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Toronto Industry Network

June 25, 2021

Councillor Ana Bailão, Chair
Council Members of the Planning and Housing Committee

10th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON
M5H 2N2

Via email to: phc@toronto.ca

Attn: John D. Elvidge, City Clerk
Nancy Martins, Administrator Planning and Housing Committee

Dear Chair Bailão and Council Members of the Planning and Housing Committee (“PHC”),

RE: Item PH25.5 - Zoning Conformity for Official Plan Employment Areas - Phase 1 Final Report and Phase 2 Update

The Toronto Industry Network (“TIN”) welcomes the opportunity to provide the PHC with the comments and concerns stated above on the *Report from the Chief Planner and Executive Director, City Planning - Zoning Conformity for Official Plan Employment Areas - Phase 1 Final Report and Phase 2 Update (“Staff Report”)* and the supporting documents available for review on TMMIS. TIN is an incorporated organization comprised of mostly large manufacturers with facilities in Toronto or manufacturing/business associations with members engaged in manufacturing. TIN members constitute a representative sample of the many industries in the City of Toronto.

Subject to the below comments and concerns and resulting from TIN’s participation in the stakeholder consultation, review of the Staff Report and supporting documents, TIN respectfully requests the Committee to move that:

- 1. To remove Massage Therapy in the EO zone; Medical Office in EO zone; Wellness Centre in EO zone; and Body Rub Service the E zone. Maintaining these permissions for health-and-wellness related sensitive land uses in Employment Zones is not consistent, does not conform and conflicts with the Employment Policies of the PPS, Growth Plan and Official Plan.*
- 2. That the proposed amendment and Phase 2 considerations contain provisions to require that appropriate regard shall be had by planning and building staff for the Official Plan Employment Areas Policies 2.2.4.5 to 2.2.4.10 in their review of all development and building permits for existing, expanded and proposed sensitive land uses in both Employment-zoned lands, within Employment Areas, and in the influence areas of Major Facilities.*



The City of Toronto Official Plan recognizes that *“introducing sensitive land uses into Employment Areas can have impacts by forcing industries to alter their operations, particularly when the environmental certificates that industries operate under are affected, or complaints are lodged about adverse effects from industrial operations.”* The Staff Report recognizes that *“... industrial and manufacturing uses do not generally have options of locating outside of industrial-employment zones, while these sensitive and other uses are permitted in numerous other zones.”*

Regarding request #1, above, the Staff Report of June 10, 2021 mentions that *“Other examples of sensitive uses are daycare centres, and educational and health facilities.”*, however the proposed zoning amendments for By-law 569-2013 does not remove sensitive land uses permissions related to other health, treatment, wellness and medical care uses in Employment Zones such as: *Massage Therapy in EO; Medical Office in EO; Wellness Centre in EO; and Body Rub Service in E.* That the proposed by-law does not remove these permissions from the employment zones is at odds with Policy 1.2.6.1, 1.2.6.2, 1.3.2.2 and 1.3.2.3 of the PPS, Policy 2.2.5.7 and 2.2.5.8 of the Growth Plan, and Policy 2.2.4 of the Toronto Official Plan and the affirmations from Planning Staff in the June 10, 2021 report.

Regarding request #2, recognizing that existing sensitive land uses in employment areas and employment zones that are proposed by the City to be continue to be permitted as part of Phase 1, it is TIN's position that there needs to be adequate notification to existing industrial operations of any proposal, change or expansion of sensitive uses, and the provision of land use compatibility and mitigation studies, peer reviewed by the City and the affected industries. These reports and studies are required by Policy 2.2.4 of the Official Plan, and in a recent development application in proximity to a TIN member operation, the requirements for land use compatibility and mitigation studies and/or considerations as well as proper notification, had been overlooked by the Applicant, Planning Staff, and the Planning Approval Authority for a proposal seeking to expand a sensitive land use within and adjacent to an Employment Area, and within the influence area of a *Major Facility*. A TIN member had to secure their interests, at significant expense, for a number of expansions to permitted sensitive land uses were proposed in their *Major Facility's* influence area.

TIN is concerned that in employment zones and designations, existing and permitted sensitive land uses will supersede any land use compatibility objectives in those areas. Regarding the proposed exceptions, TIN has concerns as there are lands proposed either to continue and/or to introduce sensitive land uses within the Employment Zones and in the influence areas of *Major Facilities*. The existence and permission of those sensitive land uses within the potential influence areas and the actual influence areas of TIN Member operations are listed on the table in Schedule A, to this letter. In some instances, the exceptions will permit sensitive land uses to continue within the PSEZs.

It is TIN's belief that the inclusion of sensitive land uses in employment zones will be contrary to the spirit and intent of the PPS, Growth Plan, and Official Plan employment policies vis-à-vis the protection of Employment Zones. The current 2020 Provincial Policy Statement and Growth Plan Employment Policies are such that the Employment Zone classifications and Provincially Significant Employment Zones (PSEZs), give protections to ensure the long-term viability of Employment Areas in their geographical relationship to encroaching sensitive and mixed-use land use development. The Growth



Plan describes that redevelopment pressures on areas within and around employment areas makes long-term planning for employment more uncertain, and that a goal is to have protected employment zones and certainty for traditional industries. Any actions by the Planning Authorities that seeks to reduce or eliminate land use conflicts for industrial and manufacturing operations will be an important step forward. In our opinion, the proposed amendment will reduce conflicts and instances of incompatibility between industrial and sensitive land uses.

Other than the concerns raised above, it is TIN's position that the proposed zoning amendment has appropriate regard to Policy 1.2.6.1 of the PPS, Policy 2.2.5.1 and 2.2.5.7 of the Growth Plan, and further implements OPA 231 for Core and General Employment Areas. TIN wishes to be engaged when Phase 2 of the proposed zoning framework is underway and requests that the City provide TIN notice of any future meeting, reports, decisions or consultations regarding this matter.

Sincerely,

Craig McLuckie

President, Toronto Industry Network (TIN)

SCHEDULE A:

TIN Member Operations and Location of Exempted Lands within PSEZ's and TIN Member Operation Potential and Actual Influence Areas.

Summary:

- A) *Number of Exempted Lands in Potential Influence Area of TIN Member Operations: 13*
 B) *Number of Exempted Lands in Actual Influence Area of TIN Member Operations: 8*

Exception Proposed	In PSEZ?	Within TIN Member 300m influence area, or 1000m potential influence area?
By-law 569-2013		
791, 799, and 811 Islington Avenue and 145 Evans Avenue, add an exception to permit a performing arts studio.	YES – IN PSEZ #13	YES – IN POTENTIAL INFLUENCE AREA OF CANA DATUM MOULDS AT 55 GOLDTHORN AVENUE
282-300 Campbell Avenue and 1485-1491 Dupont Street, add an exception to permit a recreation use and performing arts studio.	NO	YES – IN POTENTIAL INFLUENCE AREA OF NITTA GELATIN
3330 McNicoll Avenue, 3500-3520 McNicoll Avenue, and 3501-3555 McNicoll Avenue, add an exception to permit a recreation use and performing arts studio.	YES – IN PSEZ 5	YES – IN INFLUENCE AREA OF OWENS CORNING
159 Dynamic Drive, add an exception to permit a lawfully existing ice arena.	YES – IN PSEZ 5	IN POTENTIAL INFLUENCE AREA OF OWENS CORNING
60 Starview Lane, add the lands currently subject to North York By-law 7625 to Zoning By-law 569-2013, and add an exception to the entirety of the lands to permit a community centre.	NO	YES – IN POTENTIAL INFLUENCE AREA OF GAY LEA FOODS COOPERATIVE LTD
EAST YORK BY-LAW 6752		
11 Curity Avenue, amend the existing exception to permit a health and fitness club.	NO	YES – IN POTENTIAL INFLUENCE ARE OF MODELEZ CANADA INC.
1200 O'Connor Drive, add an exception to prohibit a health and fitness club.	NO	YES – DIRECTLY ADJACENT TO MONDELEZ CANADA INC.
1550 O'Connor Drive, add an exception to permit community centre, day nursery, and library.	NO	YES – IN ACTUAL INFLUENCE AREA OF MONDELEX CANADA INC.
EAST YORK BY-LAW 1916		
Lands generally bounded by Laird Drive, Esander Drive, and Canvarco Road Area, add an exception to prohibit a private and public recreational facility that is a fitness centre in the M1 Light Industrial Zone	NO	YES – SOME PORTIONS IN POTENTIAL INFLUENCE AREA OF ST. MARYS CEMENT IN LEASIDE
100 Thorncliffe Park Drive,	NO	YES – IN INFLUENCE AREA OF LAFARGE CANADA

amend the existing exception to add a provision to prohibit a private and public recreational facility that is a fitness centre.		
101 Thorncliffe Park Drive, amend the existing exception to add a provision to prohibit a private and public recreational facility that is a fitness centre.	NO	YES – IN INFLUENCE AREA OF LAFARGE CANADA
NORTH YORK BYLAW 7625		
5601 Steeles Avenue West, 2 Champagne Drive, and 75 Dufflaw Road, add exceptions to permit an existing ice arena.	YES – IN PSEZ#11, NO FOR 75 DUFFLAW	YES – 75 CHAMPAGNE DRIVE IN POTENTIAL INFLUENCE AREA OF SUNCOR DEPOT
88 Sunrise Avenue and 22 Hobson Avenue, add exceptions to permit places of worship and accessory community centre uses.	NO	YES – IN POTENTIAL INFLUENCE AREA OF MODELEZ CANADA INC.
SCARBOROUGH BYLAW 24982		
350 Progress Avenue, add exception to Progress (West) Employment District to permit recreational uses, subject to conditions.	NO	YES - IN ACTUAL INFLUENCE AREA OF MONDELEX CANADA INC. AND ATLANTIC PACKAGING PRODUCTS LTD.
2781 Markham Road, add an exception to Tapscott Employment District (West) to permit a place of worship and ancillary community centre. 3223 Kennedy Road and 255 Milliken Boulevard, add an exception to Milliken Employment District to permit a place of worship and ancillary recreational and community uses.	YES – IN PSEZ #5 YES – IN PSEZ #6 YES – IN PSEZ #6	YES – 2781 MARKHAM ROAD IS IN POTENTIAL INFLUENCE AREA OF OWENS CORNING TORONTO
TORONTO BY-LAW 438-86		
An artist live/work studio for the lands in the 11 District and generally located:		
1. west side of Miller Street, north of Lindner Street;	NO	YES – IN ACTUAL INFLUENCE AREA OF ST. MARY'S CEMENT
2. south side of Lambert Avenue, west of Caledonia Road	NO	YES – IN POTENTIAL INFLUENCE AREA OF LAFARGE CANADA INC.
4. Wade Avenue, at Jenet Avenue and Lansdowne Avenue;	NO	YES – IN ACTUAL INFLUENCE AREA OF NITTA GELATIN
7. east side of Brock Avenue, north of Earnbridge Street;	NO	YES – IN POTENTIAL INFLUENCE AREA OF MONDELEZ CANADA INC.
8. north of Queen Street West at Noble Street; and	YES – IN PSEZ #8	YES – IN POTENTIAL INFLUENCE AREA OF MONDELEZ CANADA INC
9. 121 Logan Avenue		YES – IN POTENTIAL INFLUENCE AREA OF LAFARGE CANADA INC.