

Fasken Martineau DuMoulin LLP

Barristers and Solicitors
Patent and Trade-mark Agents

66 Wellington Street West
Suite 4200, Toronto Dominion Bank Tower
Box 20, Toronto-Dominion Centre
Toronto, Ontario, Canada M5K 1N6

416 366 8381 Telephone
416 364 7813 Facsimile

www.fasken.com



Neil M. Smiley
Direct 416 865 5122
nsmiley@fasken.com

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VIA EMAIL (teycc@toronto.ca)

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

Attention: Kristyn Wong-Tam, Chair

Dear Members of Community Council:

**Re: Notice of Objection to the proposed Zoning By-law Amendment Application,
as it relates to 102-118 Peter Street and 350-354 Adelaide Street West,
Toronto (the “Development Property”) - Agenda Item 26.9**

We act on behalf of Templar Limited Partnership, the owner of the Templar Hotel, a distinctive boutique hotel located at 348 Adelaide Street West in the City of Toronto (the “Hotel Property”) and are writing to express our client’s concerns and objection to the development proposed at the Development Property.

Context: The Templar Hotel is located on the north side of Adelaide Street and its northern and western property line abuts the proposed Development Property. The Hotel Property is comprised of a seven storey building and it is oriented north south, with hotel rooms, including premium 2 storey loft suites, facing north onto the Development Property and south onto Adelaide Street West. The hotel has an outdoor amenity area that runs along the rear of the 2nd floor of the Hotel Property, which includes a seating area, landscaping and an outdoor wading pool. The glass floor of the wading pool provides natural light penetration to the rear main floor area below. The hotel is currently undergoing a significant renovation which includes upgrading various features of the hotel, including its outdoor amenity area to the rear and expanding uses on the hotel’s rooftop. The City’s King-Spadina Plan speaks to ensuring the compatibility of uses in the district and states that new buildings will achieve a compatible relationship with their built form through consideration of such matters as height, massing, scale, setback, stepback, roofline and architectural character and expression. In our respectful

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submission, the application as proposed does not create a compatible relationship with the existing Hotel Property.

Nature of Objections: Our client's concerns and objection focuses on the amount of density that is being considered on the Development Property and the lack of distance separation to the Hotel Property of the structures and massing proposed on the Development Property. The proposed built-form on the Development Property will effectively tower above and wrap around the Hotel Property to its north and west, essentially boxing-in and cutting off the Hotel Property from natural light from all hotel suites/lofts facing north. The massing and height of the proposed structure together with the insufficient spatial separation to the south property line adjacent to the Hotel Property will have severe impacts on the use, operation and enjoyment of the Hotel Property.

Inappropriate setback of Podium: The most southerly wall of the proposed development on the Development Property is two storeys in height and is located along the property line immediately abutting the Hotel Property. This portion of the proposed development, with virtually little or no functional setback from the property line, will have a severe impact on the operations of the hotel on the Hotel Property. The insufficient setback at this location will create an enclosed effect on the Hotel Property, and will negatively impact the enjoyment of the hotel's limited outdoor amenity space. The lack of appropriate building separation also seriously compromises the northerly facing hotel rooms of the Hotel Property, both from the loss of light as well as from the loss of privacy. The light penetration to the upper units and the private terraces on the 7th floor serving the premium units, will be severely compromised; and the lower level units/hotel space in this location will effectively be deprived of light and privacy given the lack of appropriate setback of the proposed buildings' 2 storey podium and tower element.

In our respectful view, the setback of the proposed building should be increased along the north boundary of the Hotel Property and the massing should be stepped back so as not to close in and seriously impact the northerly facing hotel rooms above grade and the hotel's amenity space along the rear of its 2nd floor. The access to light of the northerly facing hotel suites of the Hotel Property and the viability of its amenity space is further compromised because the proposed development wraps around the hotel building to the west.

Negative Impact of Proposed Outdoor Amenity Space: The tower portion of the proposed development is set back at its 3rd floor, creating a large outdoor amenity space on the 3rd floor of the Development Property immediately adjacent to and overlooking the north boundary of the Hotel Property. Clearly, there will be an adverse impact of this proposed amenity space on the hotel rooms immediately adjacent on levels 3 or 4 of the Hotel Property. Given the lack of any meaningful setback in this location, there will

also be impact on all the rooms of the Hotel Property that face north. Noise from the proposed outdoor amenity area will create conflicts with the hotel use, and given the proposed building will wrap around the Hotel Property to the west, the incompatibility may be compounded by noise reverberation. Further, if this space is used for barbecuing, there could be odour issues and smoke issues given the window openings and private terraces along on the north side of the Hotel Property. The spatial separation should be greater between buildings and the proposed 3rd floor outdoor amenity space directly facing the Hotel Property's hotel rooms should be used as a passive green roof, and not for active amenity space.

Incompatibility with Rooftop uses/activities: The proposed high-rise tower will be 10 metres set back from the Hotel Property and the proposed mid-rise portion is located 5.5 metres from the Hotel Property along the west side. The Hotel Property's HVAC systems are located on the roof top. Given the proximity of the proposed residential uses, our client is concerned with the potential for land-use conflicts with its roof top activities, both now and in the future. The owner of the Hotel Property intends to intensify the use of the roof to address the limited amount of amenity space on the Hotel Property. Moreover, it will be necessary to further intensify the use of the roof top area on the Hotel Property should the proposed development proceed as it will seriously impact the amenity area along the rear of the 2nd floor. Given the introduction of the proposed "sensitive" residential uses adjacent to and in close proximity to the hotel's commercial use, our client is seriously concerned with the potential for land use conflict from noise and activity on the hotel's roof towards the proposed adjacent residential uses. It is our client's view that the applicant needs to address any noise mitigation issues through its design by providing a greater setback to the Hotel Property, by ensuring that noise attenuation measures are incorporated into the proposed development and by providing for appropriate buffering to the Hotel Property, including to its amenity areas.

Conclusion: The proposed development on the Development Property does not achieve a compatible relationship with the immediately adjacent Hotel Property. The proposed height and massing, the scale and lack of appropriate setback and stepback of the base building, the proposed outdoor amenity space, and of the proposed structures along southern and western property line creates impacts which compromise the existing and planned operations of the hotel use on the Hotel Property. The proposed development does not provide any meaningful/appropriate separation distance to the north facing windows of the Hotel Property and its 2nd floor outdoor amenity area, so as to deal with and mitigate the loss of light and privacy that will result from the wrap around built-form being proposed. Given the lack of separation, there will also be conflict between the midrise and residential tower uses and the rooftop activities of the Hotel Property. These conflicting conditions are not in keeping with the intent of the King-Spadina Secondary Plan and does not represent good planning.

Please accept this letter as our client's formal opposition to the approval of this zoning by-law amendment application. We respectfully request that the Community Council recommend that the matter be referred back to Planning Staff for further consideration of the above-noted issues and for a further report to Community Council prior to a final recommendation being made. If a final recommendation must be made at this time, we would ask that Community Council recommend refusal.

We would ask that you provide us with notice of any further deliberations and decision made in connection with this matter.

Yours truly,

FASKEN MARTINEAU DuMOULIN LLP



Neil M. Smiley

Cc: Ellen Devlin, Secretariat Contact
Susan McAlpine, Senior Planner
Gurion De Zwirek, Templar Limited Partnership