services, and public service facilities; expand convenient access to a range of transportation options and public service facilities; and provide for a more compact built form.

With respect to forecasted growth, Schedule 3 of the Growth Plan, as amended by Growth Plan Amendment No. 1, forecasts a population of 3,650,000 and 1,980,000 jobs for the City of Toronto by 2051. The 2016 Census data indicates that population growth in Toronto is continuing to fall short of the past and updated Growth Plan forecasts. The City’s population growth from 2001 to the 2016 population of 2,822,902 (adjusted for net Census undercoverage) represents only 73.2% of the growth that would be necessary on an annualized basis to achieve the population forecast of 3,650,000 by 2051.

Regional Transportation Plan

On March 8, 2018, Metrolinx adopted a new Regional Transportation Plan (the “2041 RTP”). The 2041 RTP goes beyond the Growth Plan and is intended to provide more detailed, integrated and multi-modal strategies and actions for the Greater Toronto and Hamilton area’s transportation systems.

The 2041 RTP provides a vision statement that “the GTHA will have a sustainable transportation system that is aligned with land use and supports healthy and complete communities”. In pursuit of this vision, the 2041 RTP outlines three goals, namely, to create:

strong connections, complete travel experiences, and sustainable and healthy communities. In pursuit of this vision and goals, the 2041 RTP sets out a series of strategies, each with different priority actions. In particular, Strategy 4 identifies priority actions to integrate transportation and land use planning, including focusing development at Major Transit Station Areas along Priority Transit Corridors identified in the Growth Plan.

Municipal Policies

City of Toronto Official Plan

The City of Toronto Official Plan currently designates the site as *General Employment Areas* on Land Use Map 20 of the Official Plan. OPA 591, as adopted by City Council, redesignates the subject site, and the lands at 399 Kennedy Road, to *Regeneration Areas*. As part of the commenting process related to OPA 591, on behalf of the owners, we prepared a Planning Letter requesting that the subject site, and the lands at 399 Kennedy Road, be redesignated to *Mixed Use Areas*, consistent with the balance of the Harlo-Republic lands.

The Minister is currently reviewing our Planning Letter requesting modifications to SASP 790 of OPA 591. The two Planning Letters, commenting on OPAs 591 and 570 should be reviewed in tandem.

Official Plan Amendment 570

At its meeting of July 22, 2022, City Council adopted OPA 570 pursuant to Section 17 of the Planning Act, which established the delineations of 57 PMTSAs throughout the City and introduced new SASPs for the 57 PMTSAs, corresponding with existing and proposed transit stations.

The subject site falls within the boundaries of the Scarborough GO Station, as set out in SASP 624, which specifies a minimum population and employment target of 150 residents and jobs combined per hectare, with a minimum density of 0.5 FSI specified for the subject site.

Official Plan Amendment 591

At its meeting of July 22, 2022, City Council adopted OPA 591, amending the Official Plan's Economic Health and *Employment Areas* policies. OPA 591 redesignates the subject site, and the lands at 399 Kennedy Road, from *General Employment Areas* to *Regeneration Areas*, while the balance of the Triangle lands are redesignated from *General Employment Areas* to *Mixed Use Areas*. As well, OPA 591 introduces a number of SASPs, including SASP 790, which is applicable to the subject site and 399 Kennedy Road. SASP 790 provides that all uses permitted under the *General Employment Areas* designation and *Regeneration Areas* designation, with the exception of residential uses, overnight accommodations, and live-work

uses, are permitted on the lands prior to the adoption of a Secondary Plan or Site and Area Specific Policy.

Planning Opinion

The Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the City of Toronto Official Plan all support intensification on sites which are well-served by municipal infrastructure, particularly higher-order public transit. In this respect, it is our opinion that the Triangle lands within the Scarborough GO PMTSA should be developed at transit-supportive densities to support and optimize existing municipal infrastructure and provincial investments in higher-order transit.

From an urban structure perspective, heights and densities typically peak adjacent to higher-order transit stations, including at GO transit stations, and decrease as one moves away from the station. This structure is typically evident and generally supported from a policy perspective at higher-order transit stations throughout the City.

With respect to the Scarborough GO PMTSA, the highest minimum density included within SASP 624 is 2.0 FSI, which applies to a portion of the Harlo-Republic lands located immediately adjacent to the Scarborough GO Transit Station. The remaining lands within the Triangle, inclusive of the subject site, have a proposed minimum density of 0.5 FSI. Based on a consideration of nodal development and densities peaking near to existing and planned transit station, it is our opinion that the proposed minimum densities of 2.0 FSI and 0.5 FSI within the Triangle are artificially low, and do not adequately reflect the proximity of these lands to the Scarborough GO Station. As well, and for the reasons set out below, it is also our opinion that the minimum densities do not reflect the existing urban structure within the PMTSA, the planned built form context within the Triangle lands, or the emerging policy context resulting from the City's adoption of OPA 591.

With respect to the existing urban structure, the majority of lands exterior to the Triangle, within the SASP 624 boundary, are designated *Neighbourhoods*, with a minimum density of 0.5 FSI. These lands are characterized by low-scale residential uses and are not envisioned to accommodate the majority of planned population or employment growth anticipated for the area. As well, significant redevelopment is generally precluded in such areas. Accordingly, it is our opinion that within the SASP 624 boundary, there are limited sites where significant forms of redevelopment could be realized to assist in the achievement of minimum intensification targets outlined in the Growth Plan. As such, it is our opinion that greater intensification within the Triangle, which are proximate to the Scarborough GO Station, is both desirable and appropriate, and would contribute to the achievement of population and employment forecasts outlined in the Growth Plan.

A review of other SASPs delineating PMTSAs associated with GO Stations in the City of

Toronto indicate higher minimum densities for lands located adjacent to the GO Station. In this regard, Guildwood GO Station (SASP 641) and the Eglinton GO Station (SASP 625), specify minimum densities of 3.5 FSI and 3.0 FSI, respectively, on the lands located adjacent to the GO Stations.

With respect to the planned built form context within the Triangle lands, existing development applications for the subject site and the Harlo-Republic lands propose densities of 3.96 FSI and 4.88 FSI, respectively, with a collective gross density of 4.6 FSI (total proposed combined GFA divided by total combined gross site area), and the delivery of approximately 9,750 residential units, which are well in excess of the proposed minimum density targets.

In terms of the emerging policy context, through the MCR process, City Staff were satisfied that the employment conversion for the subject site, and the introduction of residential uses, was appropriate and conformed to the applicable Growth Plan (and City of Toronto Official Plan) policies. In this regard, the creation of a mixed-use, complete community with transit-supportive densities within the Scarborough Junction Triangle can be further realized through an increase to the specified minimum densities of sites within the Triangle lands, as outlined herein. As well, in keeping with Policy 5.2.5(1) of the Growth Plan, it is also our opinion that municipalities be encouraged to go beyond these proposed minimum density targets. In this regard, increasing the minimum densities within Triangle lands would direct growth in proximity to the Scarborough GO Station and promote the policy objective to encourage further optimization of these sites for greater intensification, making more efficient use of transit infrastructure.

Accordingly, and based on the foregoing, we are writing to request that the Minister of Municipal Affairs and Housing modify Map 2 of SASP 624 to increase the minimum density specified for the subject site, and for the lands at 399 Kennedy Road, from 0.5 FSI to 4.0 FSI.

In our opinion, a minimum density of 4.0 FSI, coupled with the requested *Mixed Use Areas* designation, would be appropriate for the subject site, and would better reflect its proximity to the Scarborough GO Station, the planned built form context, and the emerging policy context. As well, it would support provincial and municipal policy directions which speak to the integration of land use and transportation planning, the prioritization of intensification and higher densities in strategic growth areas, and the achievement of transit-supportive complete communities.

I would be pleased to discuss this request at your convenience. Please do not hesitate to contact me.

Yours very truly,
Bousfields Inc.



David Huynh, MCIP, RPP

cc: *Laurier Paradise CC 347-357 Kennedy Inc.*
Laurier Paradise CC 375 Kennedy Inc.