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May 16, 2025

Via E-Mail – councilmeeting@toronto.ca

City Council

Toronto City Hall

100 Queen Street West

Toronto, Ontario M5H 2N2

Attention: Sylwia Przewdziecki

Dear Mayor Chow and Members of Council:

Re: Proposed Official Plan Amendment 804 ("OPA 804")

Item - 2025.PH21.1

Official Plan Amendment to align Provincial Legislative and Policy changes related to Employment Areas

No.: 2180 Islington Avenue

We represent 2554190 Ontario Inc., the owner of 2180 Islington Avenue (the **"Property"** is identified below) which presently contains a hotel and is now operating as a municipal shelter .



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On behalf of our client, we have reviewed the City's proposed OPA 804 and monitored the May 8th, 2025 Planning and Housing Committee meeting ("**P+H Committee**"). Our client had hoped that the P+H Committee would have directed City staff to "review lands" beyond the four office parks that it did. As the P+H Committee has not directed Staff to commence a broader review we are writing to convey our client's concerns, but just as importantly identify the opportunity with respect to the Property.

We request that City Council take this opportunity to redesignate the Property from "Core Employment" to "Regeneration Areas" with the full list of non-residential use permissions it provides. A fulsome list of employment and commercial uses should be permitted in order to provide the opportunity for this Property to contribute to the creation of a complete community in connection with the about mix of uses.

We highlight that our client is not asking for residential permissions as part of the redesignation request. They are simply asking for Official Plan permissions that support a wide range of employment type uses that are restricted through the existing official plan designation and which our client's hotel/municipal shelter use are not even permitted today. It would not be appropriate or feasible to convert this hotel/municipal shelter parcel into manufacturing or warehousing.

Concerns with Proposed OPA 804

Our client's concerns with OPA 804 are tied to its failure to look beyond (four) office parks for redesignation. As Planning staff have noted, the Province directed the City to evaluate lands that in fact needed to be protected from conversion in order to protect manufacturing and warehousing areas. The Property does not require protection (it is a former hotel presently being used as a municipal shelter) and would greatly benefit from an expanded list of employment uses including office space, and places for locals and workers to eat (to name two). The City's response to Provincial direction was to only look at office parks, being characterized as the low hanging fruit for review. This is not what the Province contemplated when it directed the City to truly consider what needed protection and what lands would benefit from an expanded list of use permissions.

The Property

The Property is improved with an expansive surface parking lot servicing a 13-storey hotel form building. It is bordered by office space to the south (also not permitted) with a residential neighbourhood further south, residential to the east, a vacant warehouse building to the west and to the north a rail corridor.

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Unfortunately, the dynamics of the economy have shifted and will continue to shift into the future. Areas of the City that won't be used for manufacturing and warehousing but still wish to provide employment opportunities need the ability to pivot to meet market needs. For example, as proposed, OPA 804 does not allow for a full range of employment uses that could be achieved if the Property were redesignated "Regeneration Area". A "Regeneration Area" designation would allow flexibility to address future needs and not negatively impact existing neighbours. The redesignation to "Regeneration Area" would permit a full suite of non-residential uses and will provide a broad range of employment and non-residential uses and a range of jobs to enable long-term employment growth.

The clear intent of Provincial legislation, which OPA 804 is reportedly responding too, is to facilitate the development of healthy complete communities where housing, office, institutional, retail and other non-manufacturing and industrial uses co-exist and, in doing so, alleviate both the housing crisis and create vibrant new neighbourhoods throughout the City, while protecting specific areas of employment, where manufacturing and industrial uses will be focused.

Also, an issue to our client is that OPA 804 is the policy phrasing of "continuation of lawfully established uses". The City has taken the approach of using non-defined terminology which leads to open inconsistent interpretation on go-forward basis. What does "lawfully established" mean in the context of "provided that the use was lawfully established on the parcel of land before October 20, 2024". The failure to add any specification surrounding this policy leaves a considerable window of uncertainty and potential for inconsistent interpretations. As currently written, there is no clarity as to what "lawfully established" means in practice. For example, if the current use is both a hotel and a municipal shelter (neither of which are permitted in the 'Core Employment' designation), is this lawfully established if either closes for a period of time? If a use is existing, but temporarily shutters, can a different tenant of the same use then occupy the space under a "lawfully established" pretense? If so, what is the maximum length of time for this transition to occur?

Lastly, to support the Province's initiatives, our client supports OPA 804's intentions with respect to repealing both OPA 668 and OPA 680, both of which our client objected to.

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OPA 804 provides a timely opportunity to ensure the City's latest attempt at an employment lands review is fair and complete as it relates to this Property.

We request on behalf of our client to be notified of any future meetings respecting employment lands and OPA 804, and of the Council's eventual decision respecting the same. If you have any questions, please contact the undersigned.

Yours truly,

BENNETT JONES LLP

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Andrew L. Jeanrie

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Andrew L. Jeanrie

c.c.: Client