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July 18, 2023

**Via E-mail**

Toronto City Council  
100 Queen Street West  
City Hall, 12th Floor, West Tower  
Toronto, ON M5V 3C6

**Attention: John Elvidge, City Clerk**

Dear Sirs/Mesdames:

**Re: PH5.2 - Official Plan Amendment for Bill 97 Transition – Authorizing the Continuation of Institutional and Commercial Uses in Employment Areas RioCan Management Inc. and Related Entities**

We are counsel to Leaside Junction Inc., RioCan Holdings Inc., Riotrin Properties (Steeles) Inc., RioCan Living LP., and Riotrin Properties (Weston), by its agent, RioCan Management Inc. (“**RioCan**”), the owners of retail focused commercial and mixed use properties in the City of Toronto (the “**City**”)<sup>1</sup>. We write on behalf of RioCan to provide comments on draft Official Plan Amendment No. 668 (“**OPA 668**”).

It is our understanding that the City intends to bring forward two City-initiated Official Plan Amendments to address changes to the definition of “areas of employment” in the *Planning Act* made through Bill 97, the *Helping Homebuyers, Protecting Tenants Act* (“**Bill 97**”). OPA 668, the first of those two City initiated Official Plan Amendments, purports to respond to the transition provisions introduced in Bill 97 to authorize the continuation of existing commercial and institutional uses in *Core Employment Areas* and *General Employment Areas* in the City. City staff have indicated that the second related City-initiated Official Plan Amendment is targeted for the Fall of 2023 to update the permitted uses in the *Core Employment Areas* and *General Employment Areas* designations (the “**Second OPA**”).

As the owner of a number of large commercial properties located either completely or partially within *Core Employment Areas* and *General Employment Areas* in the City, RioCan is concerned that OPA 668 is premature at this time as it proposes to address only one facet of the legislative amendments introduced by Bill 97. In order to ensure a co-ordinated approach to implementing the Bill 97 amendments, OPA 668 needs to be considered in conjunction with the Second OPA.

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<sup>1</sup> The RioCan properties include but are not limited to the properties listed in Schedule “A” attached to this letter (the “**RioCan Properties**”).



The City's approach to the Second OPA will directly affect the application and effect of OPA 668 on the RioCan Properties. As it is not possible to understand the implications of OPA 668, without an understanding of the City's approach to the Second OPA, OPA 668 does not represent good planning.

For the reasons stated above, we request that City Council: (1) defer a decision on OPA 668 at this time, (2) direct City staff to review and reconsider OPA 668 in conjunction with the Second OPA targeted for the Fall of 2023, and (3) direct staff to report back on OPA 668 and the Second OPA only at such time when both OPA 668 and the Second OPA can be considered concurrently, either as separate Official Plan amendments or as one comprehensive Official Plan amendment. Further, given that Bill 97 will not receive Royal Assent until a later date, there does not appear to be a need to move forward with OPA 668, in isolation at this time.

We ask to be notified of any decisions made by City Council, or Committee of Council, in connection with this matter.

Yours truly,

**Goodmans LLP**

A handwritten signature in blue ink, appearing to read "Anne Benedetti", with a long horizontal line extending to the right.

Anne Benedetti

encl.

cc. Melissa Bruzzese, RioCan

**SCHEDULE A**

<b>RioCan Property</b>	<b>Municipal Address</b>	<b>Entity</b>
RioCan Leaside Centre	815-845 Eglinton Ave E	Leaside Junction Inc.
RioCan Warden	800-836 Warden Avenue	RioCan Holdings Inc.
RioCan Marketplace Toronto	2181 Steeles Ave W 2061-2081 Steeles Ave W 100 Gerry Fitzgerald Dr	Riotrin Properties (Steeles) Inc.
Litho	740-750 Dupont St	RioCan Living LP
Stock Yards Village	30 Weston Rd & 1980 St Clair Avenue West	Riotrin Properties (Weston)