

Toronto

July 10, 2024

Chris Barnett
Direct Dial: 416.862.6651
CBarnett@osler.com

Montréal

Calgary

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

Ottawa

Vancouver

Dear Members of Committee:

New York

RE: PH 14.1 Employment Land Use Permissions – Decision Report

We act on behalf of Century Standard Development Corporation, the registered owner of 1118-1126 Finch Avenue West¹ and 5781 Steeles Holdings Limited, the registered owner of 5781-889 Steeles Avenue West², Toronto (the “Subject Properties”). The Subject Properties are both located in the General Employment designation in the Toronto Official Plan. They contains a range of uses, including a commercial plaza, consisting of multi-tenanted buildings, an office building and retail uses.

On behalf of our clients, we write to express their concern over the approach that is being proposed in OPA 680 with respect to uses that are permitted under the existing official plan permissions. While OPA 668 does provide for transition for legally established uses as required by the changes to the *Planning Act* enacted Bill 97, our clients are of the view that a clear definition of ‘lawfully established’ is necessary in order to provide certainty to the owners of lands affected by the change in definition.

Uses that are permitted today should be clearly permitted to continue in the future, so that (for example) an existing tenanted use would have the ability to expand their operations without the necessity of having to go through the process of an application under the *Planning Act*. Equally, since any changes implemented through OPA 680 will need to be reflected in zoning by-laws, existing official plan permissions should continue so that space that is either currently vacant, or may become vacant in the future can be tenanted with uses that are consistent with the existing uses on the property.

While our clients understand the need to allow residential uses where appropriate as part of the Bill 97 changes to the *Planning Act*, this cannot be at the expense of existing employment uses not being able to continue over the long term.

¹ Approx. 10 acres, comprising 250,000 sq. feet including an 8 storey office building of over 100,000 sq. feet and 4 low rise buildings.

² Containing a multi-tenant industrial building with approximately 130,000 sq. feet of space with a variety of users

We ask that Committee consider how to provide necessary certainty for employment land owners so that existing and potential future employers in the City have the certainty that they are able to continue and potentially expand their uses as they can today. This could include referring the matter back to staff in order to further consult on how to best provide that certainty.

Yours very truly,

A handwritten signature in black ink, appearing to read "Chris Barnett". The signature is fluid and cursive, with a prominent flourish at the end.

Chris Barnett
Partner

CB:s