



October 8, 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
829 THE QUEENSWAY INC. – 829 THE QUEENSWAY
OUR FILE: 22301'A'**

On behalf of our client, 829 The Queensway Inc, we are providing this letter of concern regarding City of Toronto Official Plan Amendment 680 (hereinafter "OPA 680"). Our client owns the property municipally addressed as 829 & 831 The Queensway in Etobicoke (the "Subject Lands").

The Subject Lands front onto The Queensway and are currently occupied by single storey commercial uses (Starbucks and Money Mart). Through an error which occurred in the mapping associated with Official Plan Amendment 231, the Subject Lands were redesignated from *Mixed Use Areas* to *General Employment Areas*. While this error will be addressed (partially) by the redesignation of the northerly portion of the Subject Lands back to *Mixed Use Areas*, by Official Plan Amendment 653, the approval by the Province of Official Plan Amendment 653 is still outstanding (thus the Subject Lands in their entirety are still designated *General Employment Areas*). Furthermore, the redesignation of the Subject Lands through Official Plan Amendment 653 still leaves the southerly portion of the Subject Lands as *General Employment Areas*.

Given the above status, our client is deeply concerned with the loss of their retail commercial permissions on the Subject Lands (now and for the southerly portion of the Subject Lands in the future). As discussed in the staff report, the intent of OPA 680 would be to amend the Official Plan *Employment Areas* policies in Chapter 2, 3 and 4 of the City of Toronto Official Plan by limiting permitted office and retail uses within Employment Areas to only those which are ancillary to industrial, warehousing and other *Core Employment Area* uses. We understand that this is in response to Bill 97, introduced earlier this year whereby the definition of "Area of Employment" in the Planning Act was modified to exclude retail, office and institutional uses.

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 the use permissions wholesale as is proposed by City staff through OPA 680. This distinction is crucial. The proposed amendment appears to misinterpret the original intent, leading to unnecessary restrictions on these uses and ultimately leading to the sites becoming a legal non-conforming. Rather the intent was for municipalities to undertake detailed reviews and determine which lands should be protected as "Areas of Employment" (i.e. industrial, manufacturing, warehousing) and those that are not (office, retail and institutional).

Our client does not believe that the changes proposed by City staff are appropriate nor what the Province intended as noted above. Doing so would lead to a detrimental impact on the usability of the Subject Lands, which has been successfully providing retail and commercial services to Etobicoke residents. Further, it effectively removes the distinction between the *Core Employment Areas* and *General Employment Areas* designations

We find that the current approach taken by City staff is an overreaction that 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.

The proposed changes to the City of Toronto Official Plan designations for the Subject Lands would effectively become a legal non-conforming use. Our client is concerned that this change in permission will exclude it from updating / retrofitting or redeveloping their properties which include their existing permissions for retail uses (as currently designated as *General Employment Areas* and for the rear portion of the Subject Lands should Official Plan Amendment 653 be approved by the Province).

We therefore request the Council not adopt Official Plan 680 and direct staff to undertake a thorough review as intended by the Province and ensure that full and thorough consultation occurs after the thorough review occurs.

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

If you have any further questions, please do not hesitate to contact the undersigned.

Thank you.

Yours truly,

MHBC



David A. McKay, MSc, MLAI, MCIP, RPP
Vice President & Partner

cc. Client