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November 15, 2013

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Our File No. 09/3386

VIA EMAIL (pgmc@toronto.ca)

Planning and Growth Management Committee
City of Toronto
City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Mr. Chairman and Members of the Committee:

RE: PG28.2 Municipal Comprehensive Review – Employment Lands

AND RE: 581-597 Trethewey Drive

We are the solicitors for Cowie Brothers Leaseholds, owner of the lands municipally known as 581-597 Trethewey Drive, located between Black Creek Drive and Jane Street and shown on the location map attached. We have submitted prior correspondence on this matter to the Committee as well as to planning staff and acknowledge that many of our client's concerns and issues have been addressed through the proposed General Employment land use designation proposed for the subject land and the applicable policies.

The primary issue that remains in so far as the subject site is concerned is that the proposed "as of right" retail floor space limitation of 6,000 sq.m. should be expanded modestly for the subject site, without the need for a further zoning amendment process, the construction of two storey buildings, and/or the construction of parking structures or garages.

Based on the current building design and layout, the existing space could support a number of retail commercial uses both large floor plate and small floor plate in excess of 6,000 sq.m., whether or not in conjunction with non-retail employment uses. Similarly, any modest redevelopment of the site could potentially accommodate both large and smaller floor plate users resulting in a commercial development in excess of 6,000 sq.m. with surface parking.

For the subject property, the objectives to increase retail and service commercial opportunities in appropriate locations suggest a less prescriptive policy than proposed. To date, the site has not performed optimally notwithstanding its excellent locational attributes. The poor performance is

directly attributable to existing zoning permissions which do not adequately match the sites attributes to serve a more enhanced commercial function.

The subject site has a number of key attributes that make a retail and commercial planned function for the site appropriate, including the following:

1. The property is conveniently located and accessible to a number of residential communities containing low rise low density and medium density housing, as well as a number of high rise apartment buildings, and could offer a number of convenient shopping opportunities within easy walking distance;
2. The property is also conveniently located to the adjacent interior core employment area and can offer commercial opportunities to serve the employees and visitors using the employment area;
3. The site is well served by existing public transit and is conveniently located near to the future Eglinton-Scarborough Crosstown LRT.
4. The site has substantial frontage and visibility on a major street that forms the boundary of an existing employment area; and
5. Commercial uses at the site are compatible with, and do not have the potential to undermine or affect the viability of, the core interior employment area as these areas are physically separated from the subject site and do not share road access.

In our submission, the site which is approximately 7 acres, can accommodate up to approximately 8,400 sq.m. of retail and service commercial space on any modest redevelopment plan. We would therefore request a special policy provision for the subject site to allow up to 8,400 sq.m. of retail on the subject site prior to requiring the fulfillment of the conditions set out in proposed policy 4.6.4.

Yours truly,

FOGLER, RUBINOFF LLP

"Joel D. Farber"

Joel D. Farber

JDF/ay

cc: Client