



Bennett Jones LLP
3400 One First Canadian Place, P.O. Box 130
Toronto, Ontario, M5X 1A4 Canada
T: 416.863.1200
F: 416.863.1716

Andrew Jeanrie
Partner
Direct Line: 416.777.4814
e-mail: jeanriea@bennettjones.com
Our File No.: 086855-2

May 31, 2023

Via Email (phc@toronto.ca)

City Clerk
c/o Nancy Martins, Administrator
Planning and Housing Committee
10th Floor, West Tower City Hall
100 Queen Street West
Toronto, Ontario M5H 2N2

Dear Committee Members:

**RE: Our Plan Toronto: Recommendations on Forty-Five Employment Area Conversion Requests
- Final Report City of Toronto Official Plan Review
PH 4.5
505 and 515 Consumers Road, Toronto**

This submission is being made on behalf of our client, Bleeman Holdings Limited, being the owner of 505 and 515 Consumers Road (the "**Property**"). The Property is located in the Consumers Next area of the City.

The purpose of this letter is to specifically request that:

- a) the Committee direct the Chief Planner and Executive Director of Community Planning to immediately commence a parallel review of the adopted Official Plan, including conversion requests both new and existing, that consider recent Provincial direction as expressed through the proposed new Provincial Planning Statement ("**PPS 2023**") and the implementing revisions to the *Planning Act* as set forth in Bill 97; and
- b) the Committee Members consider our client's property in light of the above and direct City Planning to redesignate the Property "Mixed Use", as consistent with the evolving Provincial Policy and in order to assist the City in creating *complete communities* as defined by the Province.

In this regard we would remind the City that the current Municipal Comprehensive Review ("**MCR**") process that is underway (including the recommendations on employment area

conversion requests) is already almost a year late in being submitted to the Minister of Municipal Affairs for approval. Given these existing delays, it would make sense for the City to allow a short further delay so that the MCR process can be completed in accordance with the evolving Provincial policy.

To assist the Committee Members in considering our client's submission we are providing you with the relevant background information related to:

- i) the present and future Provincial and Municipal Comprehensive Review process; and
- ii) our client and its mixed use, complete community proposal.

Combining these two would lead the City towards truly achieving the original goals of the ConsumersNext vision with its "intended to ensure that the Consumers Road Business Park remains an attractive location for business investment and a vibrant place to work that is part of a well-connected, mixed use community." (City Planning ConsumersNext -Proposals Report May 2017)

BACKGROUND

i) MRC: Conversion Request status

Further to our client's (above) request that the Committee direct City Planning staff to commence new conversion request reviews in line with recent Provincial direction as expressed through Bill 97 (which we note the Committee is considering in item PH 4.8 also on this Committee's Agenda) it would be beneficial to review the history and status of the existing process. It will detail how the City's actions to date need to be expeditiously updated to align with Provincial direction or City staff and Committee time and resources will be wasted.

As you may recall, on October 15, 2019, the Planning and Housing Committee considered a report from the Chief Planner that described the requirements for the Growth Plan 2019 conformity exercise MCR. The Committee requested the Chief Planner report on a work program for the completion of the required conformity exercise.

On June 29, 2020, Council adopted a recommended approach and work plan for the Growth Plan conformity exercise and MCR. Council authorized the commencement of the MCR on August 4, 2020.

On February 2, 2022, Council considered a report that provided an update on the Growth Plan conformity exercise and MCR and, among other matters, **adopted a recommendation requesting the Minister grant an extension to the July 1, 2022 Provincial conformity deadline.** Despite the fact that the Minister did not grant the requested extension, City Staff did not complete the MRC process by July 1, 2022. In fact, earlier this year (March 1, 2023 City Planning letter) City Staff indicated that they would put the remaining conversion reviews on hold while awaiting Ministerial approval of an initial batch of conversion requests(considered through OPA 591 since August 9, 2022), only to swiftly reverse course when the Province released drafts of its proposed new policy direction. In fact, the Minister formally suspended the

120-day time period to make a decision on the Council-adopted 30+ conversion requests. We highlight for you that the Provincial actions fit in with its very recent planning release expressed through Bill 97. The Province has shown no intention to consider the existing requests under a "dated" planning regime which will be updated in fall of 2023.

Most significantly, on April 6, 2023, the Province introduced new policy and legislative changes as part of its ongoing effort to address both housing supply and affordability. The Province introduced two key components:

- 1) Bill 97 – An Act to amend various statutes with respect to housing and development; and
- 2) the proposed PPS 2023.

A City Planning report regarding the proposed PPS 2023 is being heard at this same Planning and Housing Committee. The proposed PPS 2023 is intended to replace the PPS 2020 and Growth Plan 2020 with a new document with which all land use matters must be consistent. We highlight the City's own Planning Report states:

" the proposed new policy and legislative changes, including the proposed new *Planning Act* definition for “areas of employment” are likely to have implications for Employment Areas planning in the future".

This new definition for areas of employment is a logical recognition that industrial and other specialized economic lands have different requirements and needs than office, retail and institutional lands. Industrial lands do need protection. However, the Province has recognized that maintaining areas that are primarily office areas (such as Consumers), where the "employment area" is significantly underutilized (the employment area in Consumers, for example, hasn't seen a new significant office building since 1991 and currently uses around 50% of its surface area for parking lots) are different than industry and do not need blanket "protection" as exists today – instead recognizing that a vibrant office district thrives in a mix of uses, such as hotel, retail and residential, as seen in Downtown Toronto. Specifically, the Province is proposing to amend the policy direction of Employment Areas.

The proposed PPS 2023 includes a new definition of Employment Areas to match the *Planning Act* definition change proposed in Bill 97. The new definition for Employment Areas scopes the protected land uses by excluding institutional and commercial uses (i.e., retail and office not associated with the manufacturing, research and development, warehousing, and goods movement) through proposed policy 2.2.1.b.2. As such, the evolution of existing commercial and institutional use areas to become complete communities is now being encouraged. This is dramatically different to how the City is considering conversions from these office employment areas to mixed use areas today.

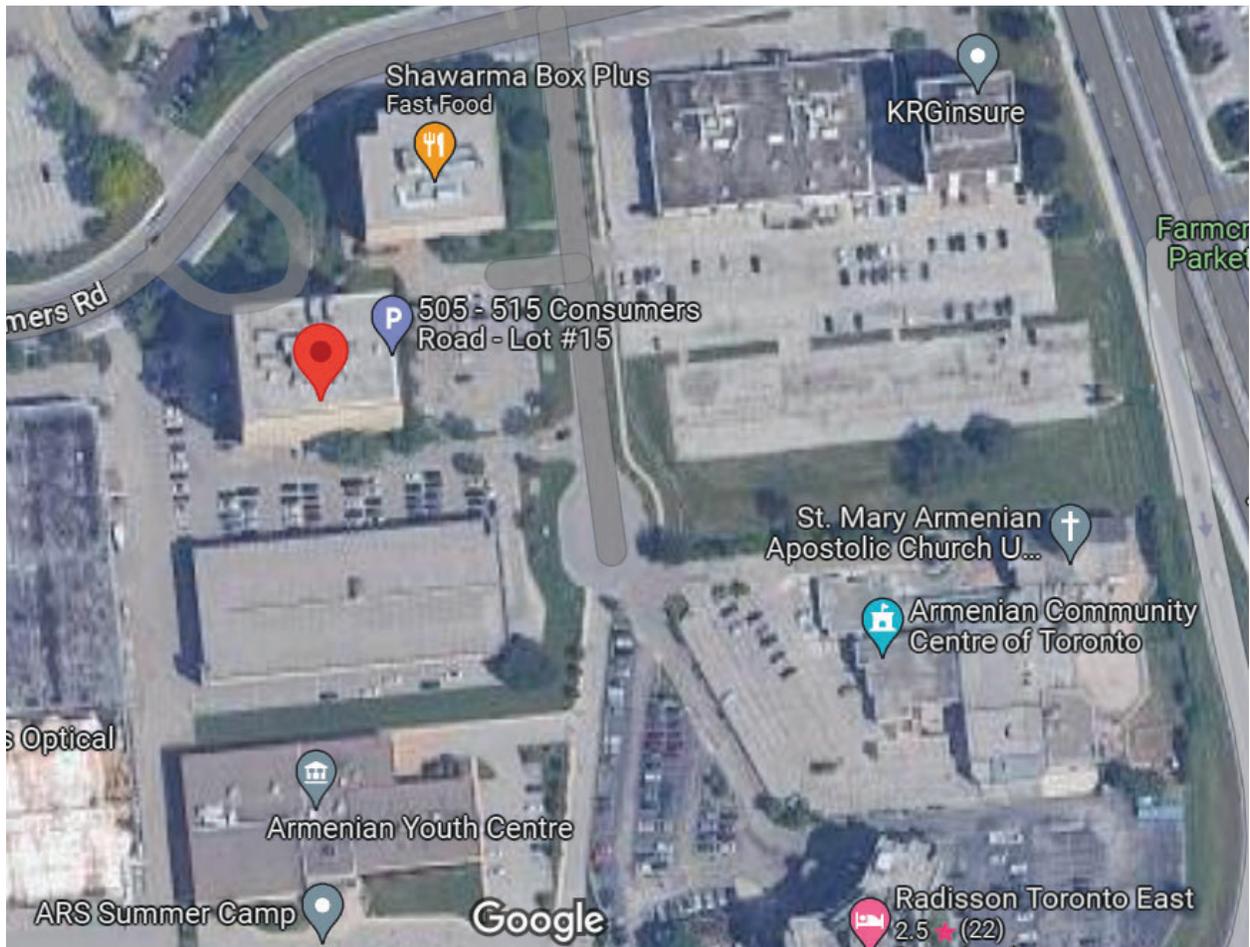
The significance of these changes are, as noted above recognized by Staff and we believe it would be prudent for the Planning and Housing Committee to direct that immediately commence a parallel review of the adopted Official Plan, including conversion requests both new and existing, that consider recent Provincial to assist both the Province and City to deliver housing in a timely manner.

ii) Context of Medallion Property and Its Potential

Our client operates under the "banner" Medallion Corporation. Medallion has been operating for over 60 years and is a privately owned, Toronto based family business. It is a fully integrated real estate development and property management company. Its projects include (two that are active in Toronto today) multi-family apartment communities and rental housing. Medallion's portfolio includes a full spectrum of real estate holdings, including high rise, commercial and retail, as well as industrial. As such, they are considered experts in delivering *complete communities*.

In order to highlight the details of our client's proposal, we will first detail the "physical" relationship between our client's property and the Consumers area.

Figure 1. Aerial Photo of our client's site



The Property is dominated by a sprawling surface parking lot and above ground parking garage, with two under utilized non-descript office buildings (built in 1979 and 1981). It has frontage on a dead end court and Consumers Road to the north.

Abutting to the east and south are the institutional uses of the Armenian Youth Centre at 50 Hallcrown Place and the St. Mary Armenian Apostolic Church and A.R.S. Armenian School at 45 Hallcrown Place (neither of which are permitted in the "General Employment Areas" designation proposed by the City). A mixed use development is approved to the east at 2450 Victoria Park that includes several residential towers. To the south east is a hotel (also not permitted in the "General Employment Area" designation proposed by the City). To the west is a warehouse and office uses to the north. Neither of which would be negatively impacted by removing these dated office uses located on the Property today and replacing it with an integrated mixed use proposal with park space, residential, retail and office uses.

Figure 2. Rendering of Mixed Use approval immediately east of Property (2450 Victoria Park)



The overall neighbourhood is characterized by auto dealerships, offices, hotels and surface and above grade parking. It is best served by conversion from an historical Employment Areas to a bold new "Mixed Use Areas" district and doing so would be consistent with the evolving Provincial policy noted earlier.

Neither the Property, nor the immediate area, are appropriate for reverting to an industrial style use. The area is ripe development to a modern complete community, which can house more jobs than are currently in the area, while also delivering much in demand community uses and housing to the benefit of the area and the City as a whole. To that end, our client has worked with its consultants and architect to explore redevelopment options. We have attached a copy of a redevelopment concept that explores the revitalization of their property.

We note in the City's planning report for an abutting conversion request at 55 Hallcrown Place that "This employment area is a successful, viable, functioning office park which currently has

one of the largest concentrations of office workers outside of downtown". We agree that the area is an "office park" not an industrial area and therefore, should be considered for an evolution of uses consistent with the proposed Provincial Policy. We also highlight that the area hasn't seen a significant new office building in more than 30 years (see Report For Action "ConsumersNext: Planning for People and Business at Sheppard and Victoria Park", May 15, 2017, Chief Planner to Planning and Growth Management) and has been frozen into an area dominated by surface and above ground parking structures. Upwards of 50 to 60% of the area is "asphalted" which is an inefficient use of services, inconsistent with Provincial Policy and a demonstration of the overall potential for this area to be a real catalyst for future growth and development in the City.

Figure 3. Parking areas in ConsumersNext Area

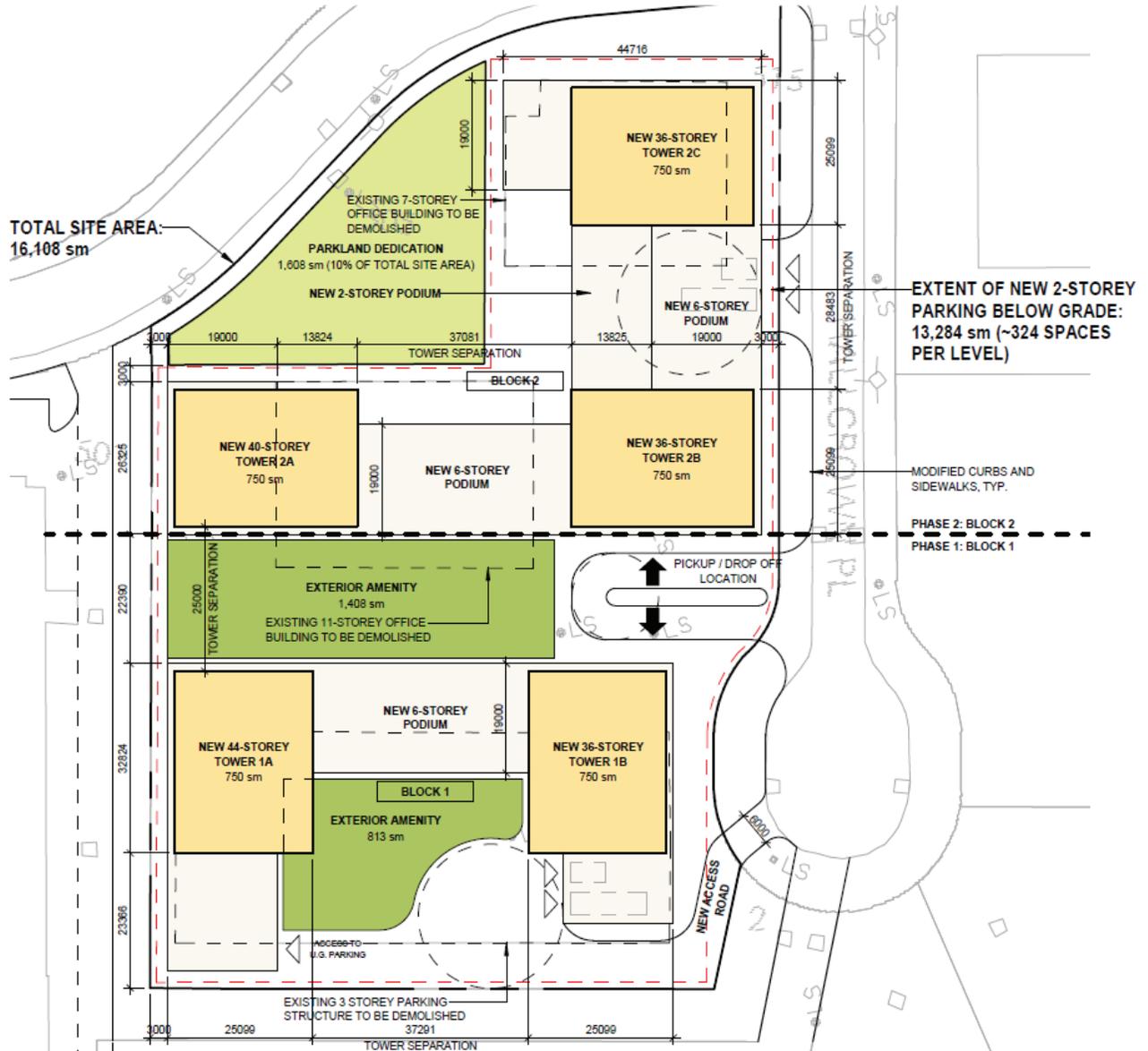


The highest and best use of the Property would be better served as mixed use development. Converting the Property to a mixed use development will allow the site to maximize its potential and the use of the extensive municipal infrastructure in the area, in sharp contrast to the existing state of the Property (and the area). A vibrant mixed use district will, in turn, further support the intensification of the employment uses in the area – as noted previously, employment, retail and institutional uses thrive in vibrant complete communities.

As you will see in the excerpt from our client's proposal, our client proposes an ultimate use for the Property that would intensify the use and meet the broader City and Provincial objectives, as well as more efficiently using the Property and the extensive public infrastructure in the area. The intent of this proposal is to demonstrate how this existing site could replace asphalt with community assets (such as the park), thousands of much needed residential units, while also replacing dated office space with modern, connected, office space, as well as new residential amenities that will reflect the modern work environment – including boardrooms and independent office space in the residential buildings available for those working from "home". In addition, our

client, who as noted earlier, is in the business of purpose built rental housing, intends the new residential units to be a much needed rental housing community.

Figure 4. Redevelopment Concept



BDP. Quadrangle	505 & 515 Consumers Road
	Project No.23028 30/05/23

Please be advised that our client welcomes further discussion with City staff. We thank you for the opportunity to comment on this important matter and request notification of any future meetings or decisions relating to the Conversion Land review.

Yours truly,

BENNETT JONES LLP

Per:

DocuSigned by:

C51975944F4A4D7...

Andrew Jeanrie

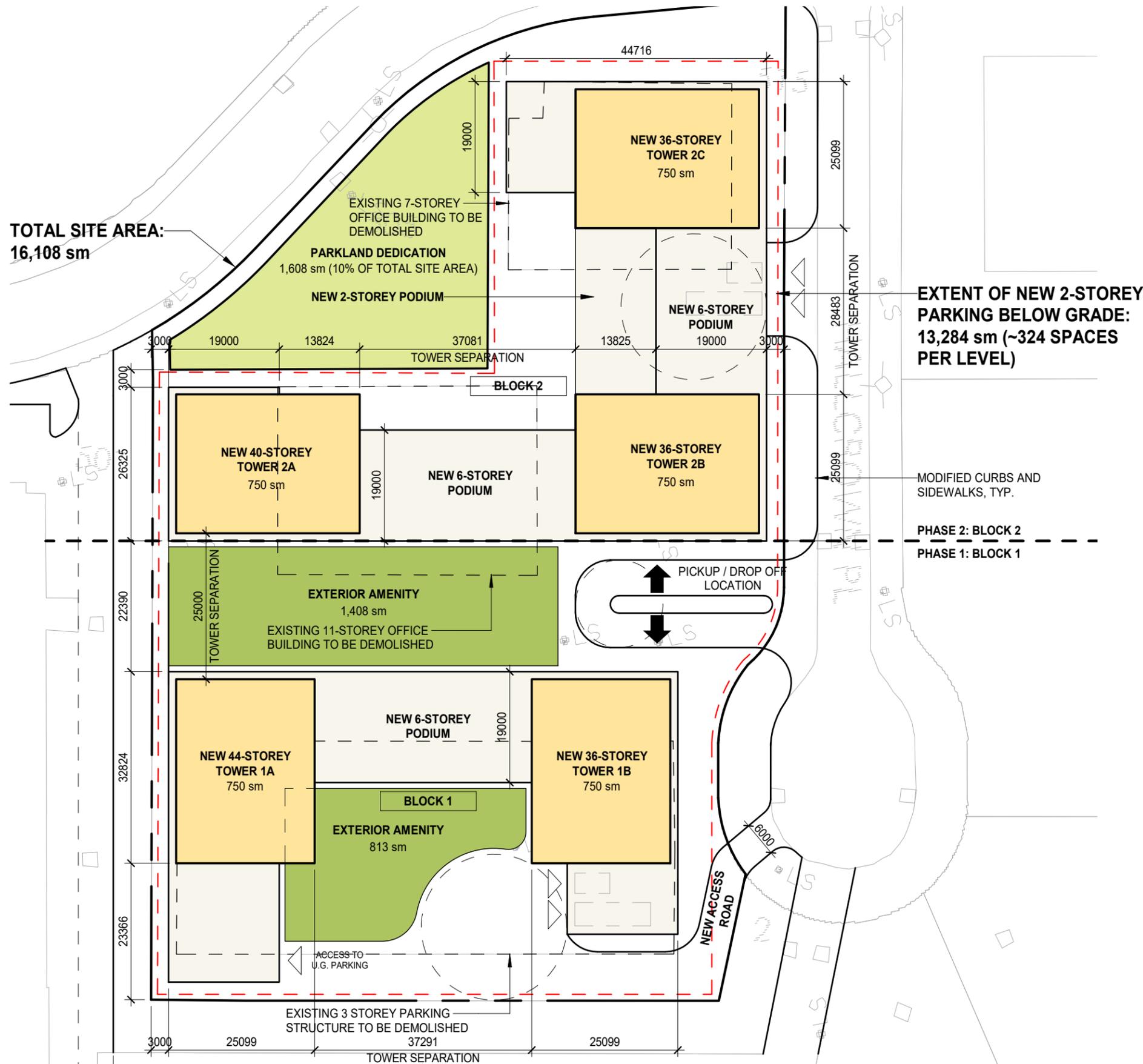
Attachment

c.c.: Client

CONCEPT SITE PLAN LEGEND:

- NEW PODIUM
- NEW TOWER
- NEW PARKLAND DEDICATION
- NEW EXTERIOR AMENITY AT GRADE

TOTAL SITE AREA:
16,108 sm



EXTENT OF NEW 2-STOREY PARKING BELOW GRADE:
13,284 sm (~324 SPACES PER LEVEL)

MODIFIED CURBS AND SIDEWALKS, TYP.

PHASE 2: BLOCK 2
PHASE 1: BLOCK 1

505 & 515 Consumers Road					30-May-2023
Lot Size:	16,108.0 sm ±				
Parkland Dedication Size:	1,610.8 sm ±				
Percentage of Parkland:	10.0%				
Net Lot Size*:	14,497.2 sm ±				
Tower 1A:	750 sm ±			44 Storeys	
Tower 1B:	750 sm ±			36 Storeys	
Tower 2A:	750 sm ±			40 Storeys	
Tower 2B:	750 sm ±			36 Storeys	
Tower 2C:	750 sm ±			36 Storeys	
Block 1 Podium	2,805 sm ±			6 Storeys	
Block 2 Podium	3,875 sm ±			6 Storeys	
Area Totals and Use Breakdown					
	± GBA*	± GFA*		± RNSA*	
TOTAL (sm):	162,366	146,129			
TOTAL (sf):	1,747,708	1,572,937			
APPROXIMATE NON-RES TOTAL (sm):	8,300	7,470			
APPROXIMATE NON-RES TOTAL (sf):	89,341	80,407			
RESIDENTIAL TOTAL (sm):	154,066	138,659		123,253	
RESIDENTIAL TOTAL (sf):	1,658,366	1,492,530		1,326,693	
± Total Suites*:	2,054				
± FSI (Gross)	10.08				
Parking Provision					
± Parking Area (sm)	13,284				
± Parking Spaces Per Level*	324.00				

All calculations are preliminary and approximate

*Notes:

- GBA (Gross Building Area) is measured from the exterior building face with no area deductions.
- GFA (Gross Floor Area) has been estimated as 90% of the GBA
- Unit count assumes RNSA (Residential Net Saleable Area) as 80% of GBA
- Unit count assumes average suite size 60sm
- Typical Floor-to-Floor Height is 3m
- Number and mix of suites to be confirmed following more detailed study
- Parking provision excludes site servicing and is to be developed further.
- Parking provision assumes 1 space/41 sm (100 spaces/acre), subject to bicycle provision below grade

