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Reply To: Joel D. Farber
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Our File No. 16/1106

VIA EMAIL

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

Attention: Rosalind Dyers, Committee
Clerk

Dear **Members of Community Council**:

Re: 875 & 887 Queen Street East, 15 118233 STE 30 OZ

We are the solicitors for Trinity Urban Properties Inc. ("Trinity").

Trinity is the owner, by way of an agreement of purchase and sale, of the non-residential component of the proposed development. We certainly appreciate the progress that the applicant and the City have made in connection with the development approvals for the site including the s.37 provisions for the new crisis care facility, and the incorporation of architectural and heritage features.

Nevertheless, there remains a few outstanding items in the development approval that our client seeks to address in order to ensure that the commercial space in the development is successful.

We write to seek the Committee's approval of certain amendments to the proposed zoning by-laws as follows:

1. That the proposed height be increased by 1.4m to 24.4m total, in order to allow for more efficient and desirable commercial ceiling heights.

We note that the Leslieville SASP 469 references the prominence of ground floor uses and large floor to ceiling heights. A modest increase in the proposed commercial ceiling heights would not detract from the manner by which the overall development proposal will respect and reinforce the character of the area. Variability in ground floor ceiling heights can provide a more animated streetscape and is not, in our view inconsistent with the requirement of SASP 469 which provides that for ground floor heights to generally match the existing fabric.

2. That there be no restriction on maximum commercial unit sizes or a minimum number of commercial units, in order to allow for full leasing opportunities for the commercial space.

In our respectful view, there is no enforceable Official Plan policy basis for a restriction on maximum unit size or requiring a minimum number of grade related uses. Through incorporation of appropriate building design features along Queen Street, the proposed development can respect and reinforce the character of the area, whether the commercial floor space is comprised of a single unit or is broken up into multiple units. Allowing for a larger store in the proposed development would not detract from the street and has the potential to promote and enhance the vibrant and eclectic commercial streetscape. In order to attract and maintain healthy, vibrant and successful commercial units in the development, we would respectfully request that full leasing flexibility be provided and that the regulations concerning unit size and number of units be eliminated. The entire commercial floor space is only 1,570 sq.m. so there is no opportunity for a large scale retail unit in any event.

Thank you for consideration of these submissions.

Yours truly,

FOGLER, RUBINOFF LLP

"Joel D. Farber"

Joel D. Farber

JDF

cc client

Kim Kovar