



Barristers & Solicitors

Bay Adelaide Centre  
333 Bay Street, Suite 3400  
Toronto, Ontario M5H 2S7

Telephone: 416.979.2211  
Facsimile: 416.979.1234  
goodmans.ca

Direct Line: 416.597.4299  
dbronskill@goodmans.ca

April 20, 2016

Our File No.: 153300

**Via Email**

Toronto Preservation Board  
West Tower, 2<sup>nd</sup> Floor, City Hall  
100 Queen Street West  
Toronto, ON  
M5H 2N2

**Attention: Lourdes Bettencourt, Secretariat**

Dear Sirs/Mesdames:

**Re: Item PB14.7 – Intention to Designate under Part IV, Section 29 of the Ontario Heritage Act – 1142 and 1144 Queen Street West**

We are solicitors for Flophousechic Investments Limited, the parent company of The Drake Hotel and the owner of the above-noted properties (the “Subject Site”). We are writing on behalf of our client to object to the proposed designation of the Subject Site pursuant to Section 29 of the Ontario Heritage Act.

As you know, the Drake Hotel currently occupies the property known municipally as 1150 Queen Street West, which is located immediately to the west of the Subject Site. As part of developing the Drake Hotel, our client restored this property, with the assistance of a heritage consultant. The Drake Hotel has since served as a catalyst for the revitalization of the West Queen Street West area. It is truly a landmark.

For the last many years, our client has been working with a team of design and development consultants with the objective of preparing an exciting new design to facilitate the expansion of the Drake Hotel onto the Subject Site. On January 20, 2016, the Toronto and East York Committee of Adjustment approved minor variances to permit a five-storey hotel addition on the Subject Site, subject to certain conditions. Those conditions included a requirement, through the site plan approval process, to work with Heritage Preservation Services (“HPS”) regarding elevations and details incorporating heritage structures and elements to be conserved.

Moving forward to implement this approval, our client was stunned to learn that HPS proceeded with the proposed designation of the Subject Site instead of working with our client and its consultants through the site plan approval process. We would have thought that the more appropriate approach would have been to consider the potential heritage attributes as part of

finalizing the elevations and details on the site plan drawings. Simply put, our client is frustrated and discouraged with the approach of HPS to this proposal.

In addition, our client has numerous issues with the proposed designation. First, the analysis divorces the Subject Site from its context and inaccurately gives the impression that the Subject Site forms part of a consistent built form block. This is not the case. The block east of Beaconsfield Avenue has been significantly altered over time, with the properties on either side of the Subject Site having been demolished or significantly altered. Indeed, the Subject Site itself has been altered over time, such that retention of the buildings for future productive use cannot likely be achieved.

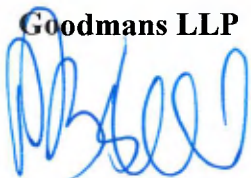
Second, the analysis does not recognize that, over time, four hotels have existed on the properties extending east from Beaconsfield Avenue, including the Drake Hotel site and the Subject Site. Our client is the first to have been successful in assembling these properties to complete the original 6-unit complex. The more appropriate approach would be to assess the cultural heritage value of the Subject Site within the context of this assembly.

Third, the proposed heritage attributes are flawed. For example, in at least three places, the proposed heritage attributes would refer to potential and unknown aspects of the existing building. It is not appropriate to include speculative heritage attributes in a designating by-law.

Finally, our client has always expressed its intention to work with the City to identify and conserve the cultural heritage value of the Drake Hotel over time. Cultural heritage should include more than just the existing built-form but recognize the intangible cultural heritage value that has been created by the Drake Hotel and that will be reinforced by the proposed expansion. We would welcome the cooperation of HPS to implement the proposed expansion and develop a comprehensive list of heritage attributes for the resulting cultural heritage landmark.

Please also accept this letter as a request for notice of any decision made by the City in respect of this matter.

Yours truly,

**Goodmans LLP**  


David Bronskill

DJB/

cc: Client  
Councillor Bailao