

10 July 2024

Sent via e-mail to phc@toronto.ca

Nancy Martins
Administrator, Planning and Housing Committee
100 Queen Street West, 10th Floor,
West Tower, Toronto ON
M5H 2N2

Dear Ms. Martins and Committee Members,

**Re: Item PH14.1 - Employment Area Land Use Permissions - Decision Report
Official Plan Amendment 680
Submission Letter - Desjardins**

We represent Desjardins Financial Security Life Assurance Company (“Desjardins”) and the registered owner of lands municipally known as 1455-1457 McCowan Road and 41-47 Milner Avenue in the City of Toronto (the “Site”). The Site is currently developed with a commercial centre known as the Town Centre Plaza.

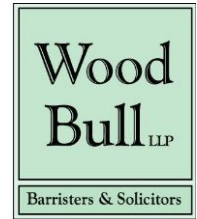
We understand that the Planning and Housing Committee (“Committee”) will be considering Item PH14.1 on 11 July 2024 regarding Official Plan Amendment 680 (“OPA 680”) and write to express our client’s concerns with the proposed OPA as included in Attachment 1 on the Committee agenda.

Background

The Site is subject to the adopted Official Plan Amendment No. 653 (“OPA 653”), which, on a site-specific basis, amends Map 2 of the Official Plan respecting Urban Structure to remove the western portion of the Site from *Employment Areas*, redesignates the same western portion of the Site from *General Employment Areas* to *Regeneration Areas* on Map 19 respecting Land Use, and adds a new Site and Area Specific Policy, numbered 850, to Chapter 7 of the Official Plan (the “SASP”). As such, even following the conversion, a portion of the Site remains designated *General Employment Area*.

The latest public version of the Proposed Provincial Planning Statement (“PPS 2024”) reflects the changes introduced by Bill 97 regarding the definition of “Area of Employment”. The PPS 2024 will introduce policies that further direct the protection and preservation of employment lands for industrial uses. PPS 2024 specifically excludes primary commercial uses (including retail and office uses) from Employment Areas.

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As we understand it, the intent of OPA 680 is to align the Official Plan employment policies with the new definition of "area of employment" in the *Planning Act* (as amended by Bill 97) and as reflected throughout PPS 2024. We have concerns about the approach as detailed below.

Submissions

OPA 680 imposes undue restrictions on the future redevelopment of the Site as follows:

- **Lack of Policy Direction for Existing Uses**

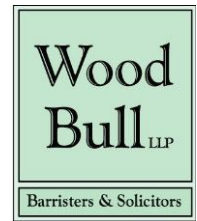
The Site currently contains a commercial centre comprised of retail and office uses with no manufacturing or industrial uses. Under OPA 680, a portion of these existing on-site uses (those within the *General Employment Area*) would no longer conform to the Official Plan and any future commercial development proposed for the Site that is non-industrial in nature would require an amendment to the Official Plan. Imposing restrictive land use policies through OPA 680 without considering future redevelopment of lands within Employment Areas that do not contain, and are not suitable for, industrial uses does not maintain the intent of the provincial policy and does not support future redevelopment of the Site.

- **Contradictory Policy for Office Uses**

Proposed Policy 2.2.4.2(c) of OPA 680 contradicts the permitted uses in Proposed Policy 2.2.4.1 of OPA 680. The policy reads as though Employment Areas are to provide opportunities for new office buildings, where permitted. However, the amended definition of "area of employment" outlined in the *Planning Act* and in PPS 2024 specifically excludes office uses that are not associated with primary employment uses. As such, Policy 2.2.4.2(c) lacks clarity and, as worded, appears to contradict the intent of the provincial policy that specifically excludes office buildings from the definition of "area of employment".

- **Does not maintain the intent of the General Employment Area**

The current Official Plan describes *General Employment Areas* as areas that are "generally located on the peripheries of Employment Areas [that would permit] all types of associated retail, including restaurants, and all types of retail, and service uses." OPA 680 would no longer permit "all types of retail" in *General Employment Areas* and instead specifies that only "associated retail" will be permitted. Given these lands have current retail uses, and were not intended to be industrial in nature, it is our client's submission that OPA 680 is not appropriate, and that it would be appropriate that the entirety of the Site be redesignated to from *General Employment Areas* to *Regeneration Area*.



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Request for Notice

We ask that we be provided with any Notice of Decision and/or Notice of Public Meeting for any future meetings being held by Committee or Council in regard to this matter.

Thank you for your consideration of this submission.

Yours very truly,

Wood Bull LLP

A handwritten signature in blue ink, appearing to read "Jshapira", is positioned below the firm name.

Johanna R. Shapira

JRS/as

c. Client