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July 13, 2021

John Elvidge
City Clerk
City of Toronto
13th Fl. W. 100 Queen Street W.
Toronto, ON M5H 2N2

Sent via email to: clerk@toronto.ca

Dear Sir,

**RE: ITEM TE26.4, 33-49 Avenue Road and 136-148 Yorkville Avenue - Zoning
Amendment Application**

We are the lawyers for Dr. Sylvia Geist, the owner for unit 308-55a Avenue Road.

Dr. Geist is a long-time owner at 55a Avenue Road and will be significantly impacted should the Council approve the zoning by-law amendment proposed at the subject site to the south of her building.

The greatest impact on Dr. Geist will be the near elimination of sunlight from her own private outdoor amenity space consisting of a unique and large terrace which contributes significantly to her quality of life. Dr. Geist uses her terrace for respite, exercise and work. In the past she has hosted family events with as many as 100 guests on her terrace.

The proponent's sun/shadow studies establish that Dr. Geist will lose almost all direct sunlight in the morning during the spring and fall (March 21 and September 21) and she will lose much of her afternoon sunlight during the summer (June 21). These impacts are contrary to Official Plan policy 3.1.2.5 and 3.1.2.6 which, if correctly applied, would see a greater transition between what is proposed at the subject site and 55a Avenue Road. This is also contrary to the City of Toronto's Tall Building Design Guideline 1.4 intended to protect sunlight and sky view from protected spaces, including private outdoor amenity space.

Further, the proponent proposes to build outdoor amenity space on the north side of its site, adjacent to Dr. Geist's terrace. The programming for that space is not defined and therefore raises significant concerns that some potential uses could lead to noise and overlook issues adjacent to Dr. Geist's terrace.

Dr. Geist has met with representatives for the proponents of this development after our office contacted their counsel to discuss these and other concerns. To their credit, the proponents appear to have taken note of Dr. Geist's concerns, however, there is no resolution of these concerns thus far.

Yours truly,

ERIC K. GILLESPIE
PROFESSIONAL CORPORATION

Per:

A handwritten signature in black ink, appearing to read 'Ian Flett', with a stylized, cursive script.

Ian Flett

C: Councillor Mike Layton
Client
D. Bronskill, Goodmans LLP