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Delivered Via Email

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

Attention: Nancy Martins (phc@toronto.ca)

Dear Sirs/Mesdames:

**Re: Item No. PH8.14 – Directions to Amend Official Plan Employment Area Policies
Proposed Official Plan Amendment No. 680**

We are solicitors for Downing Street Realty Partners, who is the owner of the property known municipally in the City of Toronto (the “City”) as 1125 Leslie Street (the “Property”). We are writing to provide our client’s comments regarding the proposed policy direction for Official Plan Amendment No. 680 (“OPA 680”).

Background

The Property is located on the east side of Leslie Street with excellent access to higher order transit, including being located an approximate 10 to 15 minute walk from the Science Centre subway station and the LRT station at Leslie Street/Eglinton Avenue East through a direct sidewalk connection. The Property is part of a larger remnant employment area where a number of conversions have been approved. For example, a conversion request for the lands directly to the south was recommended for approval by City staff and adopted by City Council.

Given the evolving policy direction for the area, it is clear that a mixed-use redevelopment of the Property would contribute to the provision of a complete community in this area. This approach is supported by the good access of the Property to higher order transit and the lack of impact on existing/future employment uses separated from the Property by the Don Mills Trail. Our client’s vision for the mixed-use redevelopment of the Property would actually result in the same amount of gross floor area as existing today, with the potential to increase the amount of employment in the area through modern built form and flexible design

Concerns with OPA 680

The proposed policy direction for OPA 680 is directly contrary to this vision and the legislative intent of Bill 97 (the *Helping Homebuyers, Protecting Tenants Act, 2023*), which received Royal Assent on June 13, 2023. Bill 97 specifically narrowed the definition of “area of employment” to traditional manufacturing, warehousing and related uses. At the same time, Bill 97 confirmed that office, retail and institutional uses are not business and economic uses, unless directly associated with manufacturing, warehousing or related uses. This new definition is linked to the draft new *Provincial Policy Statement*, which similarly limits the scope of areas of employment.

The intent of Bill 97 and the new *Provincial Policy Statement* is clear. Areas subject to employment conversion policies and statutory provisions are limited to areas with traditional manufacturing, warehousing or related uses, which would not apply to the Property or the surrounding area. At the same time, mixed use development is to be encouraged outside of traditional employment areas to support complete communities. As noted above, this is consistent with the mixed-use vision for the Property.

The City should be considering what lands within the City truly meet the new definition of area of employment. Instead, the proposed policy direction for OPA 680 is to remove existing land use permissions from all of the City’s employment areas, including the Property, without examining whether it is appropriate to do so. This would effectively prevent consideration of expanded development opportunities in accordance with Bill 97 to meet provincial and municipal forecasts while negatively impacting the existing planning function of many of those areas. Further, it essentially removes any distinction between lands designated as *Core Employment Areas* and *General Employment Areas*.

At a high level, this policy direction would effectively sterilize the development potential of the Property by precluding both the replacement of the existing office space in a new format and the introduction of residential uses. The City initiative would also lead to detrimental impacts on existing operations on the Property and discourage reinvestment given the resulting legal non-conforming status at a policy level. At the same time, the potential approach being considered for OPA 680 would preclude the construction of much-needed housing in areas that can accommodate mixed-use development as intended by Bill 97 and the new *Provincial Policy Statement*.

On behalf of our client, we respectfully request that Planning and Housing Committee reject the proposed policy direction for OPA 680 and, instead, direct City staff to review all existing lands designated as *Employment Areas*, determine which of these areas meet the new definition of area of employment, and consider the resulting appropriate land use permissions.

We would also appreciate being included on the City notice list related to this matter.

Yours truly,

Goodmans LLP



David Bronskill

DJB/

cc. Client

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