

July 22, 2024

Email: [councilmeeting@toronto.ca](mailto:councilmeeting@toronto.ca)

Toronto City Council  
Toronto City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

Attention: John D. Elvidge, City Clerk

Dear Mayor and Members of Council:

**Re: Item No. PH14.1 – Employment Area Land Use Permissions – Decision Report Approval  
Proposed Official Plan Amendment 680  
Council Meeting: July 24, 2024**

We are writing with respect to our property at the southeast corner of Finch Avenue West and Arrow Road in the City of Toronto, legally described as PART OF LOT 20, CONCESSION 5 WEST OF YONGE STREET CITY OF TORONTO and with a total area of approximately 4.7 acres.

We have reviewed the Report For Action, dated June 24, 2024, titled *Employment Area Land Use Permissions – Decision Report - Approval* recommending that Council adopt Official Plan Amendment 680 (“Draft OPA 680”), to be considered by the Toronto City Council at its meeting on July 24, 2024. We write to communicate our concerns with Draft OPA 680 which should be considered in tandem with our letter to City Council regarding Draft OPA 668 on July 18, 2023, herein attached for reference.

Draft OPA 680 is premature in its implementation given that the new proposed Provincial Planning Statement (“New PPS”) and the applicable sections of Bill 97 (including Subsection 1(1) regarding the new definition of “Area of Employment” and Subsections 1(1.1) and (1.2) authorizing the proposed transition provisions) are not yet in force and in effect. Until Bill 97 and PPS 2023 are fully in force, additional amendments to the *Planning Act* and the New PPS could be introduced. Draft OPA 680 will not assist the City in bringing its official plan into conformity and/or consistency with Provincial Policy as the City’s draft amendment will entirely precede that policy and may be incongruent with future policy when it is announced. Rushing to enact Draft OPA 680

before a comprehensive understanding of the implications is obtained may lead to unintended consequences.

Together with Draft OPA 668, Draft OPA 680 provides for what is, in effect, legal non-conforming recognition of existing uses. This therefore significantly restricts the options available for the future use of land and limits the expansion of existing business operations. This limits the ability of businesses that choose to locate within the City of Toronto to respond to changing market dynamics and economic opportunities.

Draft OPA 680 is contrary to the intention of Bill 97. The legislation introduced by the province allows for the strengthened protection of defined employment areas and the separation of incompatible land uses while allowing for the greater flexibility and adaptation in land use for new developments and operations not captured under the new definition of “areas of employment”. Instead, Draft OPA 680, removes existing land use permissions from all of the City’s employment areas without conducting due examination into the appropriateness of this policy direction. Contrary to the intent of Bill 97, Draft OPA 680 effectively prevents consideration of expanded development opportunities while negatively impacting the existing planning function of many of those areas. This sweeping, all-inclusive approach to Draft OPA 680, which does not account for area-specific factors and removes existing land use permissions, would frustrate the province’s intentions and simply maintain a rigid status quo across the City’s employment lands.

## **Conclusion**

We request that Council not approve Draft OPA 680, refer this matter back to staff, direct staff to reconsider its sweeping, all-inclusive approach to applying the amendment and direct staff to bring forward a recommendation report only once the new definition of “area of employment” and the New PPS are in force.

We ask to be notified of any decisions made by City Council, or Committee of Council, in connection with this matter.

Regards,



KATPA HOLDINGS INC.  
per: Adam De Luca, Counsel

Attachment ‘A’: Letter from Katpa Holdings Inc. to Toronto City Council dated July 18, 2023 regarding OPA 668 titled *PH5.2 - Official Plan Amendment for Bill 97 Transition - Authorizing the Continuation of Institutional and Commercial Uses in Employment Areas – Final Report*

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July 18, 2023

Email: [councilmeeting@toronto.ca](mailto:councilmeeting@toronto.ca)

Toronto City Council  
Toronto City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

ATTN: John D. Elvidge, City Clerk  
Sylwia Przewdziecki

Dear Mayor and Members of Council:

**Re: PH5.2 - Official Plan Amendment for Bill 97 Transition - Authorizing the  
Continuation of Institutional and Commercial Uses in Employment Areas - Final  
Report  
Council Meeting: July 19, 2023**

We are writing with respect to our property at the southeast corner of Finch Avenue West and Arrow Road in the City of Toronto, legally described as PART OF LOT 20, CONCESSION 5 WEST OF YONGE STREET CITY OF TORONTO and with a total area of approximately 4.7 acres.

We have reviewed the Final Staff Report, dated June 19, 2023, with respect to the proposed Official Plan Amendment for Bill 97 Transition - Authorizing the Continuation of Institutional and Commercial Uses in Employment Areas ("Draft OPA 668"), to be considered by the Toronto City Council at its meeting on July 19, 2023. We write to communicate our concerns with Draft OPA 668.

Draft OPA 668 is premature in its implementation given that the new proposed Provincial Planning Statement ("New PPS") and the applicable sections of Bill 97 (including Subsection 1(1) regarding the new definition of "Area of Employment" and Subsections 1(1.1) and (1.2) authorizing the proposed transition provisions) are not yet in force and in effect.

Until Bill 97 and PPS 2023 are fully in force, additional amendments to the *Planning Act* and the New PPS could be introduced. Draft OPA 668 will not assist the City in bringing

its official plan into conformity and/or consistency with Provincial Policy as the City's draft amendment will entirely precede that policy and may be incongruent with future policy when it is announced. Rushing to enact Draft OPA 668 before a comprehensive understanding of the implications is obtained may lead to unintended consequences.

Draft OPA 668 provides for what is, in effect, legal non-conforming recognition of existing uses. This therefore significantly restricts the options available for the future use of land and limits the expansion of existing business operations. This limits the ability of businesses who choose to locate within the City of Toronto to respond to changing market dynamics and economic opportunities.

Draft OPA 668 is contrary to the intention of Bill 97. The legislation introduced by the province allows for the strengthened protection of defined employment areas and the separation of incompatible land uses while allowing for the greater flexibility and adaptation in land use for new developments and operations not captured under the new definition of "areas of employment". However, City staff's sweeping, all-inclusive approach to Draft OPA 668, which does not account for area-specific factors, would frustrate the province's intentions and simply maintain a rigid status quo across the City's employment lands.

## **Conclusion**

We request that Council not approve Draft OPA 668, refer this matter back to staff, direct staff to reconsider its sweeping, all-inclusive approach to applying the amendment and direct staff to bring forward a recommendation report only once the new definition of "area of employment" and the New PPS are in force.

We ask to be notified of any decisions made by City Council, or Committee of Council, in connection with this matter.

Regards,



KATPA HOLDINGS INC.  
per: Adam De Luca, Counsel

cc. clerk@toronto.ca  
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