

July 10, 2024

Our File No.: 241431

Via Email: phc@toronto.ca

City of Toronto
Planning and Housing Committee
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Chair Perks and Members of the Planning and Housing Committee

Dear Ms. Martins:

Re: PH14.1 - Employment Area Land Use Permissions - Decision Report - Approval

We are writing on behalf of the Building Industry and Land Development Association (“**BILD**”). With over 1,200 member companies, BILD is the voice of the land development, home building and professional renovations industry in the Greater Toronto Area. As the voice of this industry, BILD is writing to the Planning and Housing Committee to express concerns with OPA 668 and OPA 680, which propose to amend the City’s Official Plan in response to *Bill 97 (the Helping Homebuyers, Protecting Tenants Act, 2023)* (“**Bill 97**”) and the new Provincial Planning Statement (2024) (the “**New PPS**”) that change the definition of an “area of employment”.

Bill 97 and the New PPS narrow the definition of “area of employment” to traditional manufacturing, warehousing, R&D and related uses. Bill 97 and the New PPS expressly provide that areas where institutional and commercial uses (including retail and office uses not associated with primary industrial uses) are permitted those areas are no longer to be considered an “area of employment”. The intent of Bill 97 and the New PPS is clear. Employment areas where residential uses are prohibited are limited to areas with traditional manufacturing, warehousing, R&D and related uses. Residential development is to be encouraged outside of these areas to support residential housing needs and the creation of complete communities.

The proposed policy direction for OPA 680 is contrary to the legislative intent of Bill 97 and the New PPS. Rather than consider what lands within the City should meet the new definition of an “area of employment”, OPA 680 would remove 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. Effectively, OPA 680 would preclude the construction of much-needed housing in areas that can accommodate housing as intended by Bill 97 and the New PPS.

In addition, OPA 680 would negatively impact the existing planning function of many areas of employment. For example, to ensure all areas of employment within the City of Toronto remain areas of employment, OPA 680, if approved, would remove office uses for existing office parks that may prevent new office buildings in the future from being constructed.

While we understand that it is the City's view that subsections 1(1.1) and (1.2) of the *Planning Act* and OPA 668 would allow institutional and commercial permissions to continue in areas of employment despite OPA 680's removal of those permissions, we believe this interpretation is incorrect. It is our view that these 'transition' provisions are intended to permit the continuation of an existing commercial and/or institutional use currently situated within an area of employment where permissions for commercial and/or institutional uses are removed. These transition provisions do not allow for commercial and/or institutional uses to be permitted generally for an area where those same permissions have been removed through OPA 680, as suggested by the City.

On behalf of BILD, we request that Planning and Housing Committee refer this report back to City staff to review all existing lands designated as areas of employment on a case-by-case basis to determine which of these areas should meet the new definition of area of employment and what are the appropriate land use permissions for these areas.

We would appreciate being included on the City notice list related to this matter.

Yours truly,

Goodmans LLP



Joe Hoffman

JH/rr