

City of Toronto Employment Areas Official Plan Amendments Now Subject to Ministerial Approval

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On October 18, 2024, the Minister of Municipal Affairs and Housing filed [O. Reg. 396/24](#), revoking the City of Toronto's delegated authority to approve its recent official plan amendments respecting areas of employment: Official Plan Amendments 668 and 680.

On April 6, 2023, the Province introduced the *Helping Homebuyers, Protecting Tenants Act* (Bill 97). Among other changes, reported in greater detail in a prior [Cassels Comment](#), Bill 97 amends the definition of "area of employment" in the *Planning Act* by limiting those areas that may be designated in an official plan for clusters of business and economic uses, including manufacturing, research and development related to manufacturing, warehousing, and ancillary uses. Institutional and commercial uses are expressly excluded from the definition. These amendments came into force on October 20, 2024, together with the new Provincial Planning Statement, 2024, which similarly limits the definition of an "employment area."

The City of Toronto adopted [Official Plan Amendment 668](#) and [Official Plan Amendment 680](#) in response to these new provincial definitions on July 20, 2023 and July 24, 2024 respectively. Both Official Plan Amendments have been the subject of numerous objections, as they purport to broadly protect employment lands in the City as "areas of employment". Numerous appeals to the Ontario Land Tribunal had been anticipated.

What this means:

1. Following approval of Official Plan Amendment 668 and Official Plan Amendment 680 by the Minister, there is potentially no right of appeal to the Ontario Land Tribunal. Affected persons should submit comments to the Minister directly to ensure any concerns are voiced prior to approval.
2. Timing of approval is uncertain. The Minister, within 120 days of receiving Official Plan Amendments 668 and 680, is generally required to make a decision on those instruments; however, the Minister may at any time suspend this timeline for an indeterminate time period. It is unclear if the Minister may seek to prioritize other outstanding City of Toronto Official Plan Amendment decisions such as those tied to Major Transit Station Areas and employment area conversions prior to issuing a decision on Official Plan Amendments 668 and 680.
3. Other municipalities have or are in the process of adopting official plan amendments respecting areas of employment. It is unknown whether the Minister will similarly seek to reinstate its approval authority over these amendments in all cases, or whether this will be unique to the City of Toronto.

Cassels

Interested persons are encouraged to continue to monitor.

Please do not hesitate to contact a member of our [Municipal, Planning & Environmental Group](#) with any questions you may have.

This publication is a general summary of the law. It does not replace legal advice tailored to your specific circumstances.