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Our File No.: 242256

**Delivered Via Email**

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

**Attention: Nancy Martins (phc@toronto.ca)**

Dear Sirs/Mesdames:

**Re: Item No. 2025.PH21.1 – Official Plan Amendments to align with Provincial  
Legislative and Policy changes related to Employment Areas – Decision Report**

We are solicitors for 1 Laird Developments Inc., 1 Laird Development Limited Partnership, 33 Laird Development Inc. and 33 Laird Development Limited Partnership in respect of the lands know municipally in the City of Toronto (the “City”) as 1 Laird Drive and 33 Laird Drive (the “Property”).

We are writing on behalf of our client to express significant concerns with the above-noted item and draft Official Plan Amendment No. 804 (“**Draft OPA 804**”). Given these concerns, we respectfully request that Planning and Housing Committee refer Draft OPA 804 back to City staff for further review and consultation with affected property owners.

**Overview of the Property**

The Property is located within an evolving area featuring a mix of uses, including residential uses on the west side of Laird Drive and commercial and retail uses on the east side of Laird Drive. Overall, the area is development from older uses to feature a mix of land uses in proximity to transit and community facilities and services. Laird Drive itself is seeing significant revitalization, including in the form of residential intensification. The Property itself includes storage uses, as well as a vacant building, that are not serving an employment function. Overall, the Property and the surrounding area do not meet the new definition of “area of employment” in the *Planning Act* or the definition of “employment area” in the Provincial Planning Statement, 2024 (the “**PPS 2024**”).

### **Background to Draft OPA 804**

Bill 97 (the *Helping Homebuyers, Protecting Tenants Act, 2023*) received Royal Assent on June 13, 2023. Bill 97 specifically narrowed the definition of “area of employment” to traditional manufacturing, warehousing and related uses. At the same time, Bill 97 confirmed that office, retail and institutional uses are not business and economic uses, unless directly associated with manufacturing, warehousing or related uses. This new definition is directly linked to the definition of “employment area” in the Provincial Policy Statement, 2024 (the “**PPS 2024**”), which similarly limits the scope of areas of employment.

The intent of Bill 97 and the PPS 2024 is clear. Areas subject to employment conversion policies and statutory provisions are limited to areas with traditional manufacturing, warehousing or related uses. At the same time, mixed use development is to be encouraged outside of these areas to support complete communities. Where institutional and/or commercial uses are permitted, those areas are not longer considered an “area of employment”.

The City previously attempted to implement Bill 97 and the PPS 2024 through Official Plan Amendment 668 and Official Plan Amendment 680. Our client – as well as a significant number of landowners – expressed similar concerns prior to City Council adopting those official plan amendments. The Province also had significant concerns with the City’s approach, which led to Ontario Regulation 396/04 and the removal of City as approval authority for these official plan amendments.

### **Concerns with Draft OPA 804**

The proposed policy direction for OPA 804 remains directly contrary to the legislative intent of Bill 97. The policy direction that the City should be implementing would consider which lands within the City truly meet the new definition of area of employment. While City staff suggested they have now completed some sort of analysis, this review was expressly limited to “office parks” that do not act as a buffer to more sensitive uses. City staff did not consider other lands that clearly do not meet the new Provincial direction, including our client’s various properties.

Otherwise, the proposed policy direction in Draft OPA 804 remains to remove existing land use permissions from all of the City’s employment areas, with the exception of four areas. This would effectively prevent consideration of expanded development opportunities in accordance with Bill 97 to meet provincial and municipal forecasts while negatively impacting the existing planning function of many of those areas. Further, it essentially removes any distinction between lands designated as *Core Employment Areas* and *General Employment Areas*. Draft OPA 804 neither implements the new *Planning Act* definition nor is consistent with the PPS 2024.

As noted above, the Property and surrounding area do not meet the new Provincial definitions. While the area may not be an “office park”, however that is defined by City staff, it is clearly not an “area of employment”. As such, not only would the Property be negatively impacted by the

removal of existing use permissions but also Draft OPA 804 would prevent appropriate reinvestment in and development of the Property. A mixed-use redevelopment of the Property could contribute to the provision of a complete community in this area through the delivery of new housing and employment opportunities in proximity to planned higher order transit. Draft OPA 804 is clearly at odds with specific Provincial intent to deliver mixed-use redevelopment in appropriate locations such as the Property.

We understand that the City staff view is that Draft OPA 804 would allow institutional and commercial permissions to continue generally in all existing employment areas despite removal of those permissions. However, in our view, this interpretation is incorrect. Further, City staff's proposed interpretation of these policies undermines the intent of Bill 97 by attempting to use Draft OPA 804 to maintain the status quo with respect to its designated employment areas.

We would appreciate being included on the City notice list on behalf of our client for any City Council decision regarding Draft OPA 804.

Yours truly,

**Goodmans LLP**

David Bronskill  
DJB/

cc. Client

**SCHEDULE A**

**REGISTERED OWNERS AND MUNICIPAL ADDRESSES**

| Registered Owner                                                                     | Properties of Interest                                                     |
|--------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| FCHT Holdings (Ontario) Corporation                                                  | 110 West Toronto Street<br>85 Laird Drive<br>19, 25 & 29 Industrial Street |
| First Capital (King Liberty-Retail/Office) Corporation                               | 85 Hanna Avenue                                                            |
| First Capital (King Liberty-Barrymore) Corporation                                   | 109 Atlantic Avenue                                                        |
| First Capital (Chartwell) Corporation & First Capital Holdings (Ontario) Corporation | 2369-2375 & 2331 Brimley Road, 175 Commander Boulevard                     |