

May 7, 2025

Our File No.: 243379

Via Email

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

Attention: Chair and Committee Members

Dear Sirs/Mesdames:

**Re: Agenda Item PH21.1 – Official Plan Amendments to align with Provincial
Legislative and Policy changes related to Employment Areas – Decision Report**

We have been retained by the Owners of the lands municipally addressed as 20 Leslie Street (the “Subject Site”) regarding the City of Toronto’s proposed Official Plan Amendment 804, which will be considered by Planning and Housing Committee on May 8, 2025 as part of Agenda Item “PH21.1 - Official Plan Amendments to align with Provincial Legislative and Policy changes related to Employment Areas - Decision Report.”

The Subject Site

The Subject Site is located at the southwest corner of Leslie Street and Mosley Street and is occupied by a 3-storey building and surface parking and loading areas. The existing building is occupied entirely by retail, office, and commercial uses (refer to **Figure 1**). The Subject Site is located within what is currently labelled by the City as the “South of Eastern Employment Area” the SOEEA, which is an area rapidly evolving from legacy industrial uses to a mix of office, media, retail and other commercial uses.

The Subject Site is currently designated as General Employment Areas on Map of the Official Plan (**Figure 3**) and is zoned as *Employment E 5.0* under Zoning by-law 569-2013.

The Subject Site and local community are conveniently connected to and located in proximity to an expanding network of higher-order and frequent transit services (Figure 2), including significant investments in rapid transit at the under-construction East Harbour Transit Hub, the planned Waterfront East LRT network, and enhanced frequent bus services along Eastern Avenue, identified in through the Council-approved Port Lands and South of Eastern Transportation Master Plan (the “TSMP”).



Figure 1: Aerial overview of the Subject Site and surroundings.

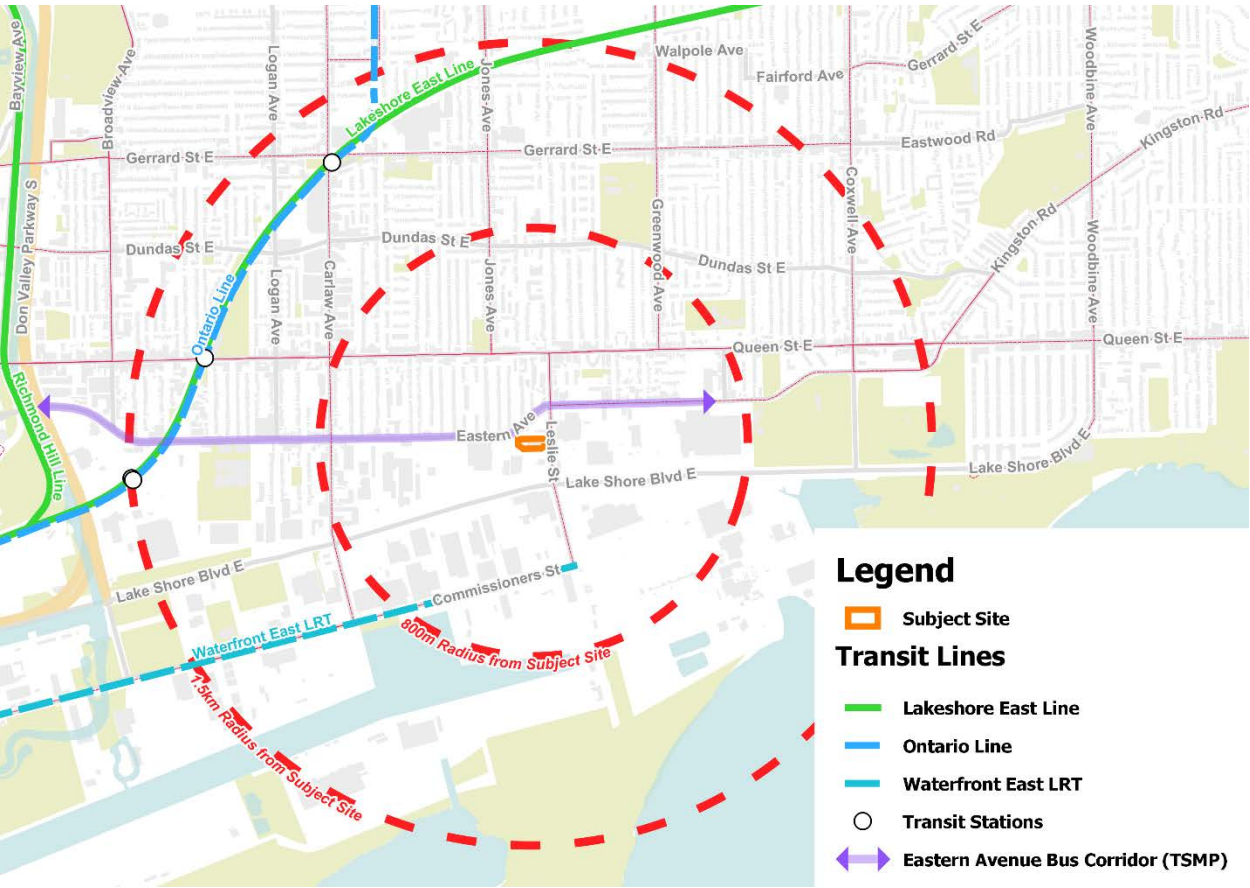


Figure 2: Subject Site and the surrounding transit context.

Comments

On May 8, 2025, Planning and Housing Committee will consider Agenda Item “PH21.1 - Official Plan Amendments to align with Provincial Legislative and Policy changes related to Employment Areas - Decision Report”, which recommends that City Council adopt Official Plan Amendment 804 to amend the Official Plan policies under Chapters 2 and 4 with respect to Employment Areas and to amend Map 2 and various land use designation maps to redesignate certain lands to Regeneration Areas, with implementing Site and Area Specific Policies.

OPA 804’s amendments to the Official Plan are being brought forward to update the City’s Official Plan in line with the Province’s update to the Planning Act’s definition for “area of employment” (which came into force as Bill 97 received Royal Assent on June 8, 2023). The Planning Act’s revised definition seeks to focus the permitted uses within “areas of employment” to:

- (i) *Manufacturing uses.*
- (ii) *Uses related to research and development in connection with manufacturing anything.*
- (iii) *Warehousing uses, including uses related to the movement of goods.*
- (iv) *Retail uses and office uses that are associated with uses mentioned in subparagraphs i to iii.*
- (v) *Facilities that are ancillary to the uses mentioned in subparagraphs i to iv.*

Moreover the revised definition expressly excludes the following uses from being considered “Area of employment” uses:

- (i) *Institutional uses.*
- (ii) *Commercial uses, including retail and office uses not referred to in subparagraph 1 iv;*

Sections 1(1.1) and 1(1.2) of the Planning Act enable existing uses which do not conform to the revised definition to continue on a “lawfully established” basis. However, the intent of the Province in making these changes was in-part to “...provide flexibility to convert employment lands for local uses – supporting the kinds of development and jobs that communities need.”¹

In keeping with this stated intent to refocus the purpose and uses of employment areas and provide flexibility for new land uses, the Province also released the Provincial Planning Statement,

¹ Source: <https://www.ontario.ca/page/helping-homebuyers-protecting-tenants>, May 7, 2025

2024 – which came into effect on October 20, 2024. The 2024 PPS incorporates the revised definition of an “area of employment,” while updating the policy requirements to redesignate employment lands, which would include opening up additional opportunities for lands which no longer adhere to the Planning Act’s definition for “area of employment.”

The staff report accompanying OPA 804 and PH21.1 before Committee indicates that City staff reviewed the City’s Official Plan-designated *Employment Areas* to identify lands for removal with two key criteria supportive of removal being lands containing “office parks” and “areas that do not act as a buffer to more sensitive uses” (Page 5). From this review the City identified only four areas within the City for removal.

Redesignation of the Subject Site

Despite the City’s analysis of ands for removal through OPA 804, in our opinion, the Subject Site is similarly appropriate for redesignation to *Mixed Use Areas*.

The Subject Site does not contain any of the primary employment uses identified under the Planning Act and in fact is occupied by and permitted for office, commercial, and retail uses which are not associated with a primary employment use. These ‘non-employment’ uses have long-existed and been permitted under the in-force zoning on the Subject Site.

Furthermore, the Subject Site does not abut and is not contiguous with primary employment uses. More specifically, the Subject Site is surrounded by:

- North: Mosely Street and mixed-use and residential uses to the north
- West & South: 731 Eastern Avenue, which contains retail uses (Fresh Co and Wendy’s) and was redesignated to *Mixed Use Areas* pursuant to the August 1, 2024, OLT Decision (Case File: OLT-22-002343). Refer to **Figure 3**.
- East: Leslie Street and a retail plaza (Loblaws & Starbucks).

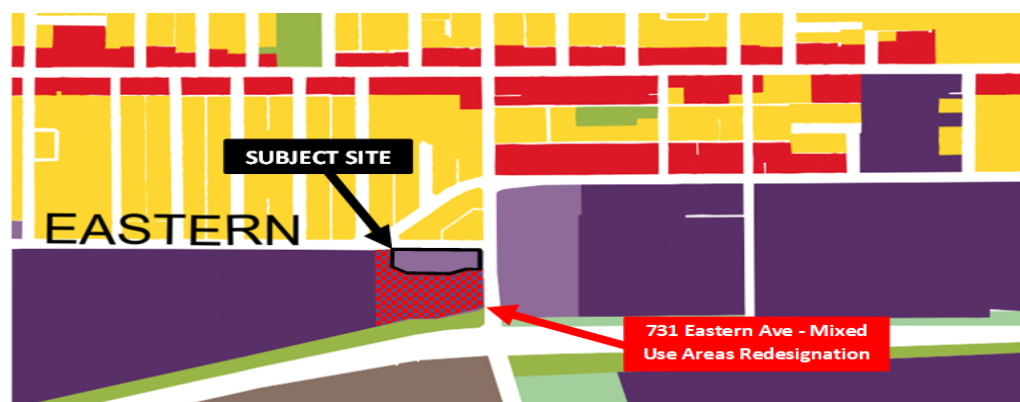


Figure 3: Subject Site located on Map 21 of the Official Plan.

Retaining the Subject Site as Employment Areas, for long-term use for primary employment uses, as is proposed under OPA 804, would in effect create an isolated single-parcel 'island of employment', and there is little likelihood that the Subject Site will be occupied by the primary employment uses identified under the Planning Act.

Furthermore, the Subject Site currently contains office uses and is currently surrounding by retail and residential uses and therefore does not act as a buffer between sensitive uses and primary employment uses. This existing context fulfills the criteria identified in the City staff report for consideration of removing the Subject Site from *Employment Areas*.

Conclusion

In our opinion, OPA 804 has not provided a sufficiently comprehensive and appropriate assessment of Employment Areas within the City and of those lands appropriate for redesignation to support mixed-use development.

As discussed in this letter, the Subject Site and local area also exhibits the qualities the City has identified as supporting factors in their staff report supporting the removal of four *Employment Areas* and in our opinion the Subject Site is a similarly appropriate candidate for removal from the Official Plan-designated *Employment Area*, and for redesignation to *Mixed Use Areas*. A redesignation to Mixed Use Areas would enable the Subject Site to intensify with mixed-use development that would include a mix of residential and non-residential uses as intended by the Province's direction for Bill 97 and the PPS. This mixed-use redevelopment of the Subject Site would enable the lands to continue to support long-term employment activity within the City with appropriately integrated non-employment uses, while also contributing to expanding the housing supply within a community that is well served by the existing and planned transit network, infrastructure, and community services, and thereby contribute to achieving complete communities.

We request therefore that OPA 804 be modified to include the removal of the Subject Site from *Employment Areas* and to redesignate the lands to *Mixed Use Areas*.

Should you have any questions, require further information or wish to discuss this further, please do not hesitate to contact the undersigned.

Yours truly,

Goodmans LLP



David Bronskill
Partner
DJB/rv