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File No. 23374

VIA EMAIL (clerk@toronto.ca and registrarcco@toronto.ca)

John D. Elvidge
City Clerk
Toronto City Hall
13th floor, West Tower
100 Queen Street West
Toronto ON, M5H 2N2

Re: **Letter of Objection**

- **Zoning By-law Amendment and Site Plan Control Application for 699 Yonge Street, Toronto**
- **Files No. 22 205973 STE 11 OZ and 22 205972 STE 11 SA**

We are counsel for EH 695 Yonge Street GP Inc., Yonge Charles Title Holdings Inc., EH 685 Yonge Street GP Inc. and 685 Yonge Street Limited Partnership who are the owners (the “**Owners**”) of the lands municipally known as 675, 681, 685 and 695 Yonge Street, and 4 and 6 Charles Street East (collectively the “**Subject Site**”). A parcel and ownership chart is provided in **Appendix A**. The parcels of the Subject Site are located on the westerly end of the block of Hayden Street to the north, Church Street to the east, Charles Street East to the south, and Yonge Street to the west.

Parcels of the Subject Site are adjacent to 8 Charles Street East, and 699 and 701 Yonge Street (collectively “**699 Yonge Street**”). On June 23, 2023, a Notice of Complete Application was issued for a Zoning By-law Amendment Application and Site Plan Control Application (the “**Applications**”) for 699 Yonge Street. A complete list of all municipal addresses for the 699 Yonge St ZBLA Application is provided in **Appendix B**. On May 21, 2025, the City of Toronto hosted a Community Consultation Meeting, and the Owners’ land use planning consultant, Mr. David McKay, Vice President and Partner at MHBC, attended and provided feedback on the Applications.

OBJECTIONS AND CONCERNS

Although we do feel 699 Yonge Street could be developed with a tall building, we have several significant concerns with the Applications as set out below.

City of Toronto Official Plan

The City of Toronto Official Plan (the “**City OP**”) has several policies that are relevant to our objections and concerns for the Applications including policies that require that development be

located and massed to fit within the **existing and planned context**,¹ including the provision of appropriate separation distances between towers.² Specifically, Site and Area Specific Policy No. 211 Bloor Yorkville/North Midtown Area ("**SASP 211**") states that new buildings will achieve a harmonious relationship to their built form context, including through the use of **appropriate setbacks (emphasis added)**.³

Furthermore, Site and Area Specific Policy No. 517, Downtown Tall Buildings Setback Area Specific Policy, located generally bounded by Bathurst Street, Lake Ontario, the Don River, Rosedale Valley Road and the CPR Tracks ("**SASP 517**"), Official Plan Amendment No. 352 via By-law No. 1105-2016, has several relevant policies that articulate our objections and concerns for the Applications. These policies include (**emphasis added**):

"... Zoning By-law amendments may be considered through rezoning or minor variance providing that adequate space between towers within the block will: ... b) **consider development potential, where appropriate, of other sites within the block**".⁴

Finally, Tall Building Guidelines Section 3.2.3 – Separation Distances, provides a rationale for separation distances, indicating that (**emphasis added**):⁵

"... If towers are permitted to locate too close to side or rear property lines, the result is a "first-to-the-post" development scenario, whereby the need to provide access to sunlight, sky view, privacy, and daylighting, may **restrict adjacent sites** from developing in a similar manner."

Analysis

The Applications are advancing a "first-to-the-post" development scenario, whereby it is maximizing its tower floor plate through a 0 metre south lot line setback at the expense of the balance of the block, forcing the tower floor plate potential on other lands in the block to be of a lesser and impractical size in order to accommodate sunlight, sky views, privacy and daylighting.

The Applications are **not** demonstrating an equitable orientation of tower placement relative to the balance across the block, resulting in the substandard potential tower site on the Subject Site. Therefore, in our opinion, if the tower placement shown on the plans filed with the Applications is maintained as is, it is our strong opinion that it **will not** conform to the policy direction of the Toronto OP, the SASPs, or have appropriate regard to the Tall Building Guidelines, which apply to the Subject Site, 699 Yonge Street, and the block as a whole.

The tower setback should be increased to 10 metres to the property line in order to provide for an equalization of tower floor plate sizes for two towers on the block utilizing a 20-metre tower separation distance and to allow for an appropriate light, view and privacy conditions between the proposed towers. This increased setback would also allow for an appropriate south wall

¹ Toronto OP, [Chapter 3](#), 3.1.3 Built Form, Site Organization & Location, Policy 1., PDF page 11

² Ibid., Policy 3., PDF page 12

³ Ibid., [Chapter 7](#), Site and Area Specific Policies, SASP 211, e) Urban Design and Bloor-Yorkville/North Midtown Guidelines, page 146

⁴ Ibid., [SASP 517](#), B), ii), page 3

⁵ City of Toronto [Tall Building Design Guidelines](#), 3.2.3 Separation Distances, PDF page 52

treatment, including access to said wall for maintenance to occur, keeping in mind the applicant does not have a limiting distance agreement with the Owners.

At the Community Consultation Meeting, when Mr. McKay raised the above-noted concerns, the planner for the Applications asserted that development can still occur on the Subject Site and the parcel of 695 Yonge Street is the separation distance, and its true development potential as a midrise/podium is not adversely affected. Further, it was the opinion of the planner for the Applications that the south end of the block is where the other tower should go (Subject Site parcels 4 and 6 Charles St E, 681 and 675 Yonge St and 685 Yonge Street), but it has its own constraints not caused by Applications (i.e., lot consolidation and purchase of the laneway). We disagree with these conclusions and, as noted above, we believe the policies cited above justify our objection and raise concerns for the Applications.

We are submitting this letter of objection and concern to officially get on the record as opposing this development on behalf of the Owners. Further, we reserve the right to raise further policy concerns in the future. Please also keep us on the list for notification of any future meetings, reports and decisions with respect to the Applications.

If you have any questions regarding the above, please do not hesitate to contact me at 416.645.4572 or via email at jpark@ksllp.ca.

Yours truly,

KAGAN SHASTRI DeMELO WINER PARK LLP



Jason Park
JIP

cc: Councillor Dianne Saxe

Cole Solish, Planner, Central Section, Community Planning – Toronto and East York District, Development and Growth Services, City of Toronto

David Driedger, Manager, Central Section, Community Planning – Toronto and East York District, Development and Growth Services, City of Toronto

Oren Tamir, Director, Central Section, Community Planning – Toronto and East York District, Development and Growth Services, City of Toronto

David McKay, MHBC

The Owners

Appendix A – Chart of the Owner’s Parcels

Lot(s) via the 699 Yonge St ZBVLA Application survey 12Aug20	PIN(s)	Owner(s)	Municipal Address
Lots 1, 2	21108-0156	EH 695 YONGE STREET GP INC.	695 Yonge St
Lots 8-11	2108-0164	YONGE CHARLES TITLE HOLDINGS INC.	4 and 6 Charles St E, 681 and 675 Yonge St
Lot 7	21108-0163	EH 685 YONGE STREET GP INC. and 685 YONGE STREET LIMITED PARTNERSHIP	685 Yonge Street

Appendix B – Municipal Addresses of the 699 Yonge St ZBLA Application per the Application Information Centre⁶

- 699 YONGE ST TORONTO
- 707 YONGE ST TORONTO
- 8 CHARLES ST E TORONTO
- 11 HAYDEN ST TORONTO
- 13 HAYDEN ST TORONTO
- 15 HAYDEN ST TORONTO
- 17 HAYDEN ST TORONTO
- 5 HAYDEN ST TORONTO
- 701 YONGE ST TORONTO
- 703 YONGE ST TORONTO
- 705 YONGE ST TORONTO
- 7 HAYDEN ST TORONTO
- 9 HAYDEN ST TORONTO

⁶ AIC [link](#)