

November 14, 2023

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

Attention: Members of the Committee

Dear Sirs/Mesdames:

**Re: 8 – 18 Camden Street
Planning Application No.: 23 177928 STE 10 OZ
Zoning By-law Amendments Application, Decision Report
Letter of Objection**

We are solicitors for Solray Investments, APS Holdings Limited and The Saltsman Family Holdings Limited, carrying on the business as the Fashion Building. Our clients own the properties municipally known as 126 – 140 Spadina Avenue in the City of Toronto (the “**Neighbouring Property**”). The Neighbouring Property is immediately adjacent to 8 – 18 Camden Street (the “**Subject Property**”), the subject of a zoning by-law amendment application for a 19 storey mixed-use building (the “**Application**”).

Requested Relief

On July 21, 2023, the Application was submitted to the City of Toronto. In less than four months, City staff are bringing forward a report, recommending approval of the Application, subject to a Holding Symbol. While we appreciate the City’s desire to make a decision on the Application to avoid having to refund additional planning fees to the applicant (under Bill 109 planning fees are to be refunded if a decision is not made within a certain period of time), the haste for which this Application has been processed, without any meaningful opportunity for our clients to consult with City staff or the applicant after becoming aware of the Application, has resulted in a public consultation process that is devoid of any input from our clients, an immediate neighbour, and a proposal that will have undue negative impacts on the Neighbouring Property. Accordingly, we are asking Toronto and East York Community Council to:

- **Defer the Application to allow our clients time to consult with City planning staff and the applicant; or**
- **In the alternative, forward the Application without recommendations to the next City Council meeting to commence on December 13, 2023, while directing City staff**

in the interim to consult with our clients about the Application and report back to City Council at such time.

While our clients' strong preference is for the Application to be deferred to allow time for our clients to provide feedback on the Application for their views to be heard and considered, at a minimum, our clients are asking for City staff to work with our clients on the Application over the following weeks before a Council decision is made on the Application.

Context and Concerns Respecting the Application

Our clients own and operate an 8 storey office building and two storey commercial building on the Neighbouring Property. The 8 storey office building has west facing windows, built to the west property line, adjacent to a laneway which bisects the Neighbouring Property from the Subject Property. Our clients have an easement over the laneway and uses the laneway to service the Neighbouring Property.

The applicant is proposing a 19 storey mixed-use building with east facing windows. At the second floor and above, the building cantilevers over the proposed extension of the laneway below, with virtually no setback from the east property line. This creates a facing condition where the 19 storey building and the existing office building on the Neighbouring Property will have approximately only a 3.5 metre facing condition window to window. This condition is deficient from City standards (where the City often looks for a minimum of 11 metres between windows) and will have a significant impact on the office building and their ability to attract tenants, in a time where office use in Toronto is struggling to survive. Further, the lack of any setback to the east property line above the height of the existing 8 storey office building, where east facing windows are proposed, negatively impacts the redevelopment potential of the Neighbouring Property. Here, the building should be setback a minimum of 5.5 metres from the centre line of the lane. This condition would be similar to the condition the applicant is proposing in relation to the property to the north, where a 5.5 metre setback is proposed. While the office building is a listed heritage building, this does not preclude the office building from redeveloping in the future and the Application should be assessed through this lens.

In addition to built form impacts, our clients have concerns with the proposed operation of the adjacent laneway, which the applicant is proposing to use to service the proposed building on the Subject Property. Among other concerns, the Application proposes a vehicle elevator to lower floors without any ability for a car waiting to use the vehicle elevator to queue within the Subject Property. This means that cars that are waiting to use the vehicle elevator will wait in the laneway blocking, for example, servicing vehicles, which today use the laneway regularly to serve the Neighbouring Property. This condition is not good planning.

Conclusion

For the reasons stated above, our clients are asking City Council to defer the Application or, in the alternative, to forward the Application without recommendations to the next City Council meeting to commence on December 13, 2023, while directing City staff in the interim to consult with our clients about the Application and to report back to City Council at its next meeting. The Application in its current form creates undue negative impacts on the Neighbouring Property and our clients should be given an opportunity to work with City staff and the applicant for their concerns to be addressed.

Yours truly,

Goodmans LLP



Joe Hoffman
JBH/tr

cc: Clients