



May 7, 2025

Chair Perks and Members of Planning and Housing Committee

City of Toronto
 100 Queen Street West, 10th Floor, West Tower
 Toronto, Ontario
 M5H 2N2

Sent by email: phc@toronto.ca

Dear Chair Perks and Members of Planning and Housing Committee:

**RE: PH21.1 – CITY OF TORONTO OFFICIAL PLAN AMENDMENT 804
 HOME DEPOT OF CANADA INC. AND HOME DEPOT HOLDINGS INC.
 HOME DEPOT STORE LOCATIONS THROUGHOUT TORONTO
 OUR FILE 9316'HA-37'**

On behalf of our client, Home Depot of Canada Inc. and Home Depot Holdings Inc. (collectively "Home Depot"), we are writing to express their concerns in regards to City of Toronto Draft Official Plan Amendment (hereinafter "OPA 804") as it affects their landholdings located at the following locations:

1. Leaside (Store #7073) – 101 Wicksteed Avenue
2. Curity (Store #7012) - 7 Curity Avenue
3. Caledonia (Store #7134) – 825 Caledonia Road
4. Dufferin (Store #7078) – 2375 Steeles Avenue West
5. Morningside (Store #7027) – 60 Grand Marshall Drive
6. Rexdale (Store #7114) – 1983 Kipling Avenue

Home Depot's warehouse format stores are currently a permitted use in all of the City of Toronto's *Employment Areas*. Most of them are located within the *General Employment Areas*.

As discussed in the staff report, OPA 804 proposes various amendments to Official Plan Employment Areas policies in Chapter 2, 3 and 4 of the City of Toronto Official Plan. Specifically these changes would limit permitted office and retail uses within Employment Areas to only those which are ancillary to industrial, warehousing and other Core Employment Area uses. Similar to submissions made on OPA 680, our client is concerned with the approach being taken by City staff.

Through Bill 97, the Province introduced new legislative changes to the definition of "Area of Employment" in the Planning Act. Municipalities, including Toronto, would be required to amend

their Official Plans to implement this change in definition. It is our understanding that the intent behind this legislative change was to remove office, retail and institutional uses as being protected as “Area of Employment” rather than revoking use permissions.

This distinction is crucial. The proposed amendment appears to misinterpret the original intent, leading to unnecessary restrictions on these uses and ultimately leading to site becoming legal non-conforming. The clear intent is to protect traditional industrial uses, while not protecting areas containing offices, retail and institutional uses.

The City previously attempted to implement Bill 97 and the PPS 2024 through OPA 668 and 680 which the Province had concerns with, leading to the removal of the City as approval authority for those OPAs. Specifically, our client does not believe that the changes proposed by City staff are appropriate nor what the Province intended as noted above for the following reasons:

1. Doing so could lead to a detrimental impact on its properties and the ongoing operations and services its tenants provide within Employment Areas.
2. City staff have only indicated that various business parks should be removed from employment areas, however, this leaves numerous properties with retail and office uses as Employment Areas despite the direction of Bill 97 and the PPS 2024. Again, this is not the intent of the Province’s direction and is only a token gesture and does not recognize properties, like those owned by Home Depot which were intended for retail purposes and if OPA 804 is adopted as written, would not be able to do so. A more thorough review and analysis (parcel by parcel) is required to determine what should or should not be Employment Areas, as intended by the Province. To this effect, we request that Home Depot’s lands as noted above be either redesignated to Mixed Use Areas or a new designation which permits their existing uses continue (i.e. Commercial).
3. By rendering sites as “legally non-conforming” through this initiative (as the Zoning By-laws will need to be updated to conform to Official Plan policy), our client is concerned that their ability to mortgage and further invest in these properties will be undermined by this unwanted new status. This will have a tremendously negative impact on this property, undermining other key economic development policies and initiatives of the City.

The current approach taken by City staff has not fully considered the implications for landowners, retail and building industries, the general public and other stakeholders. A decision of this scale requires a more inclusive dialogue, ensuring that all affected parties have the opportunity to provide input and that the City fully understands the impact of such changes.

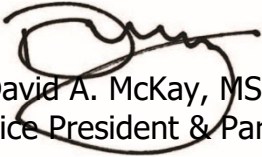
We therefore request the Planning and Housing Committee defer this matter for future review and consultation. A thorough review and analysis of individual properties must be undertaken to determine what should and should not remain as Employment Areas. In our client’s case, we request that the Subject Lands be either redesignated to Mixed Use Areas or to a new designation which permits their existing uses continue (i.e. Commercial).

We kindly request to receive notifications regarding any decisions made by the City Council or Committee of Council pertaining to this matter.

Thank you.

Yours truly,

MHBC

A handwritten signature in dark ink, appearing to read 'D. McKay', is written over the printed name and title.

David A. McKay, MSc, MLAI, MCIP, RPP
Vice President & Partner

cc: Clients
David Tang, Miller Thompson LLP