

May 22, 2018

Mayor Tory & Council Members  
Toronto City Hall  
100 Queen Street West  
Toronto  
Ontario  
M5H 2N2

Dear Mayor Tory and Council Members,

*Sent electronically*

**Re: Commerce Court Development Application & Recommended ToCore Downtown Plan:  
Development in Proximity to Planned Rapid Transit Stations**

Urban Strategies acts on behalf of QuadReal Property Group (“QuadReal”), who, on behalf of property owner British Columbia Investment Management Corporation (“bcIMC”) submitted a Rezoning Application in December 2017 (reference 17 2777115 STE 28 OZ) to bring forward a proposal to transform the historical Commerce Court site at King Street and Bay Street (“the Subject Site”). The proposed development includes a 64-storey mixed-use office building, providing 168,000 square metres of Class A office space, and the creation of a new atrium building to improve the quality of the public realm. The proposal will also retain the key heritage assets on the Subject Site, including the 34-storey north tower. The Subject Site is located within a densely built-up environment within the Financial District. It is located within 500 metres of both Queen Subway Station and Union Station.

Section 6 of the Recommended Downtown Plan sets out policies related to Land Use and Economy, and policies relating to “Development in Proximity to Planned Rapid Transit Stations.”

*Policy 6.34 states that “Development in proximity to planned rapid transit stations, as shown on Map 41-4, will prioritize mixed-use development.”*

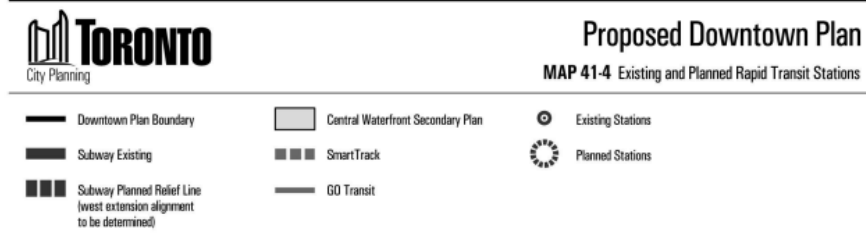
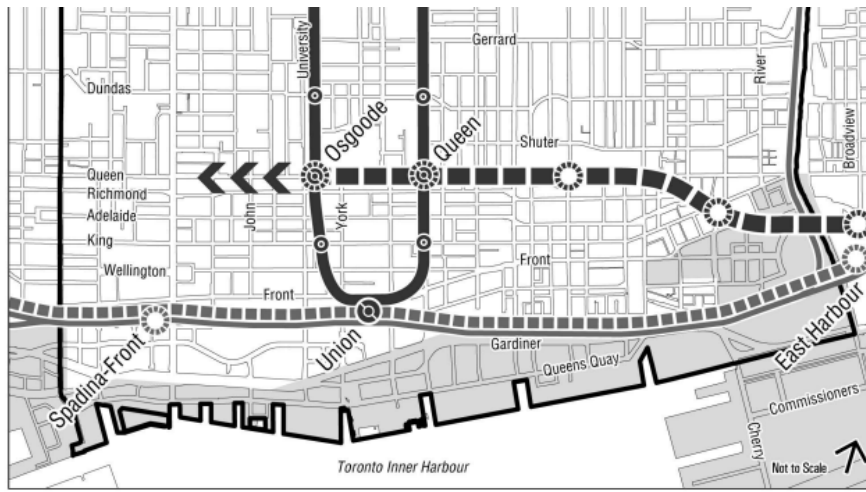
*Policy 6.35 states that “A study will be undertaken by the City that will result in a Site and Area Specific Policy prior to development above as-of-right permissions within 500 metres of a planned rapid transit station. This policy will set out, among other matters, the following:*

*6.35.1. appropriate land use mix;*

*6.35.2. priorities for connecting, expanding and improving the public realm to support walking and other active transportation modes;*

- 6.35.3. contextually appropriate built form scale and type, demonstrating transition in scale to surrounding areas;
- 6.35.4. opportunities for integration between rapid transit stations and development; and
- 6.35.5. necessary infrastructure including, but not limited to: community service facilities, green infrastructure, physical infrastructure, streets, parkland and public realm, environmental services, cultural, entertainment and tourism facilities, pedestrian systems, and other local or municipal services.”

Planned rapid transit stations are detailed on Map 41-4 (excerpt shown below). The Subject Site is located within 500 metres of Queen Subway Station, an existing station. The station is also identified as a planned station as part of the Subway Planned Relief Line.



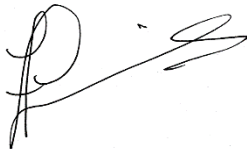
The wording of recommended Policy 6.35 suggests the policy is applicable to all “planned rapid transit stations”. We are of the position that the policy should not apply to existing stations. However as Queen Subway Station is shown as both an existing and planned subway station, the policy wording is not clear as to whether it does or does not apply to Queen Subway Station. Therefore, in regard to our client’s proposed development of the Subject Site, we are concerned as to whether the provisions set out in recommended Policy 6.35 are applicable to Queen Subway Station and if they are, how the policy will impact upon the timing of the approval and delivery of

the development, should a study and resulting Site and Area Specific Policy (SASP) be adopted in the future.

In our view, the application should not be delayed awaiting a study resulting in a SASP, given the proposed development is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, and conforms to the in-force Official Plan. As documented in the Planning Rationale report prepared in support of the Application, the proposed development provides for a compact transit-oriented development and significant office employment space in the heart of Financial District in Downtown Toronto, and also provides for significant improvements to the public realm and PATH network.

We are seeking confirmation that recommended policy 6.35 does not apply to the 500 metres around the existing Queen Subway Station. If it is the City's interpretation that policy 6.35 does apply, we respectfully request that the Subject Site and the Application be exempted from the Downtown Plan.

Yours very truly,



Frank Lewinberg  
Partner, FCIP, RPP  
URBAN STRATEGIES INC.

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