

July 20, 2018

By E-mail

Toronto City Council
c/o Ulli S. Watkiss, City Clerk
City Clerk's Office, Toronto City Hall
13th Floor, West Tower
100 Queen Street West
Toronto, ON M5H 2N2

Dear Ms. Watkiss:

**Re: TOcore: Proposed Downtown Plan
Proposed Official Plan Amendment No. 406
Bazis International Inc. – 6-8 Wellesley Street West, City of Toronto
Agenda Item PG29.4 – Bill 1109**

We are counsel to Bazis International Inc. ("Bazis"), the owner of the lands municipally known as 6-8 Wellesley Street West in the City of Toronto (the "Subject Property"). The Subject Property is within the boundaries of the proposed Official Plan Amendment No. 406 ("OPA 406"), known as the TOcore Downtown Plan (the "Plan").

We understand that Bill 1109 to adopt OPA 406 will be considered by City Council at its meeting on July 23 – 25, 2018. We are writing to outline our client's concerns regarding OPA 406, specifically in relation to the impacts of the Plan's policies on the development potential of the Subject Lands.

The Plan's policies could serve to discourage residential or mixed-use intensification on the Subject Property, which is inconsistent with the Provincial Policy Statement, 2014 (the "PPS"), and does not conform with the policies of the Growth Plan for the Greater Golden Horseshoe, 2017 (the "Growth Plan"). Both the PPS and the Growth Plan specifically promote intensification within the City's downtown, which OPA 406 may restrict.

The Subject Property is currently designated 'Mixed Use Area' according to Map 18 of the City's Official Plan, and is included within Site and Area Specific Policy Area 382 ("SASP 382") as per Chapter 7, as part of the Yonge Street Character Area and Height Core Area. The policies of SASP 382 with respect to the Yonge Street Character Area aim to promote redevelopment and investment within the area by recognizing that site-specific characteristics will allow for the development of tall buildings. Specifically,

Policy 5.3.9 of SASP 382 permits buildings above the height restriction if they comply with the angular plane policies associated with the pedestrian realm along Yonge Street.

OPA 406 proposes to designate the Subject Property as part of "Mixed Use Areas 1 (Growth)" according to Map 41-3. While Policy 4.2 of the Plan recognizes that growth is targeted to lands designated as Mixed Use Areas 1, several policies impose overly prescriptive performance and built form standards. Our client's concerns with these standards include, but are not limited to, the tower heights and setbacks, maximum floor plate sizes for residential and mixed-use buildings, prescribed location and layout of interior amenity spaces, and mandatory residential unit mixes, types, and sizes.

The proposed "one size fits all" approach is inappropriate within the context of an Official Plan, provides limited flexibility to respond to site-specific conditions, and may unduly impact the potential redevelopment of the Subject Lands. In addition, these policies directly contradict the intent of SASP 382 which seeks to encourage intensification and redevelopment on the Subject Property.

Given our client's concerns with the above-referenced policies, Bazis does not support OPA 406 in its current form. We therefore request that Council defer its consideration of the matter and direct City staff to meet with our client in an effort to resolve and address our client's concerns in a substantive manner.

Lastly, we request notice of Council's July 23 - 25, 2018 decision with respect to Bill 1109 and any further meetings, staff reports or Council decisions related to OPA 406.

Yours truly,
DAVIES HOWE LLP



per: Mark R. Flowers
Professional Corporation

MRF:MK:DA
encl.:

copy: Client