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URBAN DESIGN
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January 15, 2024

Alejandra Perdomo
Municipal Services Office - Central Ontario
Ministry of Municipal Affairs & Housing
Province of Ontario
777 Bay Street, 16th floor
Toronto, Ontario
M7A 2J3

Dear Ms. Perdomo:

**RE: SUBMISSION ON OPA 644 – ERO #019-7441; MINISTRY #20-OP-232096
279 & 285 YORKLAND BOULEVARD, TORONTO
OUR FILE: 9519U**

On behalf of Morguard REIT ("Morguard") please accept this submission regarding the review by the Province of the City of Toronto's Official Plan Amendment 644 ("OPA 644") respecting the employment conversion of 279 & 285 Yorkland Boulevard (hereinafter the "Subject Lands") and shown below on **Figure 1**.

On behalf of Morguard, we are requesting designation of the lands as Mixed Use Area.

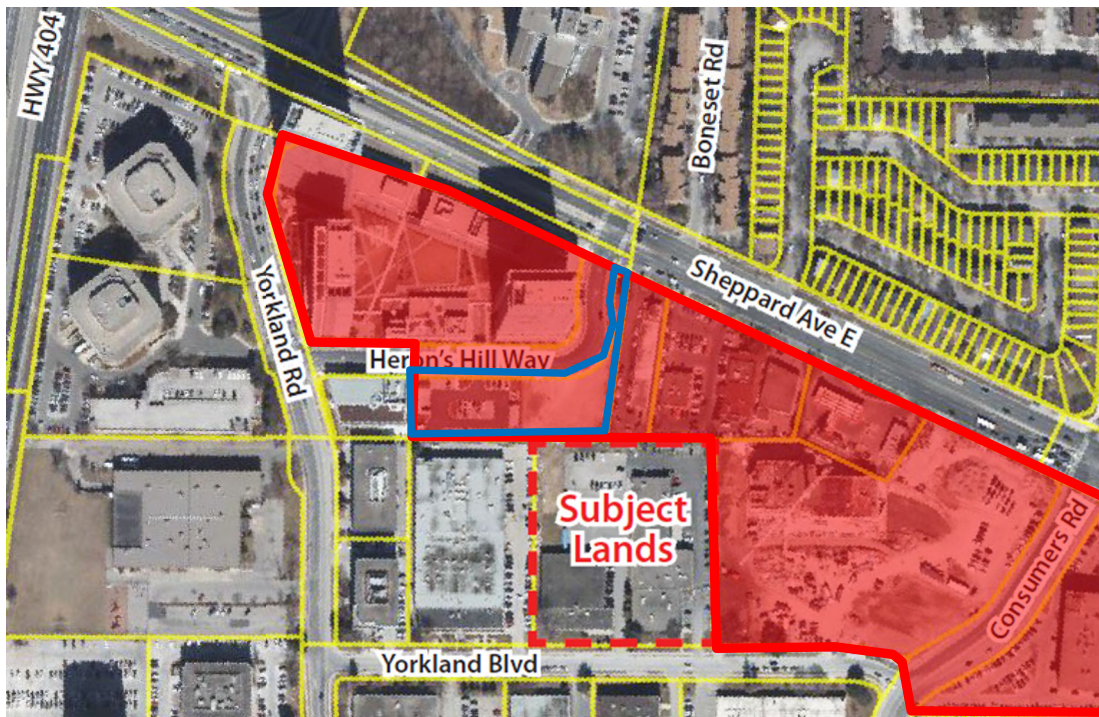


Figure 1 – Location of the Subject Lands – Mixed Use Areas adjacent to the Subject Lands shown in red, including the recently approved conversion at 1 Heron's Hill Way (outlined with blue line)

The Subject Lands have a developable area of approximately 1.28 ha (3.17 acres). The Subject Lands are currently being used for food distribution (Arz Fine Foods) and office (The Mitchell Partnership Engineers) uses.

Adjacent uses include:

NORTH	Automotive services, fast food restaurant, and gas station, with a proposed high density residential development to the northwest (1 Heron’s Hill Way)
EAST	High density mixed use development to the northeast with further high density mixed use development currently under construction to the immediate east (Parkside Square)
SOUTH	Places of worship (Abu Huraira Center; Korean Garden Church) and educational facilities (Oxford College / Hansen College)
WEST	Real estate development office (VHL), education facilities (Lambton College), and office uses with high density residential uses to the northwest (Legacy and Ultra at Heron’s Hill)

The south side of Sheppard Avenue East is currently undergoing transformation into a mixed-use corridor, with new mixed use residential development flanking the north and east of the Subject Lands (shown in red on **Figure 1**). The City has recently granted a conversion request to the lands immediately adjacent to the Subject Lands at 1 Heron’s Hill Way per approved OPA 591, shown in blue on **Figure 1**.

The Subject Lands are municipally serviced, and are about a 15 minute walk or 10 minute bus ride to the Don Mills Subway Station. Existing Toronto Transit Commission (TTC) bus transit routes 24B and 167A are accessible immediately south of the Subject Lands along Yorkland Boulevard, and bus routes 85, 85A, and 985A along Sheppard Avenue East are accessible within a 5 minute walking distance. The existing transit network links the Subject Lands to the surrounding communities and provides convenient connection to the Don Mills Subway Station. The Subject Lands will also be in walking distance to the potential future Consumers Road Station of the planned Sheppard East Subway Extension line.

There are existing and planned public services within the vicinity of the Subject Lands. The proposal is within a 5 minute walking distance to the North Toronto Christian School that accommodates kindergarten to grade 12 students, a 15 minute walk to Muirhead Public School, and a 20 minute bus transit ride to the Toronto Fairview Branch Public Library. There are also numerous opportunities for shopping in proximity to the Subject Lands, including Fairview Mall and service commercial uses along Sheppard Avenue.

The Subject Lands are located within the Consumers Road Business Park district, which is bounded by Sheppard Avenue East, Highway 404, Highway 401, and Victoria Park Avenue with mainly office employment, mixed use residential, and other non-residential uses.

History of Request & The Proposal

On December 17, 2020, a request was made to the City of Toronto to redesignate the Subject Lands from General Employment Area to permit a mixed use development to occur. Further submissions followed, with an updated request being made on March 31, 2022. The request was supported by a Planning Justification, Economic Implications Study and a Compatibility Study (including response to peer review comments). The original and supplemental submissions are attached for your convenience.

The proposal for conversion will allow the establishment of a mixed use development that relates to the larger mixed use quadrant extending to Sheppard Avenue East, which encompasses the Sheppard and Victoria Park

Corridor and Consumers and Sheppard Node within the ConsumersNext Secondary Plan area. This conversion will promote a range of rental residential, employment, service commercial, retail, and open space uses that builds on the existing mixed use areas and leverages on existing municipal infrastructure, and is in alignment with Provincial policy direction for compact, integrated employment areas.

The proposal for conversion envisions the Subject Lands contributing to the larger quadrant mixed use area within the Consumers Road Business Park district through a complete mix of rental residential, office, and outdoor park space (**Figure 2**).

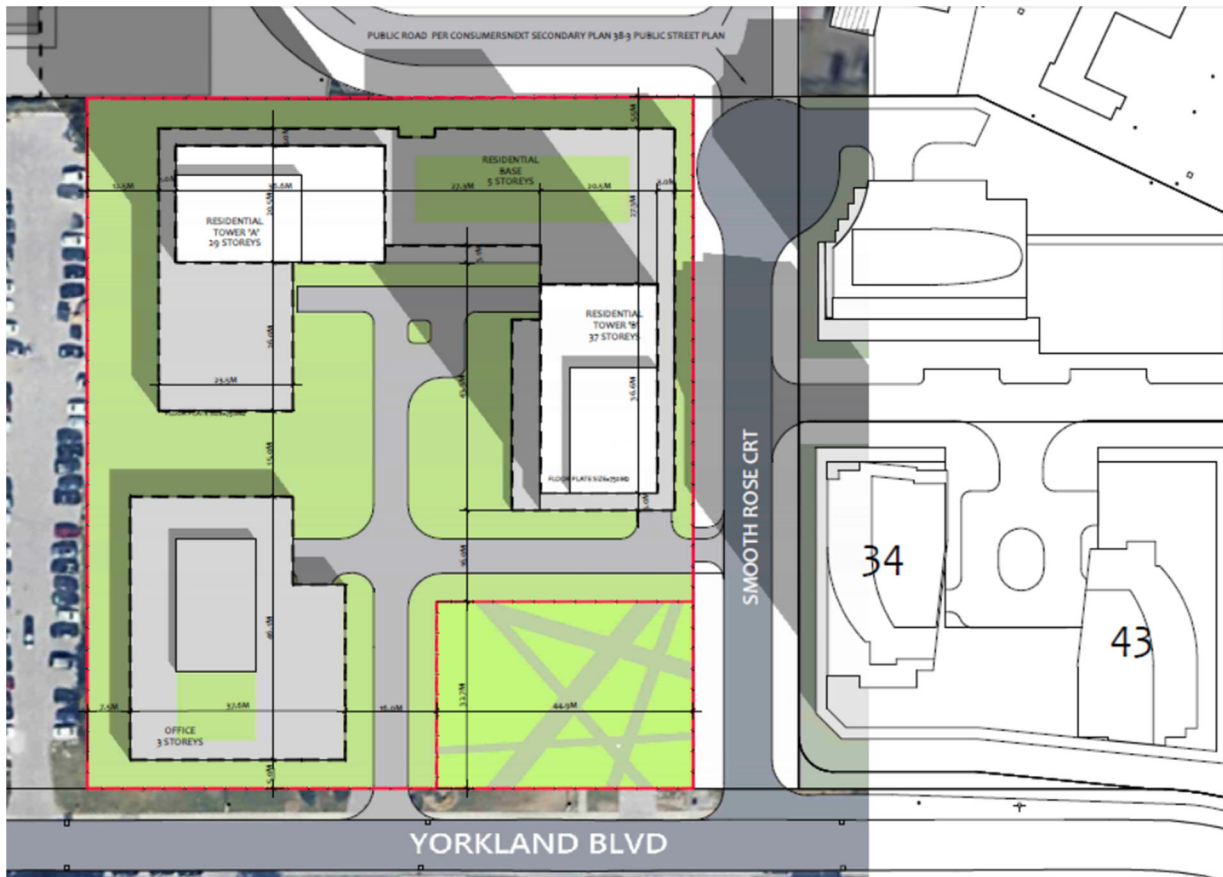


Figure 2 – Conceptual Site Plan for Proposed Mixed Use Development

The Concept Plan as prepared by TFAI proposes an overall Gross Floor Area ("GFA") of 60,932 sq. m (655,872 sq. ft.), resulting in a Floor Space Index (FSI) of 4.75. A projected total of **846 rental residential units** are proposed. Approximately 4,345 sq m (46,770 sq ft) of new office space would be developed at the southwest corner of the site, housing approximately 235 employees. The Concept Plan incorporates a public park at the southeast corner of the site, and provides ground level interior courtyards and landscaping opportunities that may serve as additional outdoor amenity areas.

The Concept Plan introduces an infill development in the form of a "podium and tower" residential built form at 37 and 29 storeys, and a stand alone office building at three storeys fronting onto Yorkland Boulevard. The total height of the podium building is set at five storeys and is consistent with the adjacent approved residential development to the east ("Parkside Square") to frame the public realm streetscapes and provide a pedestrian oriented experience. The proposal includes underground parking to accommodate the increased development density.

The two proposed tower buildings are strategically placed at the middle north portion of the Subject Lands, towards Sheppard Avenue, with a building separation distance of 45.4 metres between the towers to provide unobstructed view angles and sunlight exposure into the internal courtyard green spaces and surrounding development. A minimum separation distance of 25 metres to the towers to the east of the Subject Lands is also provided. The proposed tower placement also prevents shadows being casted onto the proposed parkland to the southwest corner of the site. The proposed five storey residential podium along the north side of the Subject Lands will also provide a stepped height transition to the adjacent uses. Further, the proposed three storey office building will establish a pedestrian scaled building streetwall along Yorkland Boulevard to animate the streetscape and establish a pedestrian oriented environment. Further, the proposed office building and park will provide a transition to the employment areas to the south from the proposed rental residential uses on the north of the Subject Lands. It is anticipated that the new office building will house between 235 new office jobs – a doubling from the 112 employees which exist on the Subject Lands today. Refer to **Figures 3** and **4** below.



Figure 3 – Conceptual Massing (looking northwest) of the proposed Mixed Use Rental Residential and Office Building Complex



Figure 4 – Concept Massing (looking southwest) of the proposed Mixed Use Rental Residential and Office Building Complex

Overall the proposal will provide additional rental housing and increased office employment in an area which is surrounded by existing and approved mixed use developments to the north and east. The proposal is compatible with surrounding employment uses to the south and west, which are largely institutional, office and service commercial in nature. The proposal would add significant rental housing units in an area that has good access to existing and future transit facilities.

Decision of Council

On June 18, 2023, council accepted the staff recommendation to deny the conversion request despite the substantive submissions and justifications provided in support of the conversion request. Our client sees this as a significant failure by the City to recognize the redevelopment potential of the Subject Lands which would provide significant amounts of housing as well as employment opportunities in a rejuvenated and revitalized urban format.

Given the deepening housing crisis and the substantial planning merit of the proposal, our client has decided to address the Minister in the context of his consideration of OPA 644 and seek the Minister's modification requested in this submission.

Request of the Province

On behalf of our client, we are requesting that the Province utilize its powers as the approval authority to modify OPA 644 to grant the conversion request for 279 & 285 Yorkland Boulevard. To this effect we request the following modifications:

1. We request **removal the Subject Lands from Employment Areas on Map 2** of the Official Plan as shown below.



Figure 5 – Removal of Subject Lands From Employment Area as shown on excerpt from OPA 644, Appendix 1: Map 2

2. We request the Subject Lands be **designated Mixed Use Area on Land Use Designation Map 19** (part of Tile Index Map 13 of Appendix 2 of OPA 644) as shown below.

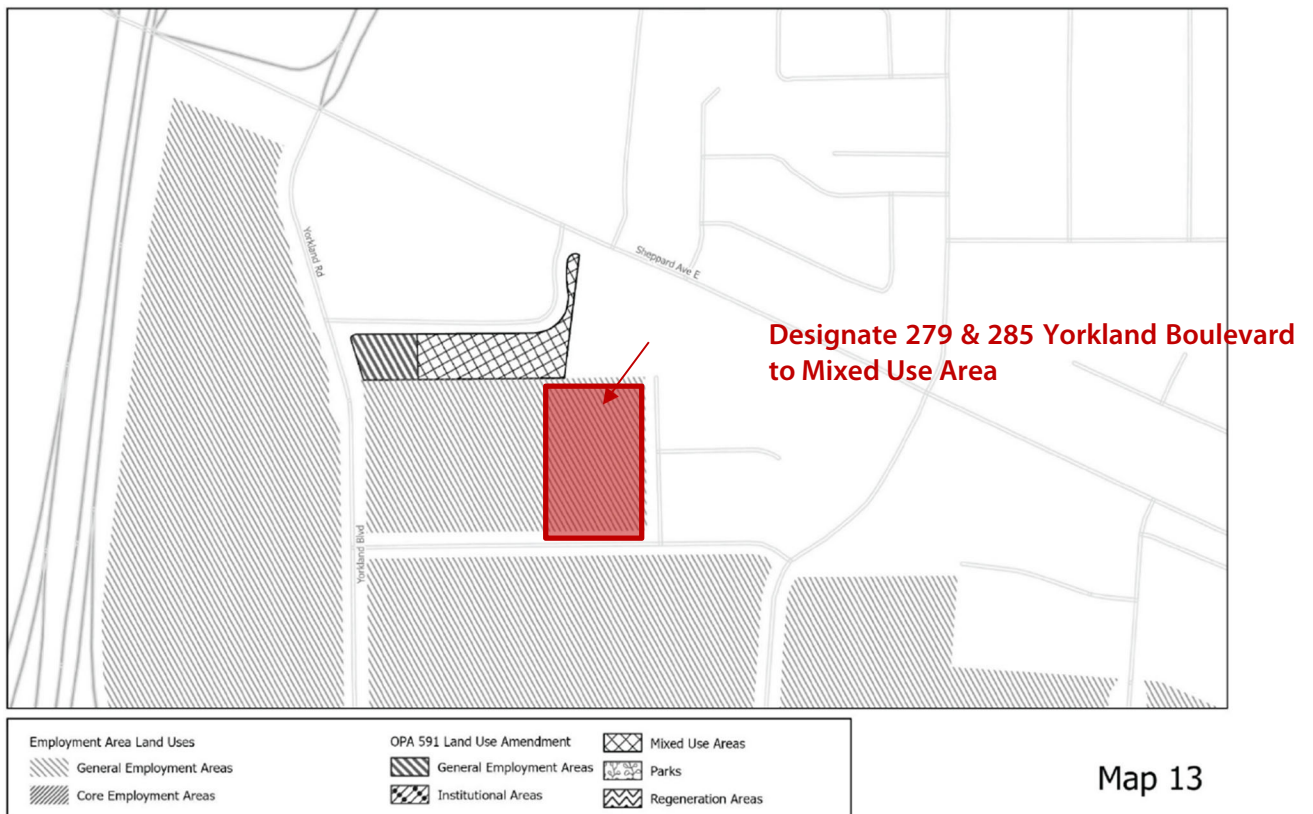
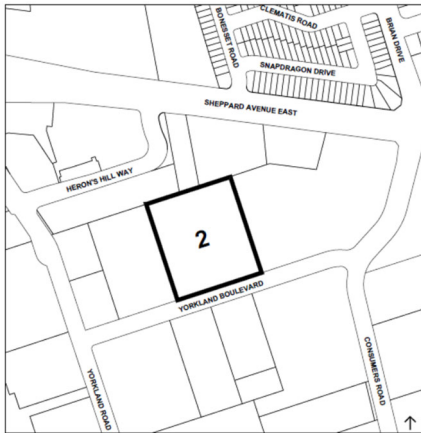


Figure 6 – Designate Subject Lands from General Employment Area to Mixed Use Area as shown on excerpt from Official Plan Land Use Designation Map 19 (Tile Map 13 of OPA 644, Appendix 2)

3. We Request that Chapter 6, Secondary Plans, be amended as follows:
 - A. Chapter 6, Section 38, ConsumersNext Secondary Plan is amended by adding Site and Specific Policy 2 for the lands known municipally in 2021 as 279 & 285 Yorkland Boulevard, as follows:

279 & 285 Yorkland Boulevard



A mixed use and mixed-income development is permitted on the lands provided that:

- a) A minimum of 4,345 square metres of employment gross floor area of the total gross floor area across the entire lands will:
 - i) be developed and maintained prior to or concurrent with residential uses;
 - ii) be comprised of uses permitted in Core Employment Areas and General Employment Areas that are compatible with residential uses.
 - b) Development of the lands will provide a minimum 1,468 square metre public park.
- B. Chapter 6, Section 38, ConsumersNext Secondary Plan Map 38-4, Potential Tall Building Locations and Maximum Densities, is amended by adding a Maximum permitted FSI of 4.8 calculated across the entire site on the lands known municipally in 2021 as 279 & 285 Yorkland Boulevard as shown on the map above as Site and Area Specific Policy 2.
- C. Chapter 6, Section 38, ConsumersNext Secondary Plan Map 38-5, Districts and Nodes Plan, is amended by adding to the Sheppard and Victoria Park Corridor the lands known municipally in 2021 as 279 & 285 Yorkland Boulevard as shown on the map above as Site and Area Specific Policy 2.
- D. Chapter 6, Section 38, ConsumersNext Secondary Plan Map 38-6, Land Uses, is amended by adding Mixed Use Areas to the lands known municipally in 2021 as 279 & 285 Yorkland Boulevard as shown on the map above as Site and Area Specific Policy 2.
- E. Chapter 6, Section 38, ConsumersNext Secondary Plan Map 38-8, Grade Related Amenities, is amended by adding a Future Park (Secured) symbol to the southeast corner of the lands known municipally in 2021 as 279 & 285 Yorkland Boulevard as shown on the map above as Site and Area Specific Policy 2.
- F. Chapter 6, Section 38, ConsumersNext Secondary Plan Map 38-10, Potential Tall Building Locations and Maximum Heights, is amended by adding Location with Potential Tall Building and a Maximum 130 metres tower permitted to the lands known municipally in 2021 as 279 & 285 Yorkland Boulevard as shown on the map above as Site and Area Specific Policy 2.

These modifications would implement the proposal as discussed above. They would ensure that the non-residential components are constructed prior to or concurrently with any residential development, ensuring that the lands remain as a source of significant employment. It is anticipated that mitigation of any potential undue adverse affects would be addressed in the detailed design stage in accordance with the policy of the Site and Area Specific Policy.

The proposed modifications to OPA 644 are appropriate, reasonable, represent good planning and are in the public interest.

Overall Conclusion

The proposal envisioned for the Subject Lands is one that will contribute to the overall existing and planned high-rise mixed use vision along Sheppard Avenue East and in support of the MTSA associated with the future Sheppard Avenue East Subway Extension. This proposal is consistent and conforms with Provincial Policy and structured around the optimization of existing municipal services, infrastructure and transit services. The proposal contemplates a high-rise mixed use development that will provide more than 45,000 sq ft of new office space, which increases the amount of employment located on the property today by nearly 20%. Further, as shown through the SLR work, the proposal is compatible with surrounding employment designated lands and will not undermine the retention of these lands for employment uses.

While it is acknowledged that the City is determined to preserve employment lands wherever possible, the Subject Lands represent situation where a conversion is appropriate, given that the existing use of the Subject Lands represents an underutilization of the Subject Lands in comparison to the proposed high-rise mixed use development, and also considering the marginal impact of the removal of the Subject Lands would have on the City's supply of employment lands. In addition, the lands to the immediate north and east having been already designated and currently under construction for mixed-use including residential, further diminishes any issue with compatibility. Further the lands to the northwest at 1 Heron's Hill Way have been recently converted by the City through the adoption of OPA 644.

The proposed conversion of employment lands to a Mixed Use Areas designation meets the intent and purpose of the policies with respect to employment land conversions as outlined in the Growth Plan and the City of Toronto Official Plan and has been demonstrated as follows:

- The conversion will not detract from the City's population and employment projections, rather achieving this goal through a more compact and higher density form by more efficient utilization of the existing land area.
- The proposed mixed use development will generate more employment and job diversity through a compact urban form, which is in keeping with the City's employment land needs.
- The shift in employment trend to service based employment which typically occurs in a higher density form ensures the employment area continues to be viable and relevant for long term growth and economic development, in particular to the Subject Lands' geography and access to public transit.
- The Subject Lands are fully serviced with water, wastewater, and stormwater services. Existing transportation services are highly accessible, making the Subject Lands suitable for high density mixed use development and reducing reliance on automobiles as a means for mobility.

- The Subject Lands are not part of a Provincially Significant Employment Zone, which satisfies a key conversion requirement of the OP Policy for requesting a conversion that permits non-employment uses provided the area has not been identified as provincially significant when an official plan review or update is being undertaken and completed.
- Compatibility issues are not anticipated given the surrounding mix of land uses as identified by SLR. Any compatibility and mitigation can and will be addressed through future application processes.
- The proposed development will provide an additional **846 rental housing** units as well as increased employment opportunities in proximity to transit. The additional rental housing units will aid the Province and City in addressing the current housing crisis.

Please feel free to contact us if you have any questions or wish to discuss in further detail.

Thank you.

Yours Truly,

MHBC



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

cc: *Clients*
J. Shapira, Wood Bull LLP