



TE14.5.29

Eileen P.K. Costello
Direct: 416.865.4740
E-mail: ecostello@airdberlis.com

September 29, 2020

Our File No.: 154015

BY EMAIL

Mayor John Tory and Toronto City Council
Toronto City Hall, 2nd Floor
100 Queen Street West
Toronto, Ontario
M5H 2N2

Attention: Marilyn Toft (email: councilmeeting@toronto.ca)

Dear Mayor Tory and Members of Council:

Re: TE14.5 Queen Street West Planning Study - Bathurst Street to Roncesvalles Avenue - Official Plan Amendment - Final Report

Aird & Berlis LLP acts on behalf of Hullmark Developments Ltd. ("Hullmark"). Hullmark and its affiliates and subsidiaries are collectively the owner of a number of properties located within and adjacent to the boundaries of the City's proposed Official Plan Amendment No. 445 ("OPA 445"). Two properties in particular, 1000 Queen Street West (owned by Hullmark (1000 Queen) Ltd.) and 944-952 Queen Street West (owned by Hullmark (952 Queen) Ltd.), fall within OPA 445's proposed boundary.

We submitted the enclosed correspondence, dated March 9, 2020, to the Toronto and East York Community Council ("TEYCC"), setting out our client's comments, concerns and suggestions with respect to the Queen West Planning Study ("OPA 445").

We have reviewed the draft of OPA 445 which will be considered by Council at its meeting on September 30, 2020. We note that despite the concerns which have been communicated by our client to date, no changes have been made to the version of OPA 445 that was considered by TEYCC and which is now before Council for approval.

Accordingly, none of our client's remarks respect to OPA 445 have been addressed.

In light of the above, our client continues to have serious concerns regarding the approval of OPA 445 in its current form.

Yours truly,

AIRD & BERLIS LLP

Eileen P.K. Costello
EPKC/lm

c. Hullmark Developments Ltd.

Encl.

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AIRD BERLIS

Eileen Costello
Direct: 416.865.4740
E-mail: ecostello@airdberlis.com

March 9, 2019

BY EMAIL

Our File No. 154015

Toronto and East York Community Council
Toronto City Hall, 2nd Floor
100 Queen Street West
Toronto, Ontario
M5H 2N2

teycc@toronto.ca

Attn: Ellen Devlin

Dear Chair Members of the Toronto and East York Community Council:

**Re: TE14.5 - Queen Street West Planning Study - Bathurst Street to
Roncesvalles Avenue - Official Plan Amendment**

Aird & Berlis LLP acts on behalf of Hullmark Developments Ltd. ("Hullmark"). Hullmark and its affiliates and subsidiaries are collectively the owner of a number of properties located within and adjacent to the boundaries of the City's proposed Official Plan Amendment No. 445 ("OPA 445"). Two properties in particular, 1000 Queen Street West (owned by Hullmark (1000 Queen) Ltd.) and 944-952 Queen Street West (owned by Hullmark (952 Queen) Ltd.), fall within OPA 445's proposed boundary.

Hullmark participated in the Working Group sessions which led to the development of OPA 445 and remains committed to working with the City to achieve an appropriate planning framework for West Queen West and Parkdale Main Street. Our client has reviewed OPA 445 and has a number of comments, concerns and suggestions which are outlined below.

Public Realm

Our client is supportive of the policies contained in OPA 445 which speak to expanding and improving the public realm. Our client welcomes Policies 4.1, 4.3, 4.5, and 4.6, which deal with the activation of Boulevard Spaces and public lanes. Our client has experienced an increased demand from potential tenants for more active rear-facing uses and encourages initiatives to activate adjacent public spaces.

Transportation

Our client is generally supportive of the transportation policies proposed in OPA 445. In our client's view, however, Policy 5.2.2 should be amended to include parking exemptions for additions under a particular size threshold, as minor additions often trigger minor variance applications. This policy should also be amended to include horizontal additions which may be required in order to support vertical additions for elements such as exit stairs, elevators, etc. With respect to Policy 5.2.4 a., our client recommends that an alternative parking rate be studied for the area based on local transportation patterns and preferences.

Built Form

Policy 6.1.2 indicates that “gentle and context-sensitive growth will be encouraged, where new buildings and additions will limit the consolidation of lots”. In our client’s view, however, OPA 445 has been designed to discourage lot consolidation and effectively limit multi-lot developments. Our client submits that OPA 445’s policies do not facilitate contemporary approaches to construction. In particular, the policies work against sustainable, innovative, wood construction.

Our client maintains that consolidation is necessary to some extent to facilitate development along *Avenues* and should not be viewed as inherently negative. Single-lot development will not provide sufficient opportunities to deliver the necessary housing options. Our client points out that floor plan examples studied during Working Group #6 clearly demonstrated that single-lot development up to 6-storeys is not feasible.

Our client submits that Policy 6.2, which sets out various urban design requirements, should be drafted in a more flexible manner to account for development that may complement the West Queen West and Parkdale Main Street areas in distinctive and unique ways.

Policy 6.3 limits the maximum overall height of any new building or addition to an existing building to 6 storeys, up to 20 metres as measured to the top of the roof slab. Our client submits that in order to encourage commercial development, this policy should be drafted in a more flexible manner to recognize that commercial floor heights (i.e. retail and office) are typically 4 metres.

Policies 6.4.1 and 6.4.6 would require new buildings and additions on existing buildings, in relation to their Queen St. W. frontage, to provide a 5 metre stepback above a height of 10.5 metres and an additional 3 metre stepback above 16.5 metres. Our client requests that the City reduce the proposed 5 metre stepback and provide greater flexibility when adjacent properties have an existing streetwall height greater than 10.5 metres. Our client notes that the introduction of a 3 metre setback above 16.5 metres at the front and rear of a property (Policy 6.6.4) significantly limits the floorplate of the top floor and reduces the viability of this space from a commercial and residential perspective.

In addition, the requirement in Policies 6.5.3 for corner properties to provide a 1.5 metre stepback above 14 metres along the side street frontage, impacts the constructability of additions and new buildings and would not facilitate wood construction. In addition, in our client’s view, the proposed 9 metre setback from *Neighbourhoods* set out in Policies 6.6.1 and 6.6.2, imposes additional transition and separation requirements, further limiting the ground floor and storeys above. The cumulative impact of these setbacks would severely limit the overall building floorplate and would frustrate our client’s ability to provide the range of commercial and residential uses envisioned by OPA 445.

Our client submits that Policy 6.7.2 should be drafted in a more flexible manner to account for mechanical equipment, compliant with TGS requirements, that may need greater than 50% coverage.

Our client supports the addition of Policy 6.8 which would permit amenity space and other uses to be located on a rooftop. Rooftops are a logical place for outdoor amenities and relocating

amenity spaces to a building's lower levels would further restrict floor plates and development feasibility.

Residential Uses

With respect to Policy 8.2, our client questions the basis for the unit threshold of 20 units and notes that OPA 406 – Downtown Plan has a unit threshold of 80 units. While our client supports the principle of providing a mix of unit types, our client requests that the language of this policy be made more flexible to “encourage” family-sized units, taking into account market demands.

Commercial Uses

Policies 9.2.2 and 9.2.3 are designed to generally discourage the consolidation of multiple existing storefronts into a single storefront. Our client notes that some consolidation is necessary in order to facilitate redevelopment. For example, commercial uses such as grocery stores require larger formats and are needed to support a growing urban population. Our client further notes that urban design features such as rhythm of the street and articulation can be maintained with larger commercial units.

Conclusion

Our client wishes to continue working with the City to ensure the establishment of appropriate planning policies for the West Queen West and Parkdale Main Street areas and would encourage staff to consider the comments above.

Yours truly,

AIRD & BERLIS LLP

Eileen PK Costello

CC Hullmark Developments Ltd.
EPKC/LD
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