

May 7, 2025

By E-Mail to *phc@toronto.ca*

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

Attention: Nancy Martins

Dear Committee Members:

**Re: Official Plan Amendments to Align with Provincial Legislative and Policy
Changes Related to Employment Areas - Decision Report
Proposed Official Plan Amendment No. 804
Agenda Item: PH21.1**

We are counsel to C3 Church 416 Inc. ("C3 Church"), the owner of the lands municipally known as 322-330 Geary Avenue in the City of Toronto (the "Lands"). The Lands are currently designated *Core Employment Areas* on Map 17 of the City's Official Plan.

C3 Church acquired the Lands in September 2021 and is currently using the building at 322 Geary Avenue for office space, media production, and mixed-use event space. Meanwhile, the building at 330 Geary Avenue is currently being leased for a recording studio and C3 Church is presently considering its options for the future use of this building.

Our client participated in the planning process regarding Official Plan Amendment No. 680 ("OPA 680"), which was adopted by City Council at its meeting on October 10, 2024. In particular, on behalf of C3 Church, we made a written submission to City Council dated October 8, 2024, expressing concerns with the then draft version of OPA 680.

We understand that in a report dated April 23, 2025, which is to be considered by Planning and Housing Committee at its meeting on May 8, 2025, the City's Chief Planner and Executive Director, City Planning, is recommending the adoption of Official Plan Amendment No. 804 ("OPA 804"), as well as the repeal of OPA 680 (and Official Plan Amendment No. 668) upon OPA 804 coming into full force and effect (the "Staff Report").

Having reviewed the Staff Report and the proposed OPA 804, our client has a number of concerns with the proposed official plan amendment in its current form, including the following:

1. With the amendments to the *Planning Act* definition of an “area of employment” coming into force on October 20, 2024, concurrent with the coming into effect of the 2024 Provincial Planning Statement and the new definition of “employment area”, these changes required the City to re-think its approach to employment lands, including the need to re-evaluate whether certain *Employment Areas* should remain designated as such, rather than simply amending the policies in its Official Plan, including the elimination or narrowing of certain existing use permissions, in an attempt to align the existing policies with the amended provincial definitions.

As noted in the Staff Report:

“... the Province has emphasized the importance of protecting major facilities and areas used for primary employment uses like manufacturing, warehousing, goods movement, and research and development. The Ministry also highlighted the importance of providing a buffer to ensure appropriate transition from Employment Areas to sensitive land uses, and to avoid negative impacts on the long-term economic viability of any remaining Employment Areas.”

Thus, certain areas that are designated either *Core Employment Area* or *General Employment Area* in the City’s Official Plan no longer meet the new provincial definitions of “areas of employment” / “employment area” and should be redesignated accordingly.

The Staff Report seems to acknowledge this basic principle, and claims that an analysis was undertaken “to review Employment Areas across the city to identify lands for potential removal and ensure alignment with the new “area of employment” *Planning Act* definition and PPS 2024 policies”. However, the Staff Report improperly limits its identification of such areas to “office parks” and “areas that do not act as a buffer to more sensitive uses” and, more specifically, recommends for redesignation only four Employment Areas across the entire city.

2. In the context of the Lands and their immediate surroundings, there are a wide range of land uses, many of which do not fit within the new provincial definitions of an “employment area” / “area of employment”. This includes existing residential uses immediately to the east of the Lands that are within the *Core Employment Areas* designation. Thus, we submit that the City should consider redesignating the Lands and surrounding properties and/or adjusting the land use permissions with a view to allowing a suitable range of uses that will permit the area to continue to evolve and be vibrant, as opposed to further limiting land use permissions that

may have the effect of causing the area to decline. This is especially true in areas like this portion of Geary Avenue where the designated *Employment Areas* are in immediate proximity to and even include existing residential and/or other sensitive land uses.

3. In the proposed amendments to Section 4.6, there is also reference to a “City-initiated Municipal Comprehensive Review”. The concept of a “municipal comprehensive review” is a product of the Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”). With the 2024 Provincial Planning Statement coming into effect on October 20, 2024, the Growth Plan no longer applies. As a result, it is unclear how this reference is intended to apply within the context of the new provincial policy framework.

Kindly ensure that we receive notice of any decision(s) of the Committee and/or City Council decision(s) concerning this matter.

Yours truly,
DAVIES HOWE LLP



Mark R. Flowers
Professional Corporation

copy: Client
Ryan Guetter and Megan Asbil, Weston Consulting