

**AIRD & BERLIS LLP**

Barristers and Solicitors

Eileen P. K. Costello  
Direct: 416.865.4740  
E-mail: [ecostello@airdberlis.com](mailto:ecostello@airdberlis.com)

**TE31.6.4**

May 8, 2014

**BY EMAIL**

Our File No. 116533

Chair and Members  
Toronto City Council  
12<sup>th</sup> Floor West Tower, City Hall  
100 Queen Street West  
Toronto M5H 2N2

Dear Chair and Members:

**Re: 944-952 Queen Street West  
Council Item TE31.6 - Request for Direction Report  
Supplemental Report  
Zoning Amendment Application No. 12 293 566 STE 19 OZ**

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Please be advised that Aird & Berlis LLP represents Urbancorp (952 Queen West) Inc., the owner of the properties municipally known as 944-952 Queen Street West (the "site").

This matter came before Toronto and East York Community Council at its April meeting wherein staff recommended that Council appear in opposition to our client's appeals on this property and, in the interim, to direct staff to continue discussions with my client in an effort to resolve outstanding issues with the proposal.

This initial recommendation was in respect of the original application which envisioned a 9 storey building on the site and a total of 151 residential units comprised of bachelors and 1 and 2 bedroom units.

Subsequent to that meeting, our client has met with City staff as well as with Councillor Layton and the community in an attempt to resolve the outstanding matters with respect to this development. Those discussions have resulted in a settlement which has been reached with City staff, the details of which are set out in the supplemental staff report authored for this Council meeting. The supplemental staff report recommends that Council support the settlement which has been reached in our discussions. The settlement involved the following significant changes to the building:

- (a) Removal of the 9<sup>th</sup> storey of the building;
- (b) 10% of the residential gross floor area of the building to be comprised of 3 bedroom units, each with a minimum gross floor area of 1000 ft<sup>2</sup>;

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- (c) provision of a 7.5 m setback from the rear property line to the ground floor building face;
- (d) a maximum building height of 25.5 metres including mechanical and with no projections save for the green roof (0.3 metres) and the parapets (1.2 metres);
- (e) a setback of 5.5 metres from the west property line at the 8th floor to the building face;
- (f) revisions to the rear of the building so as to ensure the building falls entirely within the 45 degree angular plane; and
- (g) provision of additional step back at levels 6 and 7 on the Queen Street West façade to ensure those floors of the building fall within the 45 degree angular plane.

Our client instructed us to make its without prejudice settlement offer open to the public in order to permit Councillor Layton to have another public meeting on the application. This meeting occurred on May 1<sup>st</sup> of last week. Some of the issues the community raised at the meeting related to the further division of retail space into smaller units and limiting traffic movements onto Queen Street West. As the supplemental staff report advises, our client has responded to each of these issues in a manner – agreeing to place an upper limit of 8000ft<sup>2</sup> on the retail space and limiting turning movements onto Queen Street West - which we believe is appropriate for this proposal.

In our view, a significant effort has been made by both staff and our client to improve upon the original application and to reach a settlement which results in a development which is respectful of the residential neighbourhood to the north while responding to the vibrant mixed use nature of Queen Street West.

We remain optimistic that Council will consider the staff recommendation based on the careful rationale set out in the supplemental report. We respectfully request that Council support the recommendation set out in the supplemental report and direct the City Solicitor and staff to attend the Ontario Municipal Board hearing in support of the revised proposal.

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Yours truly,

AIRD & BERLIS LLP

  
for - Eileen P. K. Costello

EPKC/SJL/ab

c: Client  
Councillor Layton

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