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October 10, 2023

**Via Email (councilmeeting@toronto.ca)**

Mayor and Members of City Council  
City of Toronto  
Toronto City Hall  
12th Floor, West Tower  
100 Queen Street West  
Toronto ON M5H 2N2

**Attention: City Clerk**

Dear Mayor Chow and Members of Council:

**Re: PH6.2 Bill 109 Implementation, Phase 3 - Recommended Official Plan and Municipal Code Amendments respecting Site Plan Control**

We are solicitors to H&R REIT, and also related companies being 55 Yonge Portfolio Inc., 69 Portfolio Inc., 77 Union Portfolio Inc., 145 Wellington Portfolio Inc. and 320 Front Portfolio Inc. (collectively, the “Companies”), which have interests in numerous land holdings within the City of Toronto (the “City”), including the lands known municipally as 53 Yonge Street, 55 Yonge Street, 69 Yonge Street, 77 Union Street, 145 Wellington Street West, and 310 to 330 Front Street West.

The Companies currently have multiple projects in the City that are under construction and progressing through the planning approvals process. The Companies also anticipate submitting future planning applications in the future to facilitate the development and construction of new homes, non-residential uses, and vibrant mixed-use communities.

We are writing this letter to express concerns with the proposed Official Plan Amendment 688 (“OPA 688”), which proposes to require compliance with an “in-effect” Zoning By-law to be in place as part of a complete application for Site Plan Control. The Companies are concerned that the proposed policy does not recognize situations where it is appropriate to file a Site Plan Control application concurrently with or after the filing of a Zoning By-law amendment application or a minor variance application, but prior to such application’s approval.

The consequence of this new policy would create unnecessary delays in obtaining required approvals and the construction of new housing, in the context of an on-going shortage of housing.

The Companies are also concerned that the City lacks the authority to create new requirements for the filing of a Site Plan Control application, be it a new application, or a revision to an existing Site Plan Control approval.

The Companies recognize the City's financial constraints and the need for solutions, however the approach proposed will not assist the approval process and is not in the public interest.

Given the aforementioned concerns, on behalf of the Companies, we respectfully request that City Council defer consideration of OPA 688 and the accompanying amendments to the City's Municipal Code. If OPA 668 proceeds as it is currently framed our clients would be compelled to object.

Please do not hesitate to contact the undersigned should you have any questions or require further information.

Yours truly,



Matthew Schuman  
Counsel | Conseil

c. Client, John Dawson