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October 9, 2024

Mayor Chow and Members of Council

City of Toronto
100 Queen Street West, 10th Floor, West Tower
Toronto, Ontario
M5H 2N2

Sent by email: councilmeeting@toronto.ca

Dear Mayor Chow and Members of Council:

**RE: PH8.14 – CITY OF TORONTO OFFICIAL PLAN AMENDMENT 680
ANTORISA INVESTMENTS LTD. – 24 THE EAST MALL, ETOBICOKE**

On behalf of our client, Antorisa Investments Ltd. we are writing to express their concerns in regards to City of Toronto Official Plan Amendment (hereinafter “OPA 680”) as it affects their landholdings located at 24 The East Mall in Etobicoke (the “Subject Lands”).

The Subject Lands contain a mix of retail, service commercial and office uses. Further, our client has been planning to relocate their offices to this property. Therefore this initiative has severely impacts on the Subject Lands.

As discussed in the staff report, OPA 680 proposes various amendments to Official Plan Employment Areas policies in Chapter 2, 3 and 4 of the City of Toronto Official Plan. Specifically these changes would limit permitted office and retail uses within Employment Areas to only those which are ancillary to industrial, warehousing and other Core Employment Area uses.

Through Bill 97, the Province introduced new legislative changes to the definition of “Area of Employment” in the Planning Act. Municipalities, including Toronto, would be required to amend their Official Plans to implement this change in definition. It is our understanding that the intent behind this legislative change was to remove office, retail and institutional uses as being protected as “Area of Employment” rather than revoking use permissions. This distinction is crucial. The proposed amendment appears to misinterpret the original intent, leading to unnecessary restrictions on these uses and ultimately leading to site becoming legal non-conforming.

Our client does not believe that the changes proposed by City staff are appropriate nor what the Province intended as noted above for the following reasons:

1. Doing so could lead to a detrimental impact on its properties and the ongoing operations and services its tenants provide within Employment Areas.

2. OPA 680 effectively removes the distinction between the Core Employment Areas and General Employment Areas designations, rendering the latter meaningless – again this is not the intention of Bill 97 from our understanding.
3. It would have a detrimental and undermining impact on such Employment Area initiatives that have been successfully implemented using broad employment uses (including retail and offices), including for the Subject Lands and surrounding area.
4. By rendering sites as “legally non-conforming” through this initiative (as the Zoning By-laws will need to be updated to conform to Official Plan policy), our client is concerned that their ability to mortgage and further invest in these properties will be undermined by this unwanted new status. This will have a tremendously negative impact on these properties, which have been planned for retail and office uses for a number of years, undermining other key economic development policies and initiatives of the City.

The above comments are not theoretical, but are a real and substantial issue for the Subject Lands that largely consist of retail, service commercial and office uses.

The current approach taken by City staff is an overreaction in our opinion. It has not fully considered the implications for landowners, retail and building industries, the general public and other stakeholders. A decision of this scale requires a more inclusive dialogue, ensuring that all affected parties have the opportunity to provide input and that the City fully understands the impact of such changes.

We therefore request the City Council defer this matter and direct City staff for future review and consultation.

We kindly request to receive notifications regarding any decisions made by City Council pertaining to this matter.

Thank you.

Yours truly,

HOROSKO PLANNING LAW



Barry A. Horosko, BES, JD

cc: Clients
D. McKay