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Our File No.: 093365.00014

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:

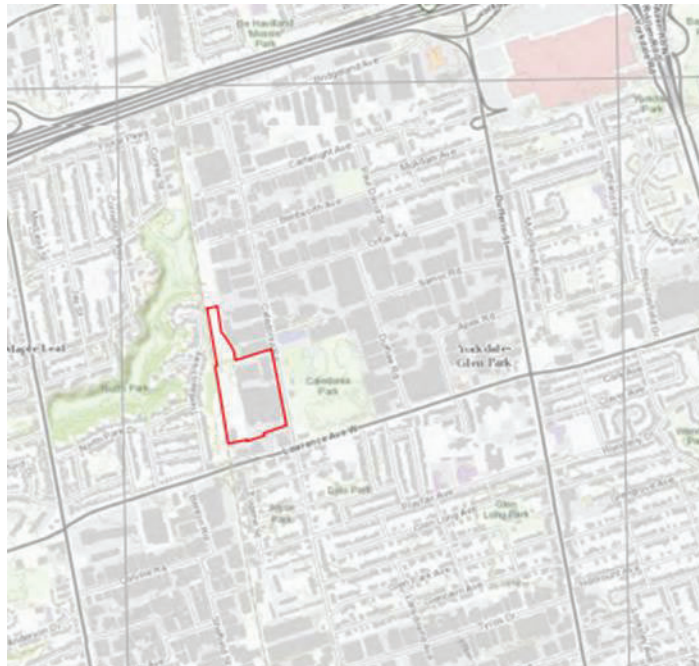
Re: Proposed Official Plan Amendment 804 ("OPA 804")

Item – 2025.PH21.1

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

Nos.: 0, 1100, 1120, 1130 and 1150 Caledonia Road

We represent 5000 Real Estate Investments Inc., the owner of 0, 1100, 1120, 1130 and 1150 Caledonia Road (the **"Property"**).



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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 (the “**P+H Committee**”) meeting. Our client had hoped that the P+H Committee would have directed City Planning staff to “review lands” beyond the four office parks that it did.

As the P+H Committee has not directed City Planning Staff to commence a broader review, we are writing to convey our client's concerns and, just as importantly, to identify the opportunity with respect to the Property.

We request City Council take this opportunity to redesignate the Property from “**Core Employment**” and “**General Employment**” to “**Regeneration Areas**” with the full list of non-residential use permissions it can provide. A comprehensive list of employment and commercial uses should be permitted to allow the Property to contribute meaningfully to the creation of a complete community that fits into this neighbourhood. We emphasize that our client is not seeking residential permissions as part of the redesignation request.

Concerns with Proposed OPA 804

Our client's concerns with OPA 804 stem from its failure to look beyond four office parks for redesignation. As City Planning staff have noted, the Province directed the City to evaluate lands that genuinely require protection from conversion in order to protect manufacturing and warehousing areas. The Property does not require protection and would greatly benefit from an expanded list of non-residential uses – including research and development not directly tied to on-site manufacturing, office space, self-storage, and amenities for local residents and workers to eat.

The City's response to the Province's direction has, thus far, been limited to focus solely on office parks, which have been characterized as the “**low hanging fruit**”. 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 employment uses, and for some the addition of residential permissions.

The Property

The Property is irregularly shaped, comprised of four parcels including 0, 1100, 1120, 1130, and 1150 Caledonia Road. The Property occupies an area of approximately 22.4 acres (9.15 hectares). At present, the Property contains a mix of buildings and vacant lands. 1100 Caledonia Road was developed with a single-storey office and warehouse building, accompanied by associated asphalt parking areas. The building at 1120 Caledonia Road was a slab-on-grade multi-tenant commercial retail plaza with an associated asphalt parking lot. 1130 Caledonia Road was developed with a slab-on-grade warehouse building. The southern portion of 1150 Caledonia Road was developed with a vacant single-storey, slab-on-grade industrial building, while the northern portion was occupied by a vacant yard. 0 Caledonia Road is vacant of structures with a gravel pad used for storage in the southeastern portion.

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Our client is processing two updated site plan approval applications that will support the employment uses into the future. The buildings with purpose-built employment space will comply with zoning, but it is worth noting this includes self storage which is permitted by site specific Zoning, but not by the existing

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Official Plan policies. The redesignation to “**Regeneration Areas**” would align with the zoning use permission.

Expanded Non-Residential Uses are Desirable

As proposed, OPA 804 does not allow for a full range of employment uses that could be achieved if the Property were redesignated a “Regeneration Area”. Notably, uses such as self-storage and office are not permitted. 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, to which OPA 804 is reportedly responding, is to facilitate the development of healthy complete communities – where housing, office, institutional, retail and other non-manufacturing and industrial uses can co-exist. In doing so, it both alleviates the housing crisis and fosters the creation of vibrant new neighbourhoods across the City, while protecting specific areas of employment, where manufacturing and industrial uses will be focused.

Another concern for our client is the policy language in OPA 804 regarding the “**continuation of lawfully established uses**”. The absence of clear specifications around this policy creates significant uncertainty and opens the door to inconsistent interpretations. As currently drafted, there is no clear definition of what “**lawfully established**” means in practice. For example:

- If the current zoning permits a use that is not presently in operation, is that use still considered lawfully established despite the new Official Plan policies no longer permitting it?
- If a use is active but a tenant vacates the unit, can a new tenant of the same use occupy the space under the presumption of it being lawfully established? If so, what is the allowable timeframe for such a transition?

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.

OPA 804 provides a timely opportunity to ensure that the City’s latest employment lands review is both fair and comprehensive with respect to this Property. On behalf of our client, we respectfully request to be notified of any future meetings concerning employment lands and OPA 804, as well as of Council’s final decision on these matters. Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

BENNETT JONES LLP

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Andrew L. Jeanrie

c.c.: Client