

29 November 2023

Sent Via email to phc@toronto.ca

Planning and Housing Committee
City of Toronto
100 Queen Street West
Toronto, ON M5H 2N2

**Re. PH8 – Directions to Amend Official Plan Area Policies
Proposals Report**

Chair and Members of Committee,

Our firm is retained by 2129152 Ontario Inc., the owner of 4646 Dufferin Avenue. This landowner has been an active participant in the OPA 231 employment lands process and has been pursuing an innovative land use approach for its property. It is concerned to ensure that if its proposal is not approved that the underlying land use remains viable.

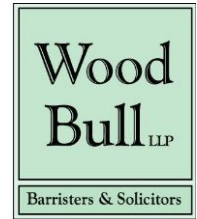
In this context, we have been instructed to file this letter to register its objection to the recommendation contained in the 14 November 2023 report of the Chief Planner and Executive Director, City Planning that the Committee give the requested draft policy direction to amend various employment area related policies contained in the City's official plan.

According to the report, the recommended policy direction has its origins in the enactment of amendments to the Planning Act contained in the *Helping Homebuyers, Protecting Tenants Act*, ("Bill 97"). As the report notes:

The amendment to the provincial definition of "area of employment" would narrow the scope of uses from what is currently permitted in areas of employment. In particular, it would expressly exclude from the definition institutional uses and commercial uses, including retail and office uses that are not associated with manufacturing, warehousing, and research and development in connection with manufacturing. For the City's Employment Areas to continue to benefit from the current employment protection policies, land use permissions for these areas must align with the amended definition of "area of employment". Doing so will mean that the City will need to limit some of the broader Official Plan employment permissions in General Employment Areas and Core Employment Areas. (underlining added)

We are of the view that implementation of the provisions of Bill 97 does not require that land use permissions be stripped from the General Employment Areas and lost forever. Rather, the language of

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the Bill is consistent with areas designated General Employment being removed from the Employment Area designation and put into another designation in order to allow the commercial and other non-industrial uses presently permitted within General Employment Areas to continue.

In this context, it is important to remember that the uses identified in Bill 97 for removal from Employment Areas were found, through the OPA 231 process, by City planning and Council and defended at the OMB/LPAT/OLT, as being indicative of good planning for lands designated General Employment, as is our client's property.

As the Chief Planner construes the Bill 97 language in a manner which may not be consistent with the intention of the provincial government, it would be prudent for the City to seek clarification on this question from the Ministry in order to ensure that all available avenues are pursued in order to avoid the draconian removal of permitted uses upon which thousands of landowners and business-people have relied. This is particularly important during these difficult economic times.

Please ensure that our client is provided with notice of any further meetings and decisions of Committee and Council on this matter.

Yours very truly,

Wood Bull LLP

A handwritten signature in blue ink, appearing to read "DHW", is positioned below the firm name.

Dennis H. Wood

DHW

Cc. client