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Our File No. 116533

April 7, 2014

**BY EMAIL**

Chair and Members  
Toronto and East York Community Council  
City of Toronto  
2<sup>nd</sup> Floor West Tower, City Hall  
100 Queen Street West  
Toronto M5H 2N2

Dear Chair and Members:

**Re: 944-952 Queen Street West  
Applications for Zoning By-law Amendment and Site Plan Approval  
Agenda Item TE31.6**

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Please be advised that Aird & Berlis LLP represents Urbancorp (952 Queen West) Inc., owner of the properties municipally known as 944-952 Queen Street West (the "site"). Applications for a zoning by-law amendment and site plan approval in respect of the site were submitted in December, 2012.

We have now had an opportunity to review the staff report, dated March 17<sup>th</sup>, on these applications. We disagree with the staff assessment of the development application. In our submission, the proposed mixed use project represents an appropriate form of mid-rise intensification along an Avenue which is responsive to both the in-force policies at the Provincial level as well as the City's Official Plan.

Additionally, the development proposal has built upon two key features of the site which distinguish it from any other sites in this area: the frontage (32m) and considerable depth (62.6m) which make it significantly larger than any other potential "soft sites" in the area (as identified in the Segment Study undertaken in support of the application) and its location on a 23m right of way immediately across from the large open and green space associated with the CAMH facility. Finally, the proposed development implements the Mid-Rise Guidelines endorsed by City Council to ensure an appropriate transition to the lower density neighbourhood to the north while acknowledging the vibrant and mixed use character of its Queen Street West frontage.

Notwithstanding the clear merits of the proposal, our client has instructed us to meet with City staff to review potential revisions to the proposal in order to address some of the issues raised in the staff report of March 17<sup>th</sup>. To that end, we can advise that our client and

its consultants will be meeting with City staff the day following the April 8<sup>th</sup> TEYCC meeting with the objective of resolving these outstanding issues such that a settlement on the proposal can be achieved.

Additionally, and as staff will be aware, the Ontario Municipal Board has scheduled a hearing of our client's appeal in this matter which hearing will commence on June 3, 2014.

In order to ensure that the above noted settlement discussions can occur and that staff can receive instructions from Council in advance of the Ontario Municipal Board hearing, we respectfully request that the TEYCC receive the staff report and amend the recommendations contained therein as follows:

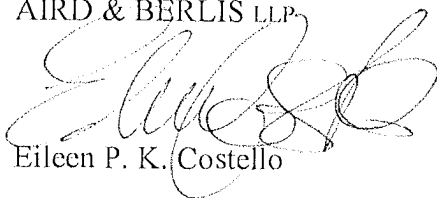
- 1. City Council authorize staff to continue discussions with the applicant concerning the development proposal for this site;**
- 2. City Council direct staff and/or the City Solicitor to bring forward a report at the next Council meeting (May 6th and 7th) to advise on the status of staff discussions with the applicant and any offers of settlement from the applicant; and**
- 3. City Council authorize the City Solicitor and staff to take such necessary steps, as required, to implement the foregoing.**

In this manner the TEYCC will be providing sufficient flexibility for the City Solicitor, staff and our client to explore a range of possible resolutions and to bring forward a revised proposal to the next meeting of City Council for its consideration in advance of the Ontario Municipal Board hearing.

We thank the committee members in advance for their consideration of our client's request.

Yours truly,

AIRD & BERLIS LLP



Eileen P. K. Costello

EPC/sh/jh

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