

Cassels

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To Whom it May Concern:

Re: ERO 019-6821: Proposed Planning Act, City of Toronto Act, 2006, and Ministry of Municipal Affairs and Housing Act Changes (Schedules 2, 4, and 6 of Bill 97 - the proposed Helping Homebuyers, Protecting Tenants Act, 2023)

We are the lawyers for The Governing Council of the University of Toronto. We are writing on behalf of the University to provide its comments on the proposed Bill 97, *Helping Homebuyers, Protecting Tenants Act, 2023*. The University is supportive of the proposed changes to the definition of “area of employment” in the *Planning Act*, subject to a concern with the proposed transition as set out below.

The University is one of the largest landowners in the City of Toronto, and over the next 15-20 years, intends to invest billions of dollars towards new development projects that will address a critical need for housing for its students, faculty, employees, and graduate and undergraduate student families. The University is also among the top 10 non-government employers in Toronto, adding \$12 billion stimulus to the GTA annually in the form of salaries, benefits and expenditures of faculty, staff and students. The University’s global success is dependent upon the continual adaptation in the provision of world class facilities.

The University is pleased to see the Province continuing to take action to generate housing supply and make land available for development through Bill 97 and the proposed Provincial Planning Statement (PPS 2023). The University is particularly supportive of the Province’s proposed employment policies in the 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 that recognize that areas designated and used for institutional uses can be appropriately developed with a broad mix of uses, including housing. 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.

These changes are particularly relevant for the University’s University of Toronto Press (UTP) property, located generally southeast of Steeles Avenue West and Dufferin Street in the City of

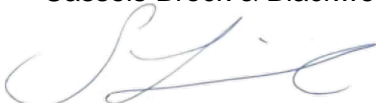
Toronto, municipally known as 4925, 4961 and 5201 Dufferin Street. The UTP property is on the periphery of what is currently considered an employment area and contiguous with lands designated mixed use. The University submitted a request to the City of Toronto to convert [part of] the UTP property from core employment area to mixed used which would provide an opportunity to increase the number of jobs while introducing residential intensification in an area with two planned higher order transit corridors. The request for the UTP property was submitted to the City in 2021 and remains under review. As office and institutional are currently permitted and existing on the UTP property, the property would no longer be considered an area of employment under the PPS 2023, permitting at a provincial policy level the introduction of residential uses.

However, we are concerned that the new proposed 'transition' section 1(1.1) in the *Planning Act* included in Bill 97 may exclude the UTP property from the new definition of "area of employment" proposed for the *Planning Act*, leaving the property potentially frozen for employment uses, and without an available appeal. 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 is 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 areas where non-traditional employment uses, such as institutional or commercial, are already in place, contrary to the Province's stated goals, and undermining the Province's housing action plan and other policy goals.

We are appreciative of the Province's efforts to eliminate development constraints and the opportunity to comment. We welcome the opportunity to discuss our comments further.

Yours truly,

Cassels Brock & Blackwell LLP



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