

June 27, 2022

By E-Mail to teycc@toronto.ca

Toronto and East York Community Council
Toronto City Hall
100 Queen Street West
Toronto, Ontario
M5H 2N2

Attention: Ellen Devlin, Committee Secretariat

Dear Ms. Devlin:

**Re: 95 St. Joseph Street – Official Plan and Zoning Amendment Application –
Final Report
Agenda Item: TE34.7**

We are counsel to the Basilian Fathers of Toronto and Daniels HR Corporation, which applied to the City of Toronto in February 2019 for Official Plan and Zoning By-law Amendments (the “OPA/ZBA Applications”) to permit a high-density mixed-use development at 95 St. Joseph Street (the “Property”), consisting of institutional, residential and commercial uses.

Over the last three years, our clients have worked closely with both City staff and members of the surrounding community, including attendance at multiple Community Working Group meetings, regarding the OPA/ZBA Applications. As a result of those discussions and feedback, various revisions were made to the proposed development to address comments, most recently in April 2022.

We have reviewed the Final Report from City Planning staff regarding the OPA/ZBA Applications, dated June 13, 2022 (the “Staff Report”), and generally support the staff recommendations.

As a relatively minor matter, we note that the draft Official Plan Amendment and Zoning By-law Amendment in Attachment Nos. 5 and 6, respectively, address the required gross floor area for the proposed institutional uses in a slightly different manner. More specifically, whereas section 4 of the proposed Zoning By-law Amendment would require the institutional uses to comprise at least 50% of the combined gross floor area of the new building, the proposed Official Plan Amendment stipulates that “the institutional uses shall have a minimum gross floor area of 23,750 square metres”.

Although the referenced 23,750 square metres represents 50% of the proposed maximum total combined gross floor area of 47,500 square metres, it is possible that the ultimate development on the Property may be somewhat less than the maximum permitted gross floor area of 47,500 square metres. Consequently, we request that the draft Official Plan Amendment be amended to require that the institutional uses comprise at least 50% of the combined gross floor area, consistent with the draft Zoning By-law Amendment.

We suspect that the requested revision to the draft Official Plan Amendment would be considered a “stylistic and technical change”, which could be made by the City Solicitor under Recommendation No. 5 in the Staff Report. However, if that is not the case, we request that Council direct this revision to be made prior to the adoption of the Official Plan Amendment.

Kindly ensure that we are notified of the recommendation made by the Toronto and East York Community Council and the ultimate decision of City Council regarding this item.

Yours truly,
DAVIES HOWE LLP



Mark R. Flowers
Professional Corporation

copy: Amanda Hill and Jason Davidson, City of Toronto, Legal Services Division
Leontine Major, City of Toronto, City Planning Division
Clients