



July 4, 2023

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Attention: Nancy Martins, Committee  
Administrator  
Members of Council

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

We are the lawyers for CT REIT, the owner of significant lands across the City of Toronto which are improved with Canadian Tire retail stores. Some of these landholdings are within lands currently designated as Core or General Employment Areas in the City's Official Plan, as well as within Protected Major Transit Station Areas, where significant development is anticipated in support of provincial and municipal policies and goals focused on advancing intensification and transit-oriented development. CT REIT's lands at 4630 Sheppard Avenue East are also the subject of an employment conversion request supported by City staff. 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).

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 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 Areas 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.

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

A handwritten signature in blue ink, appearing to read "Signe Leisk", written over a light blue horizontal line.

Signe Leisk

SL/CEG/nv