



May 7, 2025

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Attention: Nancy Martins, Committee
Administrator &
Members of Council

**Re: 2025.PH21.1 – Official Plan Amendments to align with Provincial Legislative and Policy changes related to Employment Areas | OPA 804
Planning and Housing Committee, May 8, 2025**

We are the lawyers for CT REIT, Canadian Tire Corporation, Limited and Canadian Tire Properties Inc., Canadian Tire Real Estate Limited, and other Canadian Tire entities, the owners of significant lands across the City of Toronto improved with Canadian Tire retail stores, gas bars and other uses ("**Canadian Tire**"). Some of these landholdings are within areas currently designated as *Core Employment Areas* or *General Employment Areas* in the City's Official Plan, as well as within Protected Major Transit Station Areas, where significant development is anticipated in support of provincial and municipal policies and goals focused on advancing intensification and transit-oriented development. Canadian Tire's lands at 4570 and 4630 Sheppard Avenue East are also the subject of the Minister-modified OPA 653, which redesignated a portion of the site from *General Employment Areas* to *Regeneration Areas*.

On behalf of Canadian Tire, we provide the following comments on Official Plan Amendment 804 ("**OPA 804**") the City's new response to Bill 97, the *Helping Homebuyers, Protecting Tenants Act*, 2023 ("**Bill 97**") and the new Provincial Planning Policy, 2024 ("**PPS**"). Bill 97 and the PPS restricted area of employment protections to traditional manufacturing, warehouse, and related industrial uses. Through the proposed adoption by-law, the City intends to repeal Official Plan Amendment 668 ("**OPA 668**") and Official Plan Amendment 680 ("**OPA 680**"), its prior response to the new Provincial direction, to which the Province previously intervened by Regulation 396/24, and replace these with nearly identical policies in OPA 804. Canadian Tire maintains the same concerns with this instrument as it outlined in our prior correspondence respecting OPA 668 and 680.

OPA 804 continue to broadly restrict the City's employment areas in a manner inconsistent with provincial policy, while eliminating existing permissions for commercial and other non-employment uses. OPA 804 should be refused, subject to staff conducting further analysis,

consultation, and refinement of the amendment's application to ensure that the City achieves the Province's policy directions and objectives.

OPA 804 is Contrary to Provincial Legislation and Policy Direction

OPA 804 is inconsistent with the Province's clear policy direction for employment lands implemented through the PPS and the Bill 97 *Planning Act* amendments. Like OPAs 668 and 680, OPA 804 purports to include largely all employment areas as "areas of employment", despite clear provincial direction to limit areas of employment to sites featuring heavy industrial uses to make more land available for mixed-use development.

While OPA 804 proposes to redesignate four of the City's employment areas, the City's analysis appears limited to certain office parks and criteria not consistent with Provincial policy. Many additional areas across the City, including those with Canadian Tire sites, already include a broader range of uses beyond that of an "area of employment". OPA 804 would continue to limit development of these lands, despite their commercial or mixed-use (or institutional) characters.

OPA 804 Does Not Represent Good Planning

OPA 804's policy direction does not represent good planning. The Province has provided clear direction to limit areas of employment to sites featuring heavy industrial uses. In imposing those limits, the Province intends to make more land available for housing and complete communities. The City's broader policies also support these goals. OPA 804 risks impeding such goals, by imposing additional barriers to the expansion of existing non-employment uses across the City. A more nuanced and comprehensive approach to redesignating the City's employment lands would be consistent with the PPS and *Planning Act* and represent good planning.

We thank you for the opportunity to comment on OPA 804 and ask that our office be provided with notice of any meetings and decisions related to this matter.

Yours truly,

Cassels Brock & Blackwell LLP



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Cc: Adrianna Pilkington (apilkington@cassels.com)