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May 7, 2025

Via Email - phc@toronto.ca

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

Attention: Nancy Martins

Dear Chair and Members of the Planning and Housing Committee:

Re: Item PH21.1

Official Plan Amendment to Align with Provincial Legislative Policy Changes Related to Employment Areas

Proposed Official Plan Amendment No. 804 ("OPA 804")

316 (320 and 322) Dupont Street, Toronto

This submission is being made on behalf of our client, AnX 1 GP Inc., being the owner of 316 Dupont Street, Toronto (the "**Property**"). The Property is located on the north side of Dupont Street between Spadina Road to the east, Howland Avenue to the west, and is bounded by the CP Rail corridor to the north.

The purpose of this letter is twofold. The first is to appreciate that that City Planning has as directed by the Province begun to look at lands that do not meet the new Provincial direction to "protect warehousing, traditional manufacturing or related uses", and to allow the natural progression of such lands (with uses such as office) to evolve into a more appropriate mixed-use designation to support complete communities. However, we believe this could be further achieved by recognizing the status of the Property and designate it appropriately through proposed OPA 804. Second, is to request a meeting with City staff prior to the formal adoption of OPA 804 in order to bring this redesignation to fruition in a timely manner. The main point that has to be addressed is the fact that this relatively small building and its companion abutting building have been designed together, but for some dated reason have a split designation of both Mixed Use and General Employment. One building with two designations!

With Planning and Housing Committee's direction and City Council's support of the transitioning of the Property, our client can provide desired housing and non-offensive non-residential uses in line with the neighbourhood. It is our respectful opinion and that of our client's planning consultant that the City's "process to comprehensively consider required employment land" has missed an opportunity such as our client's to amend the "General Employment" designation for the Property and support the timely transition of the vacant space to a mix of residential and non-residential uses. This Property with its relationship to the abutting residential community will never support industrial or manufacturing uses.

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We specifically request that our client's Property be redesignated to add permission for residential uses through a Mixed-Use official plan designation. The building is now under construction (see Figure 1. below, with its sister building to the west and the subject building to the east of the red line). The building on the west side is already mixed use and it is proposed that the Property would be redesignated Mixed Use to allow for a similar, complimentary mix of uses on the east side. Sterilizing the Property for purely office uses, which are not even permitted by the Province in areas of employment, is unviable and a wasted opportunity to provide compatible mixed use.



Figure 1. The Property to the east and sister mixed use building to the west.

As shown in Figure 1., the building is under construction and is fully enclosed. It is nestled between an office building to the east and an under construction mixed use building to the west. Both buildings are seeking first occupancy in August 2025. Interior finishing is underway to achieve the first occupancy. In fact, the building to the west has been designed to share features with the building on the Property and at this point in time can easily be partially renovated to residential from office, but **this will require the Planning and Housing Committee's assistance as the City's planning process would take years to complete** which will thwart an easily achievable mixed-use development.

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The renovated building on the Property would provide 8 additional residential units on the middle floors and a wide range of complementary non-residential uses would be provided on floors 1 through 3.

Provincial Policy context

As you are aware, on April 6, 2023, the Province introduced new policy and legislative changes as part of its ongoing effort to address both housing supply and affordability. The Province introduced Bill 97 – An Act to amend various statutes with respect to housing and development and in October 2024 a new Provincial Planning Statement (“**PPS 2024**”) was brought into force.

This new definition for areas of employment is a logical recognition that industrial and other specialized economic lands have different requirements and needs than office, retail, and institutional lands. Industrial lands do need protection. However, the Province has recognized that maintaining areas that are not industrial or appropriate for industrial uses do not need "protection" as exists today – in fact, the most successful areas for non-residential uses in the City of Toronto (the downtown) are not employment lands, but rather mixed-use lands. This request relates directly to this fact.

The PPS 2024 includes a new definition of Employment Areas to match the *Planning Act* definition change in Bill 97. As noted, the new definition distinguishes between those uses that require specific areas reserved for them and those that can form part of a broader development environment. The Property is clearly not a site that falls with the intent of the Employment Area policy – it has a brand new building on it that is not suitable for such uses and, in fact, is already part of a mixed use building, but with an Official Plan designation that is mixed use on one part of the building and a legacy employment area designation on the remainder. OPA 804 is an opportunity to take this Property and clearly align the whole property within the mixed use area.



The Property is designated “General Employment” which abuts a “Mixed Use” designation

Figure 2: Official Plan designation

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Neither the Property, nor the immediate area, are appropriate for reverting to an industrial style use. The Property is ripe for redesignation to become a modern complete community. The highest and best use of the Property would be better served as mixed use development. Converting the Property to a mixed-use development will allow the site to maximize its potential and the use of the extensive municipal infrastructure in the area, in sharp contrast to the existing state of the Property (and the area). A vibrant mixed-use district will, in turn, further support the intensification of the employment uses in the area – employment, retail and institutional uses thrive in vibrant complete communities.

As such, on behalf of our client, we are requesting the City take advantage of this opportunity to redesignate the Property such that the entirety of this high rise building is located within the Mixed Use designation. Our client welcomes further discussion with City staff and the local Councillor. We thank you for the opportunity to comment on this important matter.

Yours truly,

BENNETT JONES LLP

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Andrew L. Jeanrie

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