

February 9, 2024

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

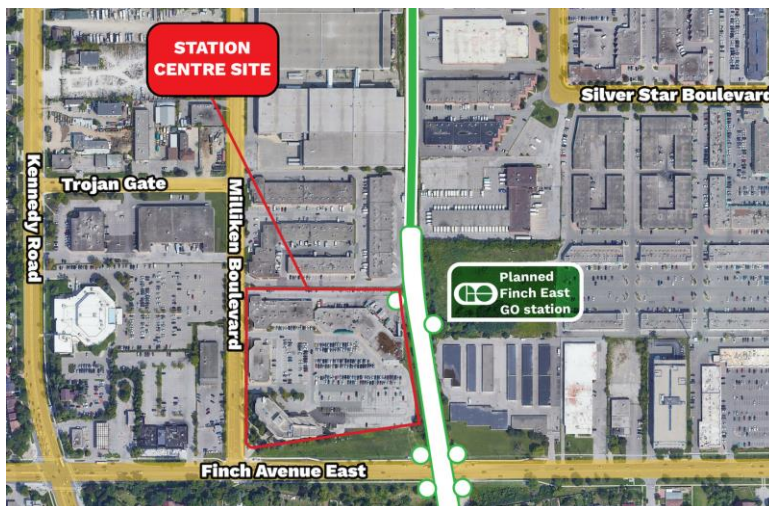
Dear Minister Calandra:

**Re: Toronto Official Plan Amendment 653
ERO Number 019-7731
Ministry Reference Number 20-OP-238506**

**Toronto Official Plan Amendment 653 - Conversions
Request for Modifications to Permit Mixed Use Development
4040 Finch Avenue East and 15, 17, 19 Milliken Blvd.
Finch-Kennedy Smart Track GO Station Centre**

Toronto Official Plan Amendment 653, Site and Area Specific Policy 853, Should be Modified to Designate the Lands at 4040 Finch Avenue East and 15, 17, 19 Milliken Blvd. as Mixed Use Areas in the Toronto Official Plan

We act for Trojan Gate Developments Limited with respect to the lands at 4040 Finch Avenue East and 15, 17, 19 Milliken Blvd., located at the future Finch-Kennedy Smart Track GO Station Centre. It is referred to in their submission as the Station Centre site, or simply as “4040 Finch Avenue East”.



The subject lands are the subject of Site and Area Specific Policy Area 853 established by Toronto Official Plan Amendment 653.

We are writing to request that the Official Plan Amendment be modified to designate the lands mixed-use, while including certain employment requirements, to allow development to proceed and achieve intensification at a key Transit Station - the future Finch-Kennedy Smart Track GO Station. This submission is also accompanied by a planning opinion from Bousfields, and a Land Use Compatibility Study from GradientWind.

City of Toronto Official Plan Amendment 653 adopts conversions to a number of locations across the City. Many of the sites in Official Plan Amendment 653 received full conversions to mixed-use designations. However, some (like the subject properties) were only converted to “Regeneration Area” - a kind of planning purgatory where the City agrees that mixed use designation is ultimately appropriate, but then wraps the property in procedural red tape in the form of a requirement for a secondary plan development process to be completed before any applications for housing can be entertained. The Regeneration Area designation is tantamount to imposing a five to ten year delay and enormous process costs on future residential development.

We are requesting that the Minister modify Official Plan Amendment 653 to remove the site from Site and Area Specific Policy 853 and to designate the subject lands as Mixed Use Areas. This will allow the opportunity to deliver meaningful housing in the key area of the future Finch-Kennedy Smart Track GO Station.

Such modification will help to accelerate the process of approving intensification applications. It will deliver housing and economic activity consistent with the provincial vision, with less excessive process, and in a faster time frame.

We are requesting that the following modifications be made to Official Plan Amendment 653, as follows:

1. E) Chapter 7 Site and Area Specific Policies is amended as follows:

...

Remove 4040 Finch Avenue East and 15, 17 and 19 Milliken Blvd. from Site and Area Specific Policy 853

2. Amend land use map 19 to designate 4040 Finch Avenue East and 15, 17, and 19 Milliken Blvd. as *Mixed Use Areas*.

3. (xvi) Chapter 7, Site and Area Specific Policies, is amended by concurrently:

- i) adding Site and Area Specific Policy XXX and the associated map below, for the lands known municipally as 4040 Finch Avenue East and 15, 17, 19 Milliken Blvd. as follows:

XXX. 4040 Finch Avenue East and 15, 17, and 19 Milliken Boulevard - Finch-Kennedy GO Station Centre



a) A minimum of 10,000 square metres of the total gross floor area on the lands will be non-residential gross floor area, and;

i) the minimum required non-residential gross floor area be comprised of uses permitted in *General Employment Areas*;

ii) must be compatible with residential uses; and

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

f) No Official Plan Amendment shall be required to permit development in accordance with this Site and Area Specific Policy. A Zoning By-law Amendment application shall be required to determine:

i) building heights and densities across the lands

ii) the list of permitted non-residential uses that contribute to the employment gross floor area;

iii) built form and massing that outlines the location and scale of new development; and

g) Prior to the enactment of a Zoning By-law Amendment for the lands, the following plans, strategies and guidelines may be required:

i) A compatibility/Mitigation Study will be prepared, in accordance with Policies 2.2.4.5 to 2.2.4.10 of the Official Plan. The Compatibility/Mitigation Study will identify:

A) any uses and Major Facilities on Core and General Employment Areas outside of but near to the Subject Lands that may impact or be impacted by sensitive land uses, including residential uses.

B) the Influence Area of any Major Facility outside of but near to the Subject Lands; and

C) potential and/or required mitigation measures for land use designations that permit residential or other sensitive land uses near Core Employment Areas and General Employment Areas outside of the Subject Lands;

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 Housing Plan for any new development containing residential units on the lands will secure a minimum amount of affordable housing as follows:

A) if a condominium development is proposed, a minimum of 7 per cent of the total new residential gross floor area shall be secured as affordable ownership housing or a minimum of 5 per cent of the total new residential gross floor area shall be secured as affordable rental housing;

B) the affordable housing shall be secured at affordable rents or affordable ownership prices for a period of at least 25 years from the date of first residential occupancy of the unit;

C) the unit mix of 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; and

D) if a purpose-built rental development is proposed there is no requirement for affordable rental housing.

h) The provision of affordable housing required by policy g) shall be secured through one or more agreements with the City.

i) The use of holding provisions may be used to ensure the required affordable housing is secured. Conditions to be met prior to the removal of a holding ("H") provision on the lands shall include the following:

A) 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

B) 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.

C) 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 d) will no longer apply.

j) As part of a complete Zoning By-law Amendment application for the lands:

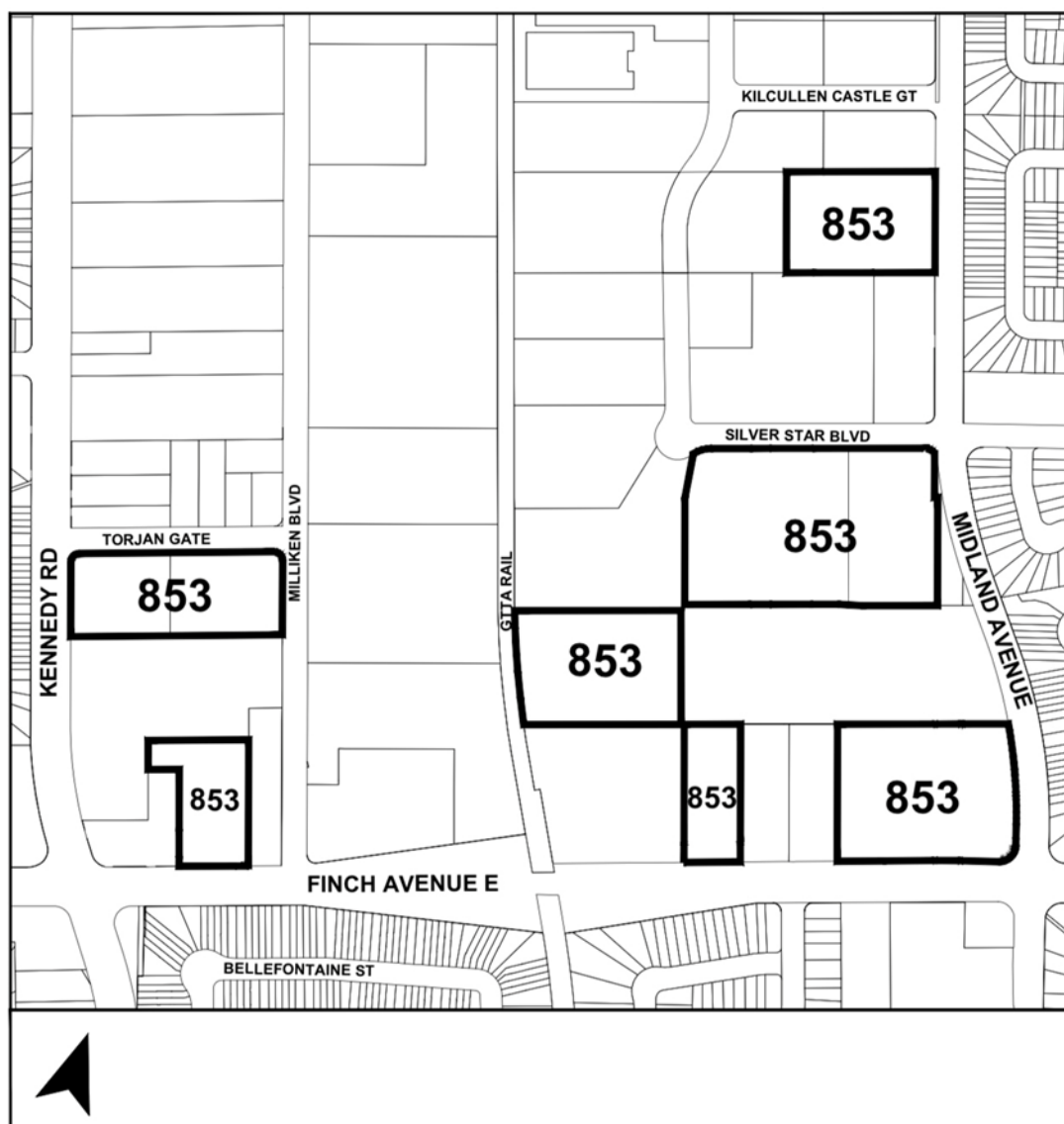
i) a Rail Safety and Rail Mitigation Report shall be submitted, peer reviewed and implemented to the City's satisfaction, and reviewed by the applicable rail operator; and

ii) 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.

i. Sensitive land uses, including new residential uses will be located, designed and buffered to mitigate impacts from, be compatible with, and not impede the continuation of and the expansion of existing employment uses, and any new employment uses within the surrounding General and Core Employment Areas.

k) 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 g) will no longer apply, but only provided the applicable Inclusionary Zoning policy and by-law requirements meet or exceed the requirements of policy g) above.

As a result of the approval of the modification to Official Plan 653, establishing the new Site and Area Specific Policy shown above, it will be consequentially necessary to substitute a new map for the southern portion of adopted Site and Area Specific Policy 853 as shown below. It removes the 4040 Finch Avenue East, 15, 17 and 19 Milliken Boulevard site from the southern map in Site and Area Specific Policy 853.



4040 Finch Avenue East is at a Smart Track GO Transit Station - Where the Province Envisions Intensification and Concentrations of Population and Jobs that Will be Transit-Reliant

The property at 4040 Finch Avenue East is located at the Finch-Kennedy Smart Track GO Transit Station

Finch-Kennedy GO Station



It is thus exactly the type of location in which the Province is seeking to encourage residential intensification. According to the City, the five Smart Track Stations are anticipated to welcome a daily average of 22,000 riders each, every day, by 2031. The City is contributing \$878 million of the total \$1.7 billion cost, with the rest contributed by the Province and the Federal Government.

With this significant public investment, it is anticipated that the City will ultimately designate this as a Major Transit Station Area in the Official Plan.



Finch-Kennedy Smart Track GO Station - 4040 Finch Ave. East site is located at top of image.

The image above showing Finch Avenue and the proposed station, also looks out towards the subject lands, located above the station. It demonstrates the potential for a development to integrate and connect with the Finch-Kennedy GO Station.

Previous Provincial Governments amended the Planning Act introducing sections 17 (15) and (16) providing for the establishment of Protected Major Transit Station Areas. To reflect the priority that the province places on the importance of delivering growth in such Protected Major Transit Station Areas, the statute does not permit appeals to the Tribunal of any of the minimum density policies. The policy direction inherent in these changes has been maintained by the current Government.

At the time the Planning Act changes were presented to the Legislature, the Minister outlined the objectives as follows:

“To make the best possible use of our government’s transit investments and to help support municipal control over local planning, we are proposing a new planning tool that municipalities can use. This tool would allow municipalities to designate and zone protected major transit station areas. The province or an approval authority would approve these policies when they’re being put in place and whenever they are being changed. When the municipality designates these areas, there would be no appeal of the official plan policies on the number of residents and jobs in the area or on building densities and heights. Once designated, the municipality would zone for density and height requirements meant to support transit service.”

“There would only be limited opportunities to appeal the zoning requirements. Zoning would need to conform with the provisions and standards set out in the official plan and provincial plans and policies. Municipalities would be able to plan for and develop transit-supportive densities to ensure that they have residents close to transit to encourage the transit ridership that makes the operation of transit cost-effective.”

The clear intention of the Province for Major Transit Station Areas can be best achieved at the Finch-Kennedy Smart Track GO Station location by modifying the land use designation applicable to the site to Mixed Use Area, and avoid the years-long process delays that will result from the adopted Regeneration Area designation.

Current Minister Has Publicly Committed to Delivering Residential Intensification Along Transit Lines - Designating 4040 Finch Avenue East as Mixed Use Area Will Allow this to Happen at the Finch-Kennedy GO Station

The current Minister has indicated that the Province will be looking to major Transit Station Areas to be the locations where increased densities can deliver the significant new housing that the Province is seeking to achieve. As the Minister has said, “There has to be an expectation that we will build more density” in such Major Transit Station Areas.

The lands covered by the proposed Site and Area Specific Policy (4040 Finch Avenue east and 15, 17 and 19 Milliken Boulevard) represent the greatest potential for this Finch-Kennedy GO Station area to achieve new housing intensification. However, in order to do so, the lands must be designated as Mixed Use Area.

Provincial Growth Plan Emphasizes that the Policy Direction of Major Transit Station Areas is to Deliver a “High Level of Employment and Residential Densities”

The Growth Plan for the Greater Golden Horseshoe even more clearly establishes that the provincial objective behind the establishment of Major Transit Station Areas is to achieve intensification - higher densities - around transit stations.

Policy 2.2.4 specifically addresses Transit Corridors and Transit Stations. Policy 2.2.4.8 requires that all Major Transit Station Areas “be planned and designed to be transit supportive”. The Growth Plan defines transit supportive as: “*Relating to development that makes transit viable and improves the quality of the experience using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities. ...*”. The clear policy objective is to see higher densities encouraged through the use of minimum density designations.

However, the City of Toronto’s approach in Official Plan Amendment 653, by failing to fully convert the lands at 4040 Finch Avenue East and 15, 17 and 19 Milliken to Mixed Use at the Finch-Kennedy GO Station, cannot be considered in any way to be encouraging meaningful intensification and the higher densities of development contemplated by the Growth Plan.

Ontario’s Housing Action Plan Highlights the Importance of Housing and Higher Densities Around Transit Stations

The current Government has been moving aggressively to address the housing supply crisis in Ontario. Throughout, the Government has emphasized the importance of development around transit stations to deliver meaningfully to the supply of housing, in the right places.

In November 2022, the Minister released the most recent version of the Provincial Housing Supply Action Plan, entitled “More Homes Built Faster”. The plan includes the following:

“Density near transit hubs”

“Adding more basement apartments will help, but we need to enable more density to truly address the housing crisis. The logical place to put more housing is near major transit hubs, so people can easily get to work, school and back home. Once the minister approves the key development policies for major transit hubs, we’re proposing to require municipalities to update their zoning by-laws within one year to help get shovels in the ground faster.”

The province has stated clearly that intensification at that stations like Finch-Kennedy GO are “the logical place to put more housing”.

The section from the plan also emphasizes the role of the Minister in ensuring that the “key development policies for major transit hubs” are in place. As such, it is important for the Minister to exercise his powers of modification when considering policies like those in Toronto Official Plan Amendment 653 to ensure that the housing intensification actually happens, rather than being delayed by five to ten years for an unnecessary secondary plan process takes place.

It is also significant that the Housing Supply Action Plan identifies the need for official plan policies and zoning to be in place quickly to “get shovels in the ground faster” in delivering housing at transit station areas. The approach of the City of Toronto, using the Regeneration Area designation - essentially a planning pause, when the lands are no longer employment, but not yet Mixed Use - seeks to do exactly the opposite. Toronto is creating a situation where a further Official Plan Amendment (Secondary Plan and the years of related process) is required even before a site specific Official Plan Amendment and rezoning applications can be commenced! The hoped for transit supportive development approvals will be delayed for a decade or more, further delaying the delivery of that housing supply. Simply put, the City’s Official Plan Amendment 653 creates a need for additional process, rather than achieving the provincial objective of moving towards allowing the construction of housing to proceed with less red tape and process delays.

4040 Finch Avenue East is Well-Positioned to Aid in Achieving Intensification Objectives for the Finch-Kennedy GO Station Area - Site Should Be Removed from Site and Area Specific Policy 853 and Directly Designated as Mixed Use Areas

The City has identified much of the land in this area for conversion through Site and Area Specific Policy 853 in Official Plan Amendment 653 - but does so through a Regeneration Area designation. This will delay the delivery of the contemplated resulting housing by a lengthy period, while the lengthy necessary studies are undertaken. The diverse, and geographically widely distributed nature of the parcels in Site and Area Specific Policy 853 is especially problematic from a future secondary planning study perspective. However, the 4040 Finch Avenue site has unique and unusual geographic advantages that suggest it should be designated as Mixed Use now, to facilitate transit-supportive development.

This parcel is the most immediately adjacent parcel beside the Finch-Kennedy GO Station site. As such, it offers the best potential of all the parcels in the Site and Area Specific Policy 853 to provide the residential development and ridership upon which the City is counting, in order to achieve its goals for transit ridership at this station.

The site is also geographically distant from the higher impact manufacturing and similar uses elsewhere in the area that will represent land use compatibility challenges for residential development on many other parcels in Site and Area Specific Policy area 853. As such, it makes sense to relieve the site from having to await the resolution of such land use compatibility conflicts a great distance away.

As a result of all the compatibility constraints on many other sites, and their greater distance from the GO Station, there are limited opportunities to achieve meaningful intensification in appropriate locations close to the Finch-Kennedy GO Station. The key location to achieve such residential transit-supportive intensification is the site at 4040 Finch Avenue East, including 15, 17 and 19 Milliken Boulevard. Designating the Station Site as mixed use now, will allow this housing intensification to happen on a more timely basis. It is appropriate to deal with this site separately from the others in Site and Area Specific Policy 853.

Owner's Plans for 4040 Finch East Site Would Ensure Continuing at Least 500 Jobs on Site in a Mixed Use Development

The existing four storey building at 4040 Finch Avenue East is the Scarborough North Medical Arts Building. It includes numerous medical and dental offices and similar uses. It also features a branch of the National Bank. None of these are warehousing or manufacturing - the type of uses intended to be protected through an employment area designation. These are the types of uses most appropriately located in a Mixed Use Areas designation.

Similarly, the one storey building to the north at 15 Milliken Boulevard features an HSBC Bank branch. The buildings further north at 17 and 19 Milliken constitute, together, a single storey retail shopping centre known as Milliken Square, composed of various restaurant, retail and service uses.

Taken together, the uses on site are effectively already de facto converted - as they are not the type of manufacturing or warehousing uses that Provincial Policy has in mind in protecting Employment Areas from conversion.

The owners intend that the mixed use development on this site will include at least the same amount of non-residential gross floor area as currently exists on site. In particular, they wish to maintain sufficient office space to continue the cluster of medical related uses that currently operate in the Scarborough North Medical Arts Building at 4040 Finch Avenue East.

However, it is unlikely that additional jobs will be created on-site in a meaningful way until comprehensive redevelopment can take place, which requires the designation of the lands as Mixed Use. While the Regeneration Area designation permits employment uses to be established, it also makes clear that the long-term future of the lands is as Mixed Use, in the form of a comprehensive redevelopment. As such, no reasonable employment enterprise will make any investment in jobs on a site where such investment will be demolished and redeveloped in the reasonable future.

The efficiencies and potential for this project to be realized are significantly greater if it can take place as a comprehensive redevelopment in the near future. A significant office component is proposed to continue on the site.

Overall, the development is anticipated to provide more than 500 jobs on-site. That is a more than will be on site under any Regeneration Area designation.

4040 Finch Avenue East Site at Finch-Kennedy GO Station Centre Offers Potential to Deliver Significant Housing Supply - Could Deliver Over 1,500 Units of Housing

The ultimate development concept for this site is a comprehensive mixed use proposal - adding residential buildings to the proposed retail, service and office uses. The concept offers the potential for a significant addition of new housing supply in an ideal location - at a Smart Track GO Transit Station. The proposal would ultimately yield a total of at least 1,500 residential units.

Before the residential component can proceed, the full conversion from the existing employment designation is required. This submission seeks a Mixed Use Area designation on the lands to facilitate the residential intensification of the site.

The requested modifications to the Official Plan Amendment will lay the groundwork to facilitate the construction of housing which will offer an opportunity for new homes for more than 1,500 families, and a healthy addition to the supply of housing in the province.

Area Has Community Services and Infrastructure to Support New Intensified Residential Development

In addition to the GO station, several bus routes (39A, 39B, 939, and 939) run in front of the site on Finch Avenue East, connecting to the Yonge Subway at Finch Station. A short block away, the Kennedy Road 43A bus route takes riders to Kennedy Subway Station at Eglinton Avenue. Of course, the site is located immediately beside the future Finch-Kennedy Smart Track GO Station.

This Finch-Kennedy GO Transit Station area enjoys many amenities and community services.

Local schools include Lynnwood Heights Junior Public School about 600 metres to the south. Sir William Osler High School, and Monsignor Fraser College Catholic School are also nearby (offering high school programs, including to adults through continuing education) as are Highland Heights Public School, Silver Springs Public School, Henry Kelsey Sr. Public School, Iroquois Jr. Public School, Alexmuir Public School, Ste. Marguerite Bourgeoys Catholic School and St. Sylvester Catholic School. Smart School Montessori, and Royal Crown School represent local private school options.

The area has an abundance of parks and open space offerings starting with the extensive L'Amoreaux Park just to the west opposite the site. It connects to the extensive greenspace corridor along the east-west Hydro corridor, which features cricket grounds, soccer fields, and trails that link to the Upper Don Trail in North York. L'Amoreaux Park alone features elements like the Kidstown Water Park, (which features splash pools, water slides, a tipping bucket and more), toboggan hills, numerous playing fields, basketball courts, an off-leash dog park, ball diamonds, trails and a tennis centre. The L'Amoreaux Sports Complex anchors many of these functions with change rooms, picnic shelter, multipurpose room, washrooms and playgrounds.

Also in the Park, one finds the L'Amoreaux Community Centre featuring programs in art, dance, children's camps, cardio, Tai Chi, Yoga, and racquet and paddle sports. It has a gymnasium, two multi-purpose rooms, a kitchen, dressing room, two lounges, a sauna and a weight/cardio room.

Commander Arena, a short drive away, has two ice pads serving local residents for hockey and skating.

Other nearby parks include Knott Park, Highland Heights Park, Timberbank Park, the Highland Creek Trail and linear park, Chartland Park and Alexmuir park.

Abundant shopping (including major supermarkets and drug stores), restaurant and service offerings can be found in the immediate area and along Finch Avenue and Kennedy. The large Bridlewood Mall is located a short distance to the west at Finch and Warden Avenue. The regional-serving Scarborough Town Centre and associated retail agglomeration is a short drive to the south.

The Birchmount Hospital site of the Scarborough Health Network is less than a mile away to the west - a short two minute drive from the site.

The future residents of the Finch-Kennedy Go Station neighbourhood can expect to enjoy active and varied lifestyles in a positive complete community.

Regeneration Area Designation of this Key Opportunity Site Will Only Delay Residential Intensification - Full Conversion to Mixed Use Should Proceed Now to Allow Housing to Be Built

The 4040 Finch site is located immediately beside - without crossing any roads - the future Finch-Kennedy Smart Track GO Station, and is central to the broader station area.

It is logical that future residential intensification should be concentrated upon these lands, as a relatively large parcel, where comprehensive development is possible, and the impact upon stable neighbourhoods further afield is limited.

However, the Regeneration Area designation, (while increasing the speculative value of the land by telegraphing its future mixed use redevelopment), will actually delay the delivery of the anticipated housing. The process being established will result in extensive delays of many years:

- Regeneration Area designation effectively freezes redevelopment for the near future.
- Requirement for a Secondary Plan will result in a lengthy delay - up to five years or more BEFORE any applications on the site can be filed.
- The Secondary Plan may be appealed to the Ontario Land Tribunal, causing further delays of two to four additional years BEFORE any applications on the site can be filed.
- After the Secondary Plan is finally approved, applications for a Block Plan, Official Plan Amendment, and rezoning can finally be filed. City of Toronto Process for such applications can take two to five years.

- Once applications achieve adoption at the City, they can be appealed to the Ontario Land Tribunal, causing further delays of two to four additional years.
- Only once Tribunal approves the zoning, will the City be able to move to approve any site plan application. Again, a delay will result.

By modifying Official Plan Amendment 653 as proposed in this submission, the overall process will be reduced by an anticipated five to nine years. This will accelerate the delivery of the residential intensification and jobs on site considerably - all as a direct consequence of designating the lands as Mixed Use Area, rather than as the planning purgatory category of the Regeneration Area designation.

To Facilitate the Residential Intensification in this MTSA, the Mixed-Use Designation is Required - 4040 Finch Avenue East Satisfies the Growth Plan Criteria for Conversion

In order to facilitate the development of the land to deliver residential intensification, a mixed-use designation is required. This submission is requesting a modification to designate the subject lands as Mixed Use Areas. This would be a full conversion of the land from employment. This is permitted under the Growth Plan in the context of a Municipal Comprehensive Review. Toronto OPA 653 is an amendment that is part of the Municipal Comprehensive Review Process.

Policy 2.2.5.9 of the Growth Plan for the Greater Golden Horseshoe sets out the tests for approval of a conversion:

- A) need
- B) lands not required for purpose designated
- C) sufficient lands maintained in municipality for forecast employment growth
- D) proposed uses will not affect the overall viability of employment area
- E) Infrastructure and public services are available

The 4040 Finch Avenue, and 15, 17 and 19 Milliken Boulevard site satisfies the required provincial criteria for approval of conversion.

NEED - There is a clearly demonstrated need for additional housing. Ontario is undergoing a serious housing supply crisis - which is reflected in escalating housing prices. This site is well-located to contribute to satisfying the need for housing. The more than 1,500 anticipated new homes will assist the City in fulfilling its ambitious housing pledge commitments to the Province - which require the City to double its historic growth rates.

LAND NOT REQUIRED FOR EMPLOYMENT - The subject lands do not function as either manufacturing or employment uses. The site is already de facto converted, functioning as retail and office uses. There is no demand to use the site as a traditional employment use of manufacturing or warehousing. In addition, the residential neighbourhood to the south across Finch, creates land use compatibility guideline constraints making any introduction of manufacturing highly problematic. As such, the lands are no longer contemplated or required for employment uses. The conversion of the site will not result in the displacement of a single manufacturing or warehousing business or job. In fact, approval of the conversion will likely increase the number of jobs on site. At the same time, it will be adding considerable housing potential - which would create additional population, which in turn will result in additional community-based jobs. The conceptual development plans associated with this conversion request will accommodate approximately 500 jobs - similar to what the existing buildings on the site accommodate today.

SUFFICIENT OTHER LANDS MAINTAINED FOR EMPLOYMENT - While the subject lands are not appealing to prospective employers, there are abundant other lands in Toronto that can better serve that purpose. The Toronto Planning Staff recommendations in the municipal comprehensive review have identified that much land can be converted away from employment without adversely affecting the overall supply of appropriately located employment lands to meet the needs of the market. If the subject lands remained designated as employment, they will still not be available to meet the need for employment lands, as the location is not what the market is seeking - and the existing office, service and retail uses effectively mean that the lands are already not part of the employment land supply for warehousing and manufacturing to 2051. Thus, there are sufficient and more appropriate lands available in Toronto to meet employment needs to the Growth Plan 2051 horizon and beyond.

NO IMPACT ON VIABILITY OF OTHER EMPLOYMENT AREA - The subject site conversion will in no way will destabilize any other employment uses in the vicinity. There are no immediately nearby industries with which compatibility issues would arise under the Ministry of Environment's Land Use Compatibility Guidelines, if the lands were to develop for mixed use purposes including residential. Finally, as the site is at the south end of a transitioning employment area, there will be no impact on the viability of the employment area uses further to the north. The viability risks to the employment area along Finch have already been determined by the marketplace, and will not change as a result of the designation of this site as mixed use.

SUFFICIENT INFRASTRUCTURE AND PUBLIC SERVICES - The 4040 Finch Avenue East site is well-served by infrastructure. In an earlier section, this submission has outlined the substantial community infrastructure in this area including schools, parks, recreation facilities, community centres, hospitals, shopping and other daily consumer services. Overall, the site is well-served by infrastructure, and by public services required by residents.

In conclusion, it is clear that the proposed conversion satisfies the tests under policy 2.2.5.9 of the Growth Plan for the Greater Golden Horseshoe to allow conversion from employment land to other uses including residential.

Process Delays Resulting from Regeneration Area Designation in Official Plan Amendment 653 Deliver No Discernible Public Benefit - Yet Impose Considerable Process Delays and Unnecessary Costs Adversely Affecting Housing Affordability and Supply

The intended rationale behind designating the lands as Regeneration Area, instead of Mixed Use Area, is to allow for comprehensive planning of the broader area.

However, the additional steps and the establishment of a secondary plan requirement will deliver very little in the way of public benefit, but at the cost of enormous delays and duplicative studies, insofar as the subject site is concerned. A Secondary Plan is not necessary.

- The lands on their own are too small to require a Secondary Plan.
- They are easily dealt with separately from the larger traditional employment area to the north.
- There is already agreement that the lands should be ultimately developed as a Mixed Use Area.
- All the studies required for the Secondary Plan process will still be required to be undertaken to support the comprehensive rezoning applications for the developments. Requiring them as part of a Secondary Plan process is an unnecessary duplication.
- The relationship to the GO Transit Station can be beneficially developed now, while the planning and design of the station is underway. Significant costs and difficulties will be faced if the mixed use designation is delayed, as it will become necessary to make abutting development fit with a station that is already established, after the fact.
- The disparate collection of parcels of land across the Site and Area Specific Policy 853 area are too widely spread, and diversified in local contexts, to justify waiting for an overall secondary plan process, in which most of the issues to be examined do not apply to the 4040 Finch site.
- The site can easily be processed through a site specific planning application, which will address all necessary issues, without prejudicing the planning work in the balance of the Site and Area Specific Policy 853 area.

As a result, there is little to no discernible benefit to be gained through the delays and process occasioned by a Regeneration Area designation on the subject site. On the contrary, such a designation will only create additional delays, and additional costs, and harm the potential for a well-planned, integrated transit-supportive development.

All proper planning studies and processes will be required and undertaken to support the comprehensive rezoning applications on the lands. All resulting requirements, such as phasing strategies for the development, can be secured in the zoning by-law approvals.

Minister Should Modify Toronto Official Plan Amendment 653, as Requested - In the Alternative, The Minister Should Refer the Requested Policy for the 4040 Finch Avenue East Site in OPA 653, to the Tribunal for a Hearing

It is clear that the City of Toronto's Official Plan Amendment 653 is not in conformity with the policies of the Growth Plan, as it does not properly encourage the residential intensification at the Finch-Kennedy GO Transit Station, in transit supportive development.

On the contrary, by applying a Regeneration Area designation to the lands, the adopted policy only establishes additional red tape processes, time-consuming obstacles and costly duplication and delays.

The Secondary Official Plan Amendment process, including potential exposure to appeals to the Ontario Land Tribunal, will only delay the delivery of much needed housing that all seem to agree is appropriate on this site. This clearly is not in conformity with provincial policy as articulated in both the Growth Plan and the Housing Supply Action Plan.

Under section 3 of the Planning Act, the Minister is required to act in conformity with Provincial Plans (including the Growth Plan) in making decisions - including exercising his powers as the approval authority for Toronto's Official Plan. Clearly, he cannot approve Official Plan Amendment 653 as adopted by Toronto Council, and still be acting in conformity with his section 3 obligations.

The Minister should exercise his authority to make modifications to the amendment as requested above in this submission.

Such modifications would ensure that the conversion of the site is fully approved, and residential development applications can proceed. were established. This will accelerate the potential to achieve final planning approvals on at 4040 Finch Avenue East and 15, 17 and 19 Milliken Boulevard. The outcome will be a key step towards the delivery of a meaningful increase in the housing supply.

As noted, the development concept for the site is currently anticipated to deliver at least 1,500 units of housing, and 500 jobs. This represents an opportunity to deliver a significant addition to the housing supply and jobs in exactly the type of location the Province has identified as ideal for new housing - a site in a new Smart Track GO Transit station area.

In the alternative, in the event that the Minister is not prepared to make the requested modifications, we request that the Minister refer the question of the appropriate policies for OPA 653, relating to 4040 Finch Avenue East and 15, 17 and 19 Milliken Boulevard, to the Ontario Land Tribunal for a hearing.

Yours truly,

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