



July 4, 2023

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Attention: Nancy Martins, Committee
Administrator

Re: 2023.PH5.2 Official Plan Amendment for Bill 97 Transition – Authorizing the Continuation of Institutional and Commercial Uses in Employment Areas Planning and Housing Committee | July 5, 2023

We are counsel to Champagne Centre Ltd. (formerly 2224484 Ontario Inc.) (“**CCL**”), the registered owner of the property municipally known in the City of Toronto as 2 Champagne Drive and 1107 Finch Avenue West (the “**Subject Property**”). The purpose of this correspondence is to address the City’s proposed response to Bill 97 through the proposed introduction of Official Plan Amendment 688 purporting to authorize continuation of institutional and commercial uses in employment areas (Item 2023.PH5.2).

Background

The Subject Property is part of the DUKE Heights BIA. The DUKE Heights BIA is home to an eclectic range of businesses, including institutional, commercial, office and retail uses.

The Subject Property is currently occupied by the Champagne Centre, a large multidisciplinary medical mall that provides a wide range of critical health and wellness services delivered by private, public and non-profit providers, in addition to sports, education, employment support, office and ancillary services.

City of Toronto Official Plan Amendment No. 231 (“**OPA 231**”), OPA 231 redesignated the Subject Property *General Employment Areas*. Council has endorsed a settlement of CCL’s appeal of OPA 231 which expands the overnight accommodation currently provided in relation to the existing medical uses on the Subject Property. An application for zoning by-law amendment has been submitted in further support of this purpose.

Bill 97 Implementation

On June 13, 2023, Bill 97, the *Helping Homebuyers, Protecting Tenants Act, 2023*, received Royal Assent. Among other matters, Bill 97 scoped the definition of “area of employment” to traditional manufacturing, warehousing or related uses, and confirmed that office, retail and institutional uses are not business and economic uses for the purposes of the new definition, unless tied to manufacturing, warehousing or related uses. This change is to support the draft new *Provincial Planning Statement, 2023*, which similarly limits what areas are to be considered areas of employment, and encourages mixed use development, including residential, outside of these areas to support complete communities. The draft *Provincial Planning Statement, 2023* confirms that municipal official plans shall not contain provisions that are more restrictive on the use of such lands. Transition provisions were added to confirm that an area of employment may include existing legally established uses, but that areas of employment may not otherwise permit this broader category of uses.

The City’s staff report recommends official plan amendments coming forth now and broader amendments in the fall which purport to protect all core and general employment lands in the City as areas of employment, despite their current, broader mix of uses, contrary to the provincial direction to genuinely limit areas of employment to heavy industrial uses, particularly close to goods movement corridors, while making more land available for development.

CCL urges Council to avoid placing continued restriction on properties containing existing uses, including necessary and critical medical uses, that are not heavy industrial uses by purporting to maintain them as an area of employment.

We request notice of all further meetings and decisions related to this item. Please provide such notice to the undersigned.

Yours truly,

Cassels Brock & Blackwell LLP



Signe Leisk

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cc: Jennifer Evola, Counsel, jevola@cassels.com