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Email: planningconsultation@ontario.ca
growthplanning@ontario.ca

sleisk@cassels.com
tel: 416.869.5411
file # 055922-00001

Minister of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON M7A 2J3

Attention: Honourable Minister Steve Clark

Dear Minister Clark:

Re: Comments on Bill 97 and the proposed PPS 2023
ERO Numbers: 019-6813, 019-6821
2450 Finch Avenue West Inc. | 2450 Finch Avenue West, Toronto

We are counsel to 2450 Finch Avenue West Inc., the owner of the property municipally known as 2450 Finch Avenue West, Toronto (the “**Subject Property**”). The Subject Property currently hosts a grocery store, electronics store, furniture store, appliance store, hair salon, and auto repair shop. Recognizing the redevelopment potential of the Subject Property due to its proximity to rapid transit and the need across the province to bring housing to the market faster, our client has filed an application for employment conversion of the Subject Property with the City of Toronto, which remains under review.

Our client is generally supportive of the Province’s proposed employment policies in the proposed PPS 2023 and is pleased to see new definitions of “employment area” and “area of employment” proposed, respectively, in the PPS 2023 and Bill 97 *Planning Act* amendments. Scoping employment area restrictions to those uses truly in need of separation and protection from sensitive uses will best ensure core employment areas are not just preserved but remain viable and thrive, while increasing opportunity for mixed-use and complete communities, along with increased housing, to be developed elsewhere. However, our client is concerned that the new proposed ‘transition’ section 1(1.1) in the *Planning Act* runs counter to the Province’s stated goals and will undermine the Province’s housing action plan and other policy goals. Section 1(1.1) provides that areas of land designated for clusters of businesses and economic uses that include parcels of lands where an existing commercial or institutional use is authorized to continue under an official plan are still an “area of employment”. While we are not certain of the intent of this provision, we are concerned that this section may be interpreted to prevent the development of complete communities in existing mixed uses areas, contrary to the stated intention of these changes.

The Subject Property is currently designated General Employment in the City of Toronto’s Official Plan, permitting a wide range of office and commercial uses that would fall outside of the

new definition of 'area of employment'. It is also located within two proposed Protected Major Transit Station Areas: Site and Area Specific Policy 702: Milvan Rumike and Site and Area Specific Policy 703: Duncanwoods Finch West LRT Station (the "**SASPs**"). The SASPs form part of City of Toronto Official Plan Amendment 570, which is currently before the Province for approval. While the proposed PPS 2023 strongly supports mixed use intensification of these lands, the current transition provision of Bill 97 seemingly maintains these lands within an area of employment, despite its longstanding retail and service uses.

We look forward to following the proposed legislation as it moves through the Legislature, hopefully also incorporating changes to reflect the above-noted concern.

Yours truly,

Cassels Brock & Blackwell LLP



Signe Leisk

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