

September 24, 2024

Matter No. 159841

Email: teycc@toronto.ca

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

Attention: Ms. Cathrine Regan, Committee Administrator

**Re: 517 & 523 Richmond Street East and 97, 105, 111 & 115 Berkeley Street
Agenda Item 16.4 – Toronto and East York Community Council Meeting
September 25, 2024
City File No. 23 238365 STE13 OZ**

Aird & Berlis LLP acts on behalf of BJL Parliament Corp. (our “**Client**”), the owner of the properties municipally known as 126-134 Parliament Street and 529 Richmond Street East (“**BJL Site**”). A development application to rezone the BJL Site together with a portion of City owned Worts Lane (“**BJL Dev Site**”) was submitted in 2021 (City File No. 21 235796 STE 13 OZ).

Ultimately, City Council accepted a settlement considered as Item CC17.11 on April 17, 2024 which provided for a 46 storey mixed use building with a base building of 4 and 5 storeys. A written Ontario Land Tribunal Hearing regarding the settlement plans has occurred and our Client is awaiting a Decision/Order.

Our Client’s Dev Site is located immediately east of 517 and 523 Richmond Street East and 97, 105, 111 and 115 Berkeley Street (“**Berkeley Site**”), the subject of Agenda Items 16.4. The sites are separated by the north-south portion of Worts Lane, a public lane.

Our Client and their consultants have reviewed *517-523 Richmond Street East and 97-115 Berkeley Street – Zoning By-law Amendment Application – Decision Report – Approval Decision* dated September 9, 2024, as well as the architectural plans prepared by Sweeny & Co Architects issued for ZBA Resubmission on 24-08-16, and the updated Site Plan and Level 1 Ground Floor Plan dated 24-09-10, which are available on the City’s Application Information Centre for the Berkeley Site.

Our Client is concerned about the interface and compatibility of the proposed base building on the Berkeley site and specifically how it will relate to the City Council approved five (5) storey base building on the BJL Site. The main wall of the Berkeley Site base building is proposed to be 12 storeys (44 metres) in height located 4.5 m from the east property line and approximately 5.5 m from the centre line of the lane shared with the BJL Site.

We note that our Client’s original proposal contemplated an eight (8) storey base building (counting the mezzanine) which was specifically revised in discussions with City staff and reduced to five (5) storeys which steps down to four (4) storeys towards the south end of the BJL Site to respond to the emerging context of the area while ensuring a vibrant pedestrian realm. The report

for the Berkeley Site has not accounted for this approval and is at best adopting an inconsistent approach to the emerging character of the area.

The resulting built form relationships between the podium or base elements of the buildings is not appropriate and it is unclear what the impact the 12-storey element would have on access to sunlight for the west facing units within the podium on the BJJ Site. The massing of the 12 storey element is worsened by the limited setback to the lane. Our Client's consultant raised the issue of setbacks with City staff and our Client is disappointed that the proposal for the Berkeley Site was not modified to incorporate massing options in response to the concerns expressed. However, we do note that City staff have recommended restrictions on balcony locations along the east wall and will be incorporated into the site specific by-law, although it has not been provided on the City's website for review.

We ask that TEYCC and City Council consider our Client's concerns.

Should you have any questions or concerns, please do not hesitate to contact the undersigned.

Yours truly,

AIRD & BERLIS LLP



Eileen P. K. Costello
EPC:SM:jl

60606812.4
CM:61876038.1