

# AIRD & BERLIS LLP

Barristers and Solicitors

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November 19, 2013

BY EMAIL

Our File No. 116533

Planning and Growth Management Committee  
Toronto City Hall  
100 Queen St. W.  
10<sup>th</sup> Floor, West Tower  
Toronto, ON M5H 2N2

**Attn: Nancy Martins, Committee Administrator**

Dear Chair and Members of Planning and Growth Management Committee:

**Re: 944-952 Queen Street West, City of Toronto  
Rezoning Application No.: 12 293566 STE 19 OZ  
Draft Official Plan Amendment No. 231**

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Please be advised that Aird & Berlis LLP represents Urbancorp, the owner and proponent of a mixed use development on the lands municipally known as 944-952 Queen Street West. The property is currently the subject of applications for rezoning and site plan approval, which applications were deemed complete on January 30, 2011.

We have reviewed the most recent draft of Official Plan Amendment No. 231 and, in particular, the following proposed policy:

“New development that includes residential units on a property with at least 1,000 square metres of existing non-residential gross floor area used for offices is required to increase the non-residential gross floor area used for office purposes where the property is located in a Mixed Use Area or Regeneration Area within:

- a) the Downtown and Central Waterfront;
- b) a Centre; or
- c) 500 metres of an existing or an approved and funded subway, light rapid transit or GO train station.

Where site conditions and context do not permit an increase in non-residential office gross floor area on the same site, the required replacement of office floor space may be constructed on a second site, prior to or

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concurrent with the residential development. The second site will be within a Mixed Use Area or Regeneration Area in the Downtown and Central Waterfront; within a Mixed Use Area or Employment Area in the same Centre; or within 500 metres of the same existing or approved and funded subway, light rapid transit or GO train station.”

Our client believes that this policy unduly constrains the development opportunities on such properties which redevelopment would otherwise be supportive of the Official Plan policies in respect of intensification including the most efficient use of existing infrastructure, and the provision of a range of housing.

Additionally, we seek assurance from the City that this policy, if approved, will not be relied upon by staff to retroactively seek the replacement of office space on sites which are the subject of pre-existing development applications, such as our client’s site at 942-952 Queen Street West.

Yours truly,

AIRD & BERLIS LLP



Eileen P. K. Costello

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c: Tony Manocchio/David Mandell, Urbancorp  
Paul Bain/Kerry Voumvakis, City Planning

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