

July 5, 2023

Scarborough Community Council Members  
Scarborough Civic Centre  
3rd floor, 150 Borough Dr.  
Toronto, ON M1P 4N7

Members of Scarborough Community Council:

***Re: PH5.2 - Official Plan Amendment for Bill 97 Transition - Authorizing the Continuation of Institutional and Commercial Uses in Employment Areas - Final Report  
1120 Finch Avenue West***

Humboldt Commercial Limited and Century Standard Development Corporation are the owners of the property located at 1120 Finch Avenue West (the “subject site”).

The subject site is located on the north side of Finch Avenue West, west of Dufferin Street, within the York University Heights neighbourhood and the DUKE Heights Business Improvement Area. The subject site contains four buildings, three of which are single-storey with one having a height of 8 storeys. The buildings have a total gross floor area of approximately 23,226 square metres and are currently occupied by a variety of commercial (e.g. retail, restaurant), institutional and office uses.

The subject site is designated *General Employment Areas*, as are lands to east and south, while lands to the north are designated *Utility Corridors* and lands to the west are designated *Core Employment Areas*.

We understand that the proposed Official Plan Amendment 668 would have the effect of introducing a new policy for *General Employment Areas* that authorizes uses that are excluded from the definition of "area of employment" in paragraph 2 of Subsection 1(1) of the Planning Act to continue so long as those uses were lawfully established on the parcel of land before subsection 1 (1) of Schedule 6 to the *Helping Homebuyers, Protecting Tenants Act, 2023* (Bill 97) comes into force.

While we understand that an open house was held on June 21<sup>st</sup>, 2023, we did not receive notice and were unable to attend. It is our understanding that this was the only open house held to review this OPA. In contrast, we understand that a much greater level of consultation was provided by the City for other employment area-related OPAs such as OPA 644, which included four open houses, with the draft OPA also posted online for public information and feedback ahead of the open houses and statutory public meeting.

We have concerns about the potential impacts of this proposed OPA on the ongoing and long-term viability of the subject site, including but not limited to the existing uses on the subject site. As noted above, these include a variety of uses which would not be considered part of an “area of employment” under Bill 97, if approved.

In this regard, we note that Bill 97 is not yet approved and may be modified prior to approval, if it is even approved at all. In our opinion, it is premature for the City to be approving new Official Plan policies to deal with Bill 97 at this time, until Bill 97 has been finalized and approved and until such time as additional consultation has been undertaken with landowners that are directly impacted by OPA 668.

**We strongly encourage the City to defer a decision on these significant changes and continue to engage with stakeholders to ensure an appropriate response to Bill 97, if and when it is approved. We further recommend that as a part of the current transition to conformity with the new *Planning Act*, the Committee request City Planning conduct an expedited study redefining the geographic Areas of Employment, including the one the subject site is within, to properly reflect the Provincial directives which would subsequently lead to revised maps in the Official Plan.**

We request to be notified of any decision of Council with respect to this matter, including any adoption of OPA 668.

Thank you for your consideration of these comments. If you require any clarification or wish to discuss these matters further, please do not hesitate to contact me.

Julianna Boldt  
Humbold Properties

*Cc: Bousfields Inc.*