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File No. 19163

July 17, 2024

VIA EMAIL clerk@toronto.ca

Toronto City Council
12th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Mr. John Elvidge, City Clerk

Dear Mayor and Members of Council,

**Re: Notice of Objection respecting to Item #PH14.1 - Employment Area Land Use Permissions - Decision Report - Approval on the Planning and Housing Committee's July 11, 2024, Agenda.
City Council Meeting scheduled for July 24, 2024
Official Plan Amendment 680
Letter of Objection filed on behalf of Leslie-Lakeshore Developments Inc.
731 Eastern Avenue, Toronto (the "Property")**

We are the solicitors for Leslie-Lakeshore Developments Inc., the registered owner of the Property. The Site is located within the South of Eastern Employment Area. The Property is bounded on the north by Eastern Avenue, on the south by Lakeshore Boulevard, on the east by Leslie Street and on the west by an approved (but yet to be built) new public road. The Property contains a Freshco supermarket, and a combined Tim Horton's / Wendy's both with drive through facilities. The balance of the site is paved and used for surface parking and vehicle circulation. These existing land uses are specifically permitted by the Ontario Municipal Board through its decision (dated August 22, 2001) approving a site-specific Official Plan Amendment and a site-specific Zoning By-law Amendment [OMB File No. PL000921]. It is also noteworthy that the Property appears to be the only one within the employment area which is not identified as being within a Provincially Significant Employment Zone. All these factors make it obvious that the Property is unique in the area.

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This past June the Ontario Land Tribunal heard our client's appeal of OPA 231 which appeal sought an employment conversion to *Mixed-Use Areas* designation. That appeal proposed a SASP which would ensure that the existing non-residential gross floor area was maintained (at the very least) and that an affordable housing component will be included in the future mixed-use development. The City opposed that appeal and as at the time of sending this letter, the Ontario Land Tribunal's decision has not been released.

OPA 680 is directly contrary to the Province's vision to create additional housing as demonstrated through Bill 97 (Royal Assent on June 13, 2023). Through Bill 97 the Province revised the definition of "area of employment" to include only traditional manufacturing, warehousing and related uses. This change is also reflected in the proposed new Provincial Planning Statement 2024. The intent of these provincial policy changes is to encourage mixed-use development outside of the newly defined employment areas and to create more complete communities. Regrettably, OPA 680 is in direct contradiction to this provincial direction.

Our client is not aware of the City having undertaken any analysis of the Property and its unique characteristics before proposing to adopt OPA 680 and, respectfully, it is no answer to say that existing commercial uses can remain on the Property even if OPA 680 is adopted. OPA 680 intends to plan for the future and that planning is not appropriate as it applies to the Property. Accordingly, our client wishes its objections to be on the record.

Thank you for City Council's consideration of our client's concerns and please send us notice of all decisions, meetings, reports, etc. related to this matter.

Yours truly,

KAGAN SHASTRI DeMELO WINER PARK LLP

A handwritten signature in cursive script that reads "Ira Kagan".

Ira T. Kagan

cc: Leslie-Lakeshore Developments Inc.

Please reply to the: Yorkville Office