



February 9, 2024

Hon. Paul Calandra
Minister of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, Ontario M7A 2J3

Dear Minister Calandra:

**Re: ERO Number 019-7731, Ministry Reference Number 20-OP-238506
City of Toronto Official Plan Amendment No. 653
Request to redesignate 1936 McCowan Road to Regeneration Areas**

EXECUTIVE SUMMARY

We are the planning consultants for 2827431 Ontario Inc., owners of the lands located near the northwest corner of McCowan Road and Nugget Avenue and municipally known as 1936 McCowan Road in the City of Toronto (the “site” or the “subject site”). The site has an approximate area of 9,545 square metres, approximately 99 metres of frontage along McCowan Road and an irregular shape. It is currently developed as a pad-style plaza with two single-storey buildings connected by a surface parking lot.



Figure 1: Subject Site

The purpose of this letter is to request that the subject site be redesignated from its current *General Employment Areas* land use designation within the Toronto Official Plan to *Regeneration Areas*, as part of the Ministry's review of City of Toronto Official Plan Amendment No. 653 ("OPA 653"). As outlined further below, the site, which is currently underutilized, is well-positioned to provide a significant amount of housing as well as leverage existing and planned infrastructure investments to contribute to the Province's objective to deliver 1.5 million homes by 2031.

The subject site is located in the Sheppard Avenue East and McCowan Road area, which is generally located north of Highway 401 and south of the CP rail corridor along McCowan Road. The area is currently characterized by large industrial plots and commercial pad-style plazas.

The proposed Sheppard Avenue East and planned McCowan Road Station on the Scarborough Subway Extension is located approximately 400 metres from the subject site, representing a 5-minute walk. Sheppard Avenue East and McCowan Road Subway Station is anticipated to be both the northern terminus of the Scarborough Subway Extension and a future interchange station of the planned Sheppard East line, which is expected to be developed within the next 10 years. In response to this public infrastructure investment the area is beginning to experience new mixed-use development activity.

As a part of the City of Toronto's current and ongoing municipal comprehensive review process, City Council adopted OPA 653, amending the Official Plan's Economic Health and *Employment Areas* policies, at its meeting on July 19, 2023. OPA 653 implemented the second phase of conversion requests recently reviewed by City Council and Staff and included changes in land use designation from *General Employment Areas* to other land use designations including *Regeneration Areas* and *Mixed Use Areas*. OPA 653 also introduced a number of Site and Area Specific Policies (SASPs), resulting from the City's review of Official Plan Amendment applications and conversion requests.

In considering and ultimately adopting OPA 653, City Council considered requests to partially convert certain lands within the Sheppard Avenue East and McCowan Road area, which are located in proximity to the subject site, to *Regeneration Areas*. The sites converted are 4630 and 4570 Sheppard Avenue East. Through its consideration of OPA 653, City Council approved conversions for the lands noted above and introduced SASP 793 and, at present, Council-adopted OPA 653 is currently being reviewed by the Minister.

In our opinion, the subject site is appropriate for redesignation from the current Toronto Official Plan land use designation of *General Employment Areas* to *Regeneration*

Areas and we hereby request that the Minister modify OPA 653 to apply a *Regeneration Areas* designation to the subject site.

It is our opinion that the redesignation of the subject site to *Regeneration Areas* is appropriate and desirable as it will facilitate mixed-use intensification that is consistent with the Provincial Policy Statement and conforms to the Growth Plan, both of which are supportive of directing growth close to higher order transit in order to make more efficient use of such public infrastructure. In this regard, the subject site is located within 400 metres of the Sheppard Avenue East and McCowan Road Station/stop on the Scarborough Subway Extension and is currently underutilized. Further intensification of the subject site will assist in achieving the minimum density targets prescribed in the Growth Plan and ultimately contribute to achieving the Province's goal to building 1.5 million homes over the next 10 years.

Furthermore, the City of Toronto has already redesignated part of the lands to the south at 4630 and 4570 Sheppard Avenue as *Regeneration Areas*, therefore applying a similar designation to the subject site represents a logical approach that will allow for coordinated and comprehensive development of a contiguous *Regeneration Areas* designation along McCowan Road, optimizing the potential to deliver a meaningful amount of housing and a complete community.



Figure 2: 4630 and 4570 Sheppard Avenue East

As outlined further below, we conclude that the introduction of residential uses at the subject site is appropriate and desirable given the policy directions set out in the Provincial Policy Statement (“PPS”), the Growth Plan 2019, as amended (the “Growth Plan”), the 2041 Regional Transportation Plan (the “2041 RTP”) and the City of Toronto’s Official Plan.

Accordingly, we are writing to request that the Ministry of Municipal Affairs and Housing modify OPA 653 as follows:

- 1. Remove the lands municipally known as 1936 McCowan Road from Map 2, Urban Structure.**
- 2. Revise the Table in Section B) of OPA 653 to add the lands municipally known as 1936 McCowan Road and redesignate the lands to *Regeneration Areas*.**
- 3. Introduce a Site and Area Specific Policy XXX with respect to the subject site**

Chapter 7, Site and Area Specific Policies, is amended by adding SASP 7 XXX. 1936 McCowan Road

XXX. 1936 McCowan Road

- a) No form of residential uses and/or live-work uses, will be permitted in *Regeneration Areas*, prior to the adoption of a Secondary Plan or Site and Area Specific Policy.
- b) Sensitive land uses will be located, designed and buffered to mitigate impacts from, be compatible with, and not impede the continuation of and the expansion of nearby employment uses, including concrete batching operations, and any new employment uses within the surrounding *Core* and *General Employment Areas*. Holding provisions may be established in order to ensure compatibility and mitigation concerns are adequately addressed. The holding symbol may be removed after Council is satisfied, having had regard for applicable environmental regulations and guidelines and receiving or securing necessary technical studies, that compatibility will be achieved and maintained between any proposed land use and lands designated as General or Core Employment Areas with regard to noise, dust, odour and air quality so as to achieve the goals of:
 - i. Preventing undue adverse impacts from the proposed land use on the concrete batching facilities and other lands designated General or Core Employment Areas;

- ii. Preventing the potential for undue adverse impacts on the new land uses from the concrete batching facilities and other lands designated General or Core Employment Areas.
- c) In addition to the matters identified in Policy 2 of Section 4.7, Regeneration Areas, the area study leading to the Secondary Plan or Site and Area Specific Policy will include:
 - i. A Land Use Plan that provides for the redesignation of *Regeneration Areas* lands to *Mixed Use Areas* and/or *General Employment Areas* and/or *Parks and Open Space* as appropriate. The Land Use Plan will:
 - A. inform building heights and densities across the lands to be included within the Secondary Plan or Site and Area Specific Policy;
 - B. determine the minimum employment gross floor area, which will exceed the existing employment gross floor; and
 - C. determine the list of permitted non-residential uses as well as maximum percentages of these uses that contribute to the employment gross floor area;
 - ii. A Phasing Strategy and Implementation Plan to provide for the sequencing of development, including the provision of infrastructure and services.
 - A. the Phasing Strategy must set out the amount of non-residential gross floor area to be constructed in each phase, prior to, or concurrent with residential gross floor area to provide a balance of employment and residential growth in all phases of development;
 - iii. A Community Services and Facilities Strategy that identifies community space and facilities needs and sets out priorities to support growth which may include potential locations and phasing as well as opportunities for co-location;
 - iv. A Block Context Plan that applies the City's "Complete Streets" principles and establishes a network of public streets, development blocks, pedestrian and cycling facilities and connections, and parks and

open spaces that contributes to a safe, comfortable and connected public realm;

- v. A Parks and Open Space Plan that identifies locations of new public parks;
 - vi. Urban Design Guidelines that set out the framework for the appropriate built form;
 - vii. An Infrastructure Master Plan that identifies water, sanitary, stormwater and hydro infrastructure requirements and development strategy;
 - viii. A Green Infrastructure Strategy that includes consideration of low impact development, stormwater management systems, and trees;
 - ix. A Transportation Analysis that includes consideration of the Nugget Avenue extension and the impacts of the change in use on goods movement in the larger area of employment; and
 - x. A Commercial Demand Analysis that considers market needs in the area for commercial non-residential space, such as office and retail uses, which are compatible with sensitive uses and can inform the level of employment gross floor area required to meet the demand.
- d) The Secondary Plan or Site and Area Specific Policy will also include a Housing Plan where new development containing residential units on the lands will secure a minimum amount of affordable housing as follows:
- i. if a condominium development is proposed, a minimum of 7 percent of the total new residential gross floor area shall be secured as affordable ownership housing or a minimum of 5 percent of the total new residential gross floor area shall be secured as affordable rental housing; and
 - ii. the affordable housing shall be secured at affordable rents or affordable ownership prices for a period of at least 99 years from the date of first residential occupancy of the unit; and
 - iii. the unit mix of the affordable housing shall reflect the market component of the development, as appropriate, to achieve a balanced mix of unit types and sizes and support the creation of affordable housing suitable for families.

- e) Where a complete application for a Zoning By-law Amendment has not been filed prior to January 1, 2025, the affordable rental housing required in Policy f) i) will increase by 1.5 percent per year. Affordable ownership housing requirements will be set at 1.4 times the affordable rental housing requirements.
- f) The provision of affordable housing required by Policy f) and Policy g) shall be secured through one or more agreements with the City.
- g) Conditions to be met prior to the removal of a holding ("H") provision on the lands shall include the following:
 - i. Entering into a Municipal Housing Project Facility Agreement or such other agreement(s) as may be satisfactory to the City Solicitor to secure the provision of affordable housing; and
 - ii. The submission and acceptance of a Housing Issues Report, to the satisfaction of the Chief Planner and Executive Director, that identifies the unit mix, unit sizes, and how affordable housing requirements will be met.
- h) If an Inclusionary Zoning By-law takes effect and becomes applicable to any development on the lands, then the Official Plan Inclusionary Zoning policies and by-law, as may be amended, will prevail and the affordable housing requirements in Policy f) and Policy g) will no longer apply, but only provided the applicable Inclusionary Zoning policy and by-law requirements meet or exceed the requirements of Policy f) and Policy g) above.
- i) As part of a complete Zoning By-law Amendment application for the lands, a Rail Safety and Rail Mitigation Report shall be submitted, peer reviewed and implemented to the City's satisfaction, and reviewed by the applicable rail operator.
- j) As part of a complete Zoning By-law Amendment application for the lands a Compatibility/Mitigation Study shall be submitted that will be peer reviewed, at the applicant's expense, and implemented to the City's satisfaction, which may include lifting any holding provisions established through the Secondary Plan or Site and Area Specific Policy, pursuant to Policy d) above.'

SITE AND SURROUNDINGS

As described above, the subject site is located in the Sheppard Avenue East and McCowan Road area, which is generally located north of Highway 401 and south of the CPR rail corridor along McCowan Road. The area is currently characterized by large plots and commercial pad-style plazas. Similarly, the subject site is currently comprised of two commercial buildings: fronting McCowan Road is a one-storey restaurant use; and at the rear of the site is a one-storey building that was formerly occupied as a large-format retail use and is currently used for office and warehousing uses. The current sites tenants have a total of 5 employees on the site. Access to the subject site is provided via a curb cut from McCowan Road. There is also an access road running west from McCowan Road into the property at 1940 McCowan.

A summary of the applicable site statistics and designations is provided below:

Table 1: Site Statistics	
Site Area	+/- 9,545 square metres
Site Frontage	99.0 metres
Official Plan Designation	Map 2, Urban Structure – <i>Employment Areas</i> Map 19, Land Use – <i>General Employment Areas</i>
Zoning	City of Scarborough Marshalling Yard Zoning By-law 24982: ME-11-147-196-913-1277-2007, subject to exception 209

Surrounding Area

Historically, Sheppard Avenue East was an auto-oriented mix of retail, office and light industrial uses. However, the area has evolved in recent decades and has experienced a wave of new mixed use development at key intersections and nodes along Sheppard Avenue East such as: Sheppard Avenue East and Victoria Park, Sheppard Avenue East and Pharmacy Avenue, Sheppard Avenue East and Warren Avenue and further east including near Kennedy Road and Midland Avenue.

For example, one of the pivotal approvals in the area near the site was at Sheppard Avenue East and Kennedy Road at the Agincourt GO station on Sheppard Avenue at 3850 and 3900 Sheppard Avenue and 2350-2362 Kennedy Road in July 2019, which includes several new blocks, parts, community, office and retail space. Agincourt GO is envisioned to be a livable and connected community as well as a business hub along Sheppard Avenue East.

The recent approvals along Sheppard Avenue, including the site at Agincourt GO and the City of Toronto Council approval of the conversion requests at 4630 and 4570

Sheppard Avenue East are reflective of the growth and development taking place outside of the downtown core in Toronto and along the *Avenues* in Toronto's east end.

The following provides an overview of the immediate surroundings.

West: To the immediate west of the subject site is 1940 McCowan Road and the east location Dufferin Concrete, known as the Scarborough Branch of Dufferin Concrete. production can have negative externalities such as heavy amounts of dust and noise. The Scarborough Branch of Dufferin Concrete is very active as a concrete supplier for local transit projects. The Scarborough Branch of Dufferin Concrete has supplied concrete for the Eglinton Crosstown LRT construction, Scarborough Subway Extension and Agincourt GO Transit station as well other municipal and provincial infrastructure projects.

North: To the immediate north of the subject site is an access road into 1940 McCowan Road and north of the road is the CPR rail line. The rail line leads to the CPR Toronto rail yard east of McCowan Road. The rail line is an active part of the CPR rail freight operations, includes numerous rail tracks of operational locomotives and locomotive storage.

East: To the immediate east of the subject site is McCowan Road, a major arterial road, which has an existing right-of-way width of 35.0 metres and planned right-of-way width of 27.0 metres. To this extent, the current road width exceeds the planned right-of-way width.

At the northeast corner of Sheppard Avenue East and McCowan Road is the "Virk Plaza" at 20 Nugget Avenue. The single-storey building contains a strip mall that includes "Virk Furniture" and several other enterprises including service businesses as well as personal and professional services. Further east along Nugget Avenue, to the rear of the strip mall, are a series of single-storey warehouse buildings housing industrial functions such as a local meat wholesaler, supporting industries and other local office and commercial businesses.

South: To the immediate south of the subject site the East Highland Creek. The creek is part of the lands regulated by the Toronto and Region Conservation Authority (TRCA) and forms part of Toronto's ravine network.

South of the creek are the properties at 4630 Sheppard Avenue East and 4570 Sheppard Avenue East, which are currently developed with single-storey buildings including a Canadian Tire Store, other commercial retailers and supporting uses such as a parking lot and garden centre. As mentioned, on July 19, 2023, 4630 Sheppard Avenue East and 4570 Sheppard Avenue East received approvals for partial

conversion requests. As noted, OPA 653 has not yet been approved by the Province and, as such, is not yet in force.



Figure 3: Land Use Designations in the area including the recent conversion request.

Further south, the opposite side Sheppard Avenue East consists of *Neighbourhoods Areas* consisting of low rise single family dwellings and apartment buildings. To the southeast are *Mixed Use Areas* including local commercial strip malls and other pad-style plazas.

Transit Network

The subject site is currently served by the TTC surface transit route 129, route 131, route 85 and Route 939 A and C. Route 129 travels from north on McCowan Road from Scarborough Centre Station north to Ridgecrest Road and Major MacKenzie with connections to TTC routes, York Transit and GO Stops along its route. The nearest bus stop for route 129 is directly in front of the site.

Route 131 also begins at Scarborough Centre and travel north on McCowan before heading east along Nugget Avenue, McLevin Avenue and Sewells Road and the nearest stop is just around 60 metres from the subject site. Both route 129 and 131 travel in a loop and return to Scarborough Centre Station after their terminus stops.

Route 85 is part of the TTC's 10 Minute Network and operates 10 minutes or better, all day, every day, and the subject site is approximately 305 metres from the nearest bus stop along Sheppard Avenue East and has easy and convenient access to other bus routes along Sheppard as well Line 4 on the TTC subway. The subject site is also approximately 2.3 kilometres from Agincourt GO Transit station along Sheppard Avenue East as well as 2.4 kilometres from the existing McCowan Station to the south (Line 3 Scarborough).

Additionally, the under construction Sheppard Avenue East and McCowan Road Station on the Scarborough Subway Extension is located approximately 400 metres from the subject site, representing a 5-minute walk. Sheppard Avenue East and McCowan Road Station is anticipated to be the northern terminus of the Scarborough Subway Extension and an interchange station of the planned Sheppard East subway/LRT. Metrolinx is currently considering whether to proceed with the Sheppard East line as a full subway rather than as an LRT line. Overall, the subject site is well-connected to the City's expanding transit network.



Figure 4: Transit Network

PROPOSED CONCEPT AND SITE AND AREA SPECIFIC POLICY

Concept Plan

The subject site is appropriate for a conversion to *Regeneration Areas* and therein, to add permission for residential uses, the subject site is appropriate for intensification in a high density-built form. As demonstrated by the recent conversion requests and development activity, high density built forms with tall buildings are appropriate for the subject site and illustrated in Figure 5 (Concept Plan).

Two tall buildings can be accommodated on the subject site, which can potentially yield a total of 460 units, depending on the exact concept and future design. The draft concept for the site takes into consideration the City of Toronto's Tall Building Design Guidelines as well as planning and urban design considerations including the existing, planned and emerging built form of the area.

In this regard, the subject site is well separated from nearby low-rise residential and in proximity to nearby high-rise mixed-use development sites, which commonly feature commercial and retail activity at grade and residential uses above. Both the separation from low-residential areas as well as the nearby high-rise buildings and active developments facilitate appropriate conditions for a similar development at the subject site.

Specifically, the proposed concept takes into consideration the immediate surroundings, including the proximity to the East Highland Creek to the south and related Toronto and Region Conservation Authority regulations. To the east, the proposed concept takes into consideration appropriate setbacks and separation distances from McCowan Road. To the north, the proposed concept has been designed in recognition of the CPR rail corridor and related guidelines for separations and setbacks from the rail corridor. Finally, to the west, the proposed concept takes into consideration proximity to the Dufferin Concrete facility and appropriate separations and buffers between the uses on the subject site as well recommended separation distances from the land use compatibility study prepared by SLR consultants as further described below. To this end, the use of separation distances, setbacks and landscape buffers have all been applied in the proposed concept as a direct result of the compatibility study and to provide adequate space between the subject site and the Dufferin Concrete facility.

Overall, the proposed concept would represent a coordinated mixed-use redevelopment of this segment of the northwest corner of Sheppard Avenue East and McCowan Road. The integration of housing, non-residential uses as well as new park and roadways in this area will help achieve a walkable complete community as well a

significant amount of housing, leveraging existing and planned infrastructure and overall contributions to the Province's objective to deliver 1.5 million homes by 2031.

Concept Plan 1936 McCowan Road, Toronto, On



Figure 5 (Concept Plan)

Proposed Site and Area Specific Policy

As a part of the adoption of OPA 653 by City Council, SASP 793 was introduced and applied to the 4630 and 4570 Sheppard Avenue East. SASP 793 forms the foundation of the site and area specific policy proposed to accompany the conversion at 1936 McCowan Road. To this extent, the majority of the provisions introduced in SASP 793 are continued and replicated in the proposed SASP for the subject site, as outlined in this submission.

POLICY AND REGULATORY CONTEXT

Provincial Policy Statement (2020)

On February 28, 2020, the Minister of Municipal Affairs and Housing issued the Provincial Policy Statement (2020), which replaced the Provincial Policy Statement (2014). The new PPS policies took effect on May 1, 2020, and, in accordance with Section 3 of the *Planning Act*, all decisions affecting land use planning matters made after this date are required to be consistent with the Provincial Policy Statement

(2020). The Provincial Policy Statement's description for efficient use of lands includes promoting a mix of housing, employment and open spaces as well as other land uses.

Among other matters, the 2020 PPS includes additional policies related to addressing a changing climate and supporting green infrastructure, enhancing land use compatibility policies for sensitive land uses, increasing minimum requirements for housing land supply and clarifying policies related to market-based housing by adding a reference to affordable housing.

We note that the 2020 PPS also includes additional language that encourages transit-supportive development. In particular, Policy 1.1.1 provides that healthy, liveable and safe communities will be sustained by 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.

Regarding the conversion of employment areas to non-employment uses, Policy 1.3.2.4 states that:

Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

Policy 1.3.2.5 states that:

Notwithstanding policy 1.3.2.4, and until the official plan review or update in policy 1.3.2.4 is undertaken and completed, lands within existing employment areas may be converted to a designation that permits non-employment uses provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation working together with affected upper and single-tier municipalities and subject to the following:

- a) there is an identified need for the conversion and the land is not required for employment purposes over the long term;*
- b) the proposed uses would not adversely affect the overall viability of the employment area; and*
- c) existing or planned infrastructure and public service facilities are available to accommodate the proposed uses.*

Growth Plan for the Greater Golden Horseshoe

On May 16, 2019, “A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019” came into effect, replacing the previous Growth Plan for the Greater Golden Horseshoe, 2017. All decisions made on or after this date in respect of the exercise of any authority that affects a planning matter must conform with the 2019 Growth Plan, subject to any legislative or regulatory provisions providing otherwise. Subsequently, on August 28, 2020, the 2019 Growth Plan was amended by Growth Plan Amendment No. 1.

There are a number of changes from the previously applicable Growth Plan that are relevant to the subject site. One significant change was the identification of 29 provincially significant employment zones. Provincially Significant Employment Zones (PSEZ’s) are areas defined by the Minister in consultation with affected municipalities for the purpose of long-term planning for job creation and economic development. These zones can consist of employment areas or mixed-use areas with a significant number of jobs. In this regard, the subject site is located in a PSEZ, and this designation is taken into consideration in our analysis.

The Growth Plan includes policies dealing with employment land conversions. Policy 2.2.5.9 states that the conversion of lands within employment areas to non-employment uses may be permitted only through a municipal comprehensive review where it is demonstrated that:

- a) there is a need for the conversion;*
- b) the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;*
- c) the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;*
- d) the proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan; and*
- e) there are existing or planned infrastructure and public service facilities to accommodate the proposed uses.*

However, Policy 2.2.5.10 provides that, notwithstanding Policy 2.2.5.9, until the next municipal comprehensive review, lands within existing employment areas may be converted to a designation that permits non-employment uses, provided the conversion would:

- a) satisfy the requirements of Policy 2.2.5.9 a), d) and e);*

- b) *maintain a significant number of jobs on those lands through the establishment of development criteria; and*
- c) *not include any part of an employment area identified as a provincially significant employment zone unless the part of the employment area is located within a major transit station area as delineated in accordance with the policies in subsection 2.2.4.*

Other applicable Growth Plan policies promote efficient use of land, growth management and transit-supportive growth. Transit-oriented growth development is a key goal Provincial Planning Legislation.

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. It includes objectives that support the development of complete communities and promote transit-supportive development in proximity to higher-order transit. As noted 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.

In Section 2.1, the Growth Plan recognizes that housing affordability is a key challenge for many communities in the GGH and that it is being driven by factors such as lack of housing supply:

“This Plan helps to address this challenge by providing direction to plan for a range and mix of housing options, including additional residential units and affordable housing and, in particular, higher density housing options that can accommodate a range of household sizes in locations that can provide access to transit and other amenities.”

Section 2.1 of the Growth Plan goes on to further emphasize the importance of optimizing land use in urban areas:

“This Plan’s emphasis on optimizing the use of the existing urban land supply represents an intensification first approach to development and city-building, one which focuses on making better use of our existing infrastructure and public service facilities, and less on continuously expanding the urban area.”

The subject site is located within a “strategic growth area” as defined by the Growth Plan (i.e., a focus for accommodating intensification and higher-density mixed uses in a more compact built form). “Strategic growth areas” include urban growth centres, major transit station areas and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be defined as “strategic growth areas”.

As noted above, the subject site is within short walking distance of frequent transit services (Route 85) and is located approximately 400 metres from the subject site, which is a planned major transit station area (Sheppard/McCowan station/stop) as defined by the Growth Plan.

Policy 2.2.4.1 states that planning will be prioritized for major transit station areas on priority transit corridors, including zoning in a manner that implements the policies of the Growth Plan. Policy 2.2.4.2 states that the City of Toronto will delineate the boundaries of major transit station areas 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.

Policy 2.2.4.3 states that MTSA’s on priority transit corridors or subway lines will be planned for a minimum density target of 200 residents and jobs per hectare for those that are served by subway and 160 residents and jobs per hectare for those that are served by LRT or BRT.

Policy 2.2.4.6 states that within major transit station areas on priority transit corridors or subway lines, land uses and built form that would adversely affect the achievement of the minimum density targets in this Plan will be prohibited.

The Growth Plan defines a major transit station area as:

“The area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the

area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.”

In addition to MTSAs, Policy 2.2.4.10 states that lands adjacent to or near existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.

Bill 97 and draft Provincial Planning Statement

On April 6, 2023, the Minister of Municipal Affairs and Housing introduced Bill 97, the *Helping Homebuyers, Protected Tenants Act, 2023* and a new (draft) Provincial Planning Statement (PPS) that would supersede and replace the existing and in-force Provincial Policy Statement and Growth Plan. Bill 97 received Royal Assent on June 8, 2023.

Among a number of changes to the Planning Act (and other Acts), Bill 97 amends the definition of “area of employment”, most notably, to exclude institutional and commercial uses, including office and retail uses that are not associated with manufacturing, research and development in connection with manufacturing, warehousing and goods movement, from the list of uses considered to form part of an area of employment. It should be noted that although Bill 97 received Royal Assent, the amended definition of “area of employment” has not yet been proclaimed into force. Once in force, the office uses on the subject site would not be consistent with the definition of “area of employment”.

Another proposed change within Bill 97 is the allowance of conversions or removals of employment areas to be considered at any point, and not just limited to a municipal comprehensive review. Other proposed amendments as part of the draft PPS include the removal of Provincially Significant Employment Zones (PSEZs).

The proposed document was available for public comment until August 4, 2023 and is subject to further changes as a result of the comments received. The Ministry was previously targeting final policies to be released in fall 2023. A new timeline has not yet been made available.

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.

The Regional Transportation identifies the under construction Scarborough extension subway as expected to open in the next 10 years.

Toronto Official Plan

The Official Plan for the amalgamated City of Toronto (the “Official Plan”) was adopted on November 26, 2002, and was partially approved by the Ontario Municipal Board on July 6, 2006. Numerous amendments to the Official Plan have subsequently been approved, including amendments arising out of the Official Plan Review initiated in 2011.

Growth Management

Policy 2.1(3) provides that Toronto is forecast to accommodate 3.19 million residents and 1.66 million jobs by the year 2031. The marginal note regarding Toronto’s growth prospects makes it clear that the population and employment figures are neither targets nor maximums; they are minimums:

“The Greater Toronto Area... is forecast to growth by 2.7 million residents and 1.8 million jobs by the year 2031. The forecast allocates to Toronto 20 percent of the increase in population (537,000 additional residents) and 30 percent of the employment growth (544,000 additional jobs) ... This Plan takes the current GTA forecast as a minimum expectation, especially in terms of population growth. The policy framework found here prepares the City to realize this growth, or even more, depending on the success of this Plan in creating dynamic transit oriented mixed use centres and corridors.” (Our emphasis).

In Chapter 2 (Shaping the City), one of the key policy directions is Integrating Land Use and Transportation (Section 2.2). The Plan states that:

“... future growth within Toronto will be steered to areas which are well served by transit, the existing road network and which have a number of properties with redevelopment potential. Generally, the growth areas are locations where good transit capacity can be provided along frequent bus and streetcar routes and at higher-order transit stations...”

It further provides that:

“The integration of transportation and land use planning is critical to achieving the overall aim of increasing access to opportunities throughout the City... The policies of this Plan reflect the importance of mutually supportive transportation and land use policies that combine the mechanisms of mobility and proximity to maximize access to opportunities.”

As noted, the subject site is within 400 metres of the planned Sheppard Avenue East and McCowan Road Station on the Scarborough Subway Extension as well the subject site is served by several existing frequent transit connections.

Land Use

The site is designated *General Employment Areas* on Map 19 (Land Use Plan) of the City of Toronto Official Plan. Lands to the east, adjacent to the rail track, are *Core Employment*, and as described above a portion of the lands to the south along Sheppard have recently been redesignated from *General Employment Areas* to *Regeneration Areas*.

The *General Employment Areas* designation permits a wide range of non-residential uses, including all types of manufacturing, processing, warehousing, wholesaling, distribution, storage, transportation facilities, vehicle repair and services, offices, research and development facilities, industrial trade schools, and media, information and technology facilities, as well as fitness centres, restaurants and all types of retail and service uses.

Regeneration Areas are often former core or general employment lands that are no longer active commercial sites and are intended to provide for a broad mix of commercial, residential, light industrial, parks and open space, institutional and live/work uses in an urban form. *Regeneration Areas* are also intended help attract reinvestment and to create new jobs and homes that use existing infrastructure and create and sustain well-paid, stable, safe and fulfilling employment opportunities.

Section 2.2.4 of the Official Plan includes policies for *Employment Areas* which address conversion and removal of employment lands. Those policies align with, and go beyond, the PPS and Growth Plan policies summarized above. Policy 2.2.4(16) states that applications to convert lands within an *Employment Area* will only be considered at the time of a municipal review of employment policies and designations under Section 26 of the *Planning Act* and a concurrent Municipal Comprehensive Review under the Growth Plan for the Greater Golden Horseshoe.

Official Plan Amendment No. 653

On August 4, 2020, the City Council authorized the commencement of the Municipal Comprehensive Review (MCR) and Growth Plan Conformity Exercise, pursuant to the Growth Plan Policies 2.2.5.9 and 2.2.5.10. As part of this process, the City received approximately 150 employment conversion requests to convert lands designated *Core Employment Areas* or *General Employment Areas* for non-employment uses. Conversion requests were adopted by City Council through Official Plan Amendments 591, 644, 653 and 692.

City Council supported the requested employment conversion of 4630 and 4570 Sheppard Avenue East by way of a redesignation of Area “B” from *General Employment Areas* to *Regenerations* through City Council’s adoption of Official Plan Amendment 653 (“OPA 653”) on at its meeting on July 19, 2023 (Figure 4). The site at 4630 and 4570 Sheppard Avenue East is subject to Site and Area Specific Policy 793 (“SASP 793”).

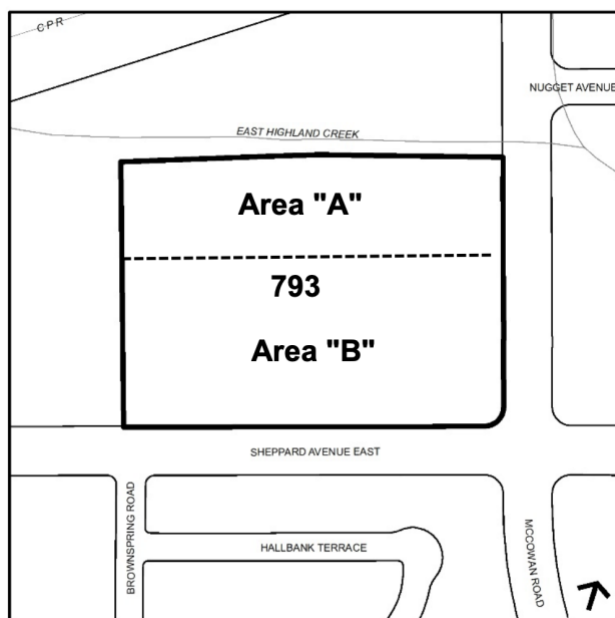


Figure 6 – SASP 793

Among other things, SASP 793 specifies the following:

- Area A will remain designated as *General Employment Areas* and the exact depth of the designation will be determined through the completion of a Secondary Plan or Site and Area Specific Policy;
- All uses permitted under the *General Employment Areas* designation and *Regeneration Areas* designation on Area "B", including interim uses, with the exception of residential uses, overnight accommodations, and live-work uses, are permitted on the lands prior to the completion of a Secondary Plan or Site and Area Specific Policy;
- No form of residential uses and/or live-work uses, will be permitted in *General Employment Areas* or *Regeneration Areas*, prior to the adoption of a Secondary Plan or Site and Area Specific Policy;
- Sensitive land uses will be located, designed and buffered to mitigate impacts from, be compatible with, and not impede the continuation of and the expansion of nearby employment uses, including concrete batching operations, and any new employment uses within the surrounding *Core and General Employment Areas*.
 - City Staff may apply a holding provision to ensure compatibility;
 - Land use Compatibility will be achieved and maintained with the goals of a) preventing undue adverse impacts from the proposed land use on the concrete batching facilities and other lands designated General or Core Employment Areas; and b) preventing the potential for undue adverse impacts on the new land uses from the concrete batching facilities and other lands designated General or Core Employment Areas.
 - A land use plan will need to be developed to inform the following:
 - appropriate building heights and densities;
 - minimum employment gross floor area; and
 - non-residential uses as well as maximum percentages that contribute to employment gross floor area;
 - A phasing plan, community services and facilities strategy, block context plan, parks and open space plan, urban design guidelines, infrastructure master plan, green infrastructure strategy, green infrastructure strategy, transportation analysis and commercial demand analysis are also required.

Official Plan Amendment No. 668

Following the recent passing of Bill 97, on July 19, 2023, City Council adopted Official Plan Amendment No. 668 (OPA 668). OPA 668 amends the Official Plan by introducing new policies for *Core Employment Areas* and *General Employment Areas* that allow

non-residential uses that are excluded from the definition of “area of employment” to continue.

While OPA 668 has been adopted by City Council, the bill to enact the by-law will come forward when the Bill 97 “area of employment” provisions of the *Planning Act* are proclaimed into force. Accordingly, OPA 668 is not yet in force.

Official Plan Amendment No. 680

On November 2023, the City of Toronto’s Planning and Housing Committee adopted recommendations to continue consultation and analysis relating to proposed OPA 680. The proposed policy direction for OPA 680 is to remove existing land use permissions from all of the City’s employment areas and would, effectively, limit the types of uses permitted on these lands.

OPA 680 would also exclude institutional, commercial, retail and office uses that are not connected with manufacturing, warehousing and research and development in connection with manufacturing from the definition of “area of employment” as defined by Bill 97 set out above.

Zoning By-Law

The Subject Site is zoned ME-11-147-196-913-1277-2007 and is subject to exceptions 209 under the former City of Scarborough’s Marshalling Yard Zoning By-law 24982. The overall zoning category is a Mixed Employment Zone, which permits day nurseries, educational and training facility uses, financial institutions, certain industrial uses, office, personal service shops, places of worship, recreational uses, restaurants and retail stores. Exception 209 prohibits day nurseries and recreational uses. The permissions within the zone align with the *General Employment Areas* classification.

Generally, the performance standards of the zoning by-law with respect to GFA, lot coverage maximums, setback requirements, and parking minimums are outdated, and an updated zoning by-law amendment application will be required for any site change.

PLANNING ANALYSIS

In our opinion, the proposed redesignation of the subject site to *Regeneration Areas* is supportive of numerous policy directions articulated in the Provincial Policy Statement, the Growth Plan and the City of Toronto Official Plan, all of which support intensification and redevelopment of sites which are well served by municipal infrastructure and are transit supportive.

Overall, the redesignation of the subject site to *Regeneration Areas* represents a significant opportunity to provide high-quality employment and residential intensification through mixed-use, transit-supportive development, in a manner that supports the achievement of complete communities. As described, a considerable amount of new housing and density can easily be achieved on the subject site and will contribute to both the growth and development of the area as well as achieving Provincial housing targets.

In accordance with the Growth Plan, the subject site would be considered a “strategic growth area” given its proximity to Sheppard Avenue East, which is served by Route 85 that is part of the 10-minute Network operating all day, every day, accordingly, would be considered frequent transit service, as defined by the Growth Plan. Strategic growth areas are intended to accommodate intensification and a higher-density mixed uses in a compact built form. Furthermore, the Growth Plan directs growth to strategic growth areas and locations with existing or planned transit. In this regard, the subject site is within 400 metres of the planned Sheppard Avenue East and McCowan Road Station on the Scarborough Subway Extension, which would also have the subject site located within a “major transit station area” under the Growth Plan.

From an urban structure perspective, the redesignation of the subject site to *Regeneration Areas* would fit into the existing, planned and emerging context. The subject site is located along a major arterial road and is within walking distance of the planned Sheppard Avenue East and McCowan Road Station on the Scarborough Subway Extension. In this regard, the lands to the immediate south and southwest (i.e., 4630 and 4570 Sheppard Avenue East that were recently redesignated to *Regeneration Areas* through the adoption of OPA 653 also have similar site characteristics.

As outlined below, the redesignation of the subject site (and adjacent lands) to permit residential uses will not adversely affect the viability of the surrounding employment area. In fact, the broader employment area that the subject site forms part of, is surrounded by existing and long established residential areas that are located on the south side of Sheppard Avenue East, north side of Huntingwood Drive and west side of Brimley Road. As such, in this area, residential uses are compatible with adjacent employment uses.

We have reviewed the SASP 793 parameters as set out in OPA 653 and it is our opinion that a similar framework would be applicable to the subject site. SASP 793 is largely driven by the proximity to the Dufferin Concrete site and related concerns and assessments required for compatibility. We understand similar conditions may apply to the subject site. Ultimately, the proposed additional studies and review would contribute to the formation of new housing and a comprehensive complete community.

The current *General Employment Areas* land use designation applying to the subject site limits the realization of an important strategic opportunity to deliver transit-oriented development in order to optimize and make more efficient use of public infrastructure investment, such as transit services. Given the shared Provincial and City commitment to achieving to delivering such development, it is appropriate to redesignate the subject site from *General Employment Areas* to *Regeneration Areas* to realize the shared objectives outlined above.

Employment Conversion Criteria

Provincially Significant Employment Zones

Before addressing the applicable conversion criteria in Policies 2.2.5.9 and 2.2.5.10 of the Growth Plan, we'd like to first acknowledge and assess the PSEZ designation. While the subject site is located within a *Provincially Significant Employment Zone*, the existing buildings on these lands do not meaningful contribute to the employment forecasts outlines within the 2019 Growth Plan.

More so, the current uses of the site, including the two single-storey commercial buildings, does not significantly contribute to the intentionality of the PSEZ designation. The *Provincially Significant Employment Zones* were identified by the Province as key zones for regional and provincial economic development, which generally may:

- *be located inside the settlement area and not in the Greenbelt;*
- *not be under appeal at the Local Planning Appeal Tribunal;*
- *be located near infrastructure for major transportation or movement of goods;*
- *have a high concentration of employment;*
- *have a high economic impact or play an economic or strategic role to the region;*
- *be vulnerable to conversion to non-employment uses (for example, to residential homes);*
- *include development potential for employment uses (for example, large lots for commercial purposes); and*
- *share a common border with an existing zone.*

The current pad style plaza and nearby uses, such as the Canadian Tire and Virk's Plaza are all more typical of urban commercial strips in suburban areas rather than significant or strategic employment opportunities. The commercial plazas in this area have a low concentration of employment and are relatively close to nearby *Mixed Use Areas* and *Neighbourhoods* along Sheppard Avenue East.

To this extent, it has been acknowledged by City of Toronto Staff and the Province of Ontario that the Dufferin Concrete facility adjacent to the subject site is a key local industry with significant economic impact both locally and regionally. However, as demonstrated by the recent successful conversion requests at 4630 and 4570 Sheppard Avenue East, it is possible to introduce new and compatible uses in close proximity to this facility.

Given these conditions, the conversion request appropriately addresses the applicable conversion criteria in Policies 2.2.5.9 and 2.2.5.10 of the Growth Plan as outlined below.

Policy 2.2.5.9(a). There is a need for the conversion:

The current land use designation of parts of the subject site designated *General Employment Areas*, limits the realization of an important strategic opportunity to deliver transit-oriented development. Given the shared provincial and city commitment to achieving to delivering such development, there is a clear need to convert the lands designated *Regeneration Areas*. The conversion of the lands will contribute to the achievement of population forecasts for the City as a whole as set out in the Growth Plan.

Furthermore, seeing as the site is within 400 metres of the planned Sheppard Avenue East and McCowan Road Station on the Scarborough Subway Extension, i.e., a major transit station area as defined by the Growth Plan, residential/commercial intensification on the subject site would also support the achievement of the minimum density targets specified for major transit station areas.

As noted by the Provincial government, the need for more housing creates a need to optimize the use of underutilized lands that are no longer defined as employment areas in the *Planning Act* as per Bill 97. The requested redesignation is also in line with the policy objectives to intensify areas in proximity to higher order transit stations by building complete communities providing an array of residential and non-residential opportunities.

Additionally, in 2022, the Provincial government set a goal of adding 1.5 million homes in Ontario over the next 10 years to provide sufficient housing supply to meet increasingly growing demand for Ontario residents. While there are efforts underway to increase the housing supply, the provision of residential uses at the subject site and generally within the Sheppard Avenue East and McCowan Road are will further contribute to the housing supply in the area and in the City of Toronto as a whole as well as take advantage of nearby transit services. Ultimately, the conversion of the

lands will align with Provincial direction to optimize existing urban sites in the City of Toronto and optimize existing infrastructure.

Policy 2.2.5.9(b). the lands are not required over the horizon of this Plan for the employment purposes for which they are designated;

As described, the subject site is currently underutilized and does not currently contain key employment functions nor, based on its current and historical uses, is it conducive to accommodating heavier industrial activity such as manufacturing, processing or other similar activities that are prevalent in the surrounding *Employment Areas*. Moreover, given the new definition of areas of employment as introduced by Bill 97, the previous and current uses on the subject site would not be considered employment uses. Additionally, there are very few people working at the site at present.

Accordingly, it is our opinion that the request to redesignate the lands to a *Regenerations Areas* will both maintain and enhance employment opportunities on the subject site, including office and commercial related employment uses that currently exist, while also introducing a broader range of uses, including residential uses.

Policy 2.2.5.9(c). the municipality will maintain sufficient employment lands to accommodate forecasted employment growth to the horizon of this Plan;

It was noted in the Staff Report (Our Plan Toronto: Recommendations on Employment Area Conversion Requests and Chapter 7 Site and Area Specific Policy Review - Final Report dated June 16, 2023) prepared alongside OPA 653 that the City of Toronto conducted a Land Needs Assessment, which assessed “the land required to accommodate the forecasted population growth to meet the 2051 Provincial employment forecasts, as well as provide a range and mix of housing that can accommodate households of different sizes and incomes in locations that provide transportation options and access to jobs and other amenities.”

Furthermore, the study also assessed the need for “*Employment Area* land based on the number of jobs to be accommodated and the projected densities of those *Employment Areas*”. To this extent, City of Toronto Councillors and Staff have taken a critical and thoughtful approach to the need for *Employment Areas* and sufficient space.

While the report goes to state that “Toronto needs to retain most of its currently designated *Employment Areas* and these lands will need to intensify to accommodate projected growth”, it is noted that the subject site currently and historically has functioned with retail, commercial and limited office uses, and not associated with the type of employment uses, i.e., manufacturing, etc., that is prevalent in the surrounding employment area. Also, the current uses on the subject site do not occupy a significant

amount of space and do not generate a significant number of employees. Accordingly, the conversion of these lands to permit a mix of uses will not result in a significant loss of employment lands, nor would the conversion exclude for a mix of uses on the subject site can still accommodate the replacement of the existing amount of employment space and at a minimum, also maintain the number of employees on site.

Furthermore, it in our opinion, that the subject site shares many of the site characteristics of 4630 and 4570 Sheppard Avenue East including the proximity to transit, current types of uses and underutilization, particularly as an *Employment Areas*, and strategic growth opportunity area. As such, we believe that a similar logic as was applied to those lands is appropriate for the subject site and that the removal of the subject site from the City's employment lands will still result in sufficient employment lands.

Policy 2.2.5.9(d). The proposed uses would not adversely affect the overall viability of the employment area or the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan:

The current uses of the site, including the two single-storey commercial buildings, does not significantly contribute to local employment targets. Furthermore, the surrounding uses within the Sheppard Avenue already includes a wide variety of uses including commercial strip malls, pad-style commercial plazas and residential uses along the south side of Sheppard Avenue East. To this extent, the Sheppard Avenue East and McCowan Road area already contains some sensitive uses.

Accordingly, the conversion of the subject site to introduce residential uses will not adversely affect the viability of the employment area, given the recent conversions in the area and existing residential uses. If anything, the introduction of residential uses would further complement the existing employment functions and support the development of complete community in the area, where new housing supports transit services and area businesses.

Additionally, a land use compatibility study was prepared to help ensure the proposed uses will not adversely affect the overall viability of the employment area, generally bounded by Markham Road to the east, Sheppard Avenue to the south, Brimley Road to the west and the CPR Rail Yard to the north. The land use compatibility was prepared by SLR Consulting (Canada) Ltd.

The study conducted a review of nearby industrial facilities in the area (i.e., to the west, north and east) and evaluated potential adverse effects, as defined by the Environmental Protection Act. Many of the uses within the industrial area were Class I and Class II facilities, with very Class III facilities.

Overall, the analysis within the study found that the project site changes are not anticipated to limit the ability of any of the nearby industrials to obtain or maintain required MECP permits and approvals. Furthermore, in addition to the preliminary land use compatibility study prepared by SLR Consulting (Canada) Ltd, the proposed Site and Area Specific policy would also require more detailed compatibility study as part of future applications.

Finally, for consideration, based on recent redefining of “area of employment” by Bill 97 and the recent proposed PPS document, given that the majority of the existing retail and commercial plaza is comprised of office, retail and commercial uses, the existing commercial plaza would not be considered an area of employment as defined by the recent passing of Bill 97.

In terms of the achievement of minimum density targets, the conversion of the lands to permit residential/non-employment uses would facilitate transit-supportive intensification on the site and would contribute to “the achievement of the minimum intensification and density targets” of the Growth Plan, specifically, the minimum density targets for major transit station areas on priority transit corridors and LRT/subway lines.

Policy 2.2.5.9(e). There are existing or planned infrastructure and public service facilities to accommodate the proposed uses:

The site is well served by hard services, including existing frequent service public transit such as Route 129, Route 131 and Route 85 as well as future planned higher order transit services, i.e., the proposed Sheppard Avenue East and McCowan Road Station on the Scarborough Subway Extension

Furthermore, the subject site is in proximity to soft services such as schools, childcare facilities and parks and recreations centres. A few streets north of the subject site is the Commander Recreation Centre which includes a public skating rink and community arts program, there are also local schools located along Nugget Avenue, McCowan and nearby on Brimley Road as well as a couple of local childcare facilities and park spaces in the area. Specifically, the local public schools include Sir Alexander MacKenzie Senior Public School and White Haven Junior Public School. There are also two private and two catholic schools nearby.

Policy 2.2.5.10(b). (The conversion will ...) maintain a significant number of jobs on those lands through the establishment of development criteria:

As described above, the subject site is currently underutilized in its current form and currently accommodates only 5 jobs on site. Redesignation of the subject site to a *Regeneration Areas* will not only permit residential uses, but to also maintain

opportunities for non-residential uses will assist in developing complete communities. To this extent, it is our understanding, that the current persons who currently have jobs on the site is fairly minimal and can easily be maintained as a part of future redevelopment.

In this regard, given the size and location of the site, site-specific development proposals that would be permitted pursuant to the requested *Regeneration Areas* designation will have the ability to provide non-residential uses that can retain the same number of jobs, if not more, through the inclusion of retail/commercial space, office space and/or residents working from home.

LAND USE COMPATIBILITY STUDY

A Compatibility Study Air Quality, Noise and Vibration study was prepared by SLR consultants for the subject site. The study addresses air quality, odour and dust, noise and vibration for the subject site in relation to the City of Toronto's Terms of References for Land Use Compatibility/Mitigation Studies and Air Quality and Odour Studies. The study considered the following items:

- Industrial air quality, odour and dust emissions;
- Transportation-related air pollution;
- Industrial/ commercial noise and vibration; and
- Transportation-related noise and vibration.

The findings of the Land Use Compatibility/Mitigation Study indicate that noise perspective, there will be impacts from the CPR Rail Yard and Dufferin Concrete sites and receptor-based noise control measures will be required. The study recommended a number of design strategies for ensuring air quality and noise compatibility between proposed high density residential uses as well as the nearby industrial facilities.

Similarly, the findings of the Noise and Vibration Impact Study recommended the inclusion of potential future mitigation measures. These mitigation measures will also address noise impacts from transportation sources. Similar measures will be required from an air quality perspective.

Overall, the study concludes that with the inclusion of mitigation measures, the subject site is anticipated to be compatible with the surrounding and sensitive uses, including the introduction of residential uses, for the site are feasible.

CONCLUSIONS

In our opinion, the redesignation of the subject site from its current land use designation within the Toronto Official Plan from a *General Employment Areas* designation to a *Regenerations Areas* designation is appropriate and represents good planning. Intensification of the subject site is encouraged by the Provincial Policy Statement, the Growth Plan and the City of Toronto Official Plan given its location within walking distance of existing and planned transit services.

The proposed redesignation will contribute to the achievement of complete communities and will fit with the existing and planned context of the area. As noted, this segment of Sheppard Avenue East and McCowan Road is evolving due to the new transit investments and local land use conversions. The conversion of the subject site will fit well into this evolving and emerging context.

In summary, we recommend that:

- 1. Remove the lands municipally known as 1936 McCowan Road from Map 2, Urban Structure.**
- 2. Revise the Table in Section B) of OPA 653 to add the lands municipally known as 1936 McCowan Road and redesignate the lands to *Regeneration Areas*.**
- 3. Introduce a Site and Area Specific Policy, as enclosed with this submission, with respect to the subject site.**

Enclosures

In support of the request to redesignate 1936 McCowan Road to a *Regeneration Areas*, we enclose the following materials:

- Compatibility Mitigation Study, dated December 5, 2023, prepared by SLR Consulting (Canada) Ltd;

We trust that the foregoing is satisfactory. However, if you have any questions or require additional information, please do not hesitate to contact the undersigned.

Yours very truly,

Bousfields Inc.



David Huynh, MCIP, RPP