



Bennett Jones

Bennett Jones LLP  
3400 One First Canadian Place, P.O. Box 130  
Toronto, Ontario, M5X 1A4 Canada  
T: 416.863.1200  
F: 416.863.1716

Andrew L. Jeanrie  
Partner  
Direct Line: 416.777.4814  
e-mail: jeanriea@bennettjones.com  
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**VIA EMAIL: [citycouncil@toronto.ca](mailto:citycouncil@toronto.ca)**

City Clerk's Office  
2nd Floor West Tower  
Toronto City Hall  
100 Queen Street West  
Toronto ON M5H 2N2

Dear Mayor and Members of Council

**Re:** Item No. PH 14.1 – Employment Area Land Use Permissions- Decision Report  
Item No. 2023 PH5.2 – Continuation of Institutional and Commercial Uses in Employment Areas  
Proposed Official Plan Amendments No. 680 and Related Amendment 668

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We are writing this letter on behalf of our client bcIMC Realty Corporation, being the owner of 60 Birmingham Street (the "**Property**"). On its behalf, we have been monitoring the City's proposed response to the Province's Bill 97 and the updated definition of *areas of employment* that it introduces into the *Planning Act*.

We are writing this letter to express our client's concerns with respect to the proposed Official Plan Amendment 680 as well as to update our client's concerns with proposed Official Plan Amendment 668 (previous letter attached, which we are resubmitting on behalf of the registered owner of the Property).

**Provincial Direction is Clear and Supported by our Client**

Our client fully supports the Province's direction to municipalities to undertake a local-based analysis of existing employment lands and facilities with the intention of protecting true employment uses, like those found on our client's Property. However, the City's proposed "strategy", fails to determine what other uses are appropriate to support and enhance employment lands over the length of the Official Plan's time horizon of 20 plus years. What City Planning are proposing runs counter to the Province's direction to municipalities. Our client cannot support City Planning's response to the Province.

As such, we are writing in response to the Planning and Housing Committee's adopted recommendations on July 11, 2024, and to speak to the Report from the Interim Chief Planner and Executive Director, City Planning (being the "**Decision Report**") that was before the Committee.

The proposed implementing OPA's would remove office, institutional and commercial land use permissions from all of the City's employment areas without examining whether it is appropriate to do so



on a site-by-site or area-by-area basis. This local analysis is of critical importance to our client and the Property. Without the analysis, City Planning's "blanket removal" of uses could make it more challenging for the employment uses on the Property to prosper for as long as these planning instruments would typically be in place (20 to 25 years).

It is our client's position that the City should be putting its efforts behind not only protecting industrial and warehouse lands, but also fostering the site specific needs of existing employment areas and examining what supporting uses should be permitted. Instead, OPA 680 as presently drafted, will make the long term viability of employment lands more difficult. Similar to companion OPA 668 (which our client has expressed its concerns with), the proposed response of City Planning is contrary to the Province's intentions respecting Bill 97.

Our client's Property is the home of the former Campbells Soup plant in Etobicoke and is a one of a kind, last mile, distribution campus with a total of nearly 400,000 ft<sup>2</sup> of gross floor area. It has been specifically designed to fit into the community and to be a responsible neighbour to the nearby residential community. While the Property is successfully operating today it may benefit in the long run with a more flexible list of supportive uses including defined types of retail, office, restaurant and possibly workshops and live/work units. As a location, certainly the Property fits more within the mixed use objectives of the Province rather than a lot tied to a very limited type of uses that can meet the compatibility requirements of the site. Put differently, a mixed use designation would be appropriate as one that supports both the existing uses and any future evolution of the property, while an employment designation would not make sense given surrounding sensitive land uses.

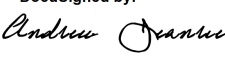
The City's Direction Report is a direct attempt by City staff to circumvent the Province's intentions and it fails to support the long term success of the Property and is a missed opportunity to truly evaluate, within an area wide context, the best future use. The Directions Report, OPA 680 and OPA 668 represent a misinterpretation of the intent of the legislation.

For the reasons set out above, we request City Council direct City staff to respect the intent of Bill 97 and not adopt OPA 680 or OPA 668 as presently drafted, and truly consult the affected stakeholders such as our client, by involving affected landowners in these discussions. We further ask to be notified of any further decisions made by this Committee or Council in connection with this matter.

Yours truly,

**Bennett Jones LLP**

Per:

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Andrew Jeanrie

Enclosure

cc: Client