

Cassels

December 2, 2019

via e-mail: teycc@toronto.ca

Ellen Devlin, Administrator
Toronto and East York Community Council
City Clerk's Office
100 Queen Street West, 2nd Floor
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Dear Ms. Devlin:

Re: Main Street Planning Study - Official Plan Amendment 478
TEYCC Meeting: Tuesday, December 3, 2019
Item # TE11.4

We are the solicitors for Canadian Tire Real Estate Limited ("CTREL"), part owner of 2681 Danforth Avenue (the "Site"). The Site is developed with a single storey, 4,447 m² Canadian Tire retail store, including a service centre, garden centre and parking for approximately 250 vehicles. CTREL has reviewed the staff report regarding the Main Street Planning Study ("Staff Report") and the proposed Official Plan Amendment ("OPA 478"), dated November 15, 2019, and has a number of concerns respecting the impact of OPA 478 on the Site.

CTREL, through its planning consultants, met with City Planning staff on two prior occasions and previously made a submission to City Planning by way of letter dated December 7, 2018 (copy attached). No formal response to CTREL's concerns has been provided to date and CTREL's concerns remain outstanding.

While CTREL supports the general intent of OPA 478 to facilitate the transition of the area into a transit-orientated mixed use neighbourhood, there are a number of fundamental aspects in OPA 478 that CTREL does not support. In particular, CTREL has the following concerns:

1. The Site contains an existing and successful commercial use that has been in operation for many decades. CTREL has no plans to close the existing Canadian Tire retail store. It is CTREL's position that the policy framework must continue to recognize existing uses and allow for their renovation and expansion. Further clarification is required to determine what would constitute 'minor expansions to existing land uses and buildings' as noted in proposed Policy 2.1.2. CTREL opposes any policies in OPA 478 that would restrict its ability to expand its existing commercial operation.

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2. The preferred location of a new park identified within Character Area C is on the southeast corner of the Site, directly in conflict with the existing Canadian Tire retail store. The Staff Report contains insufficient justification and analysis to support the size and delineation of the proposed new park. There has been no identification and analysis of other locations considered in selecting the preferred location. Should the need for a new park in the area be justified, the exact location and size of the new park should be determined at the time of detailed design of the block. To provide for appropriate flexibility, OPA 478 should not identify the specific location, size and boundaries of the new park in its text or mapping.
3. A new public street is proposed along the western edge of the Site, Dawes Road is proposed to be extended along the southern edge of the Site and a new midblock private street is proposed to run through the middle of the Site, once again in conflict with the existing Canadian Tire store. No detailed information or planning justification has been provided in the Staff Report to support the alteration of the street network and the division of the block. It is our client's position that more flexibility is required in OPA 478, and in particular, the alteration of the road network and the need for any private streets should be determined at the time of detailed design of the block.

Please provide the undersigned with notice of any further consideration or decision respecting this matter.

Yours truly,

Cassels Brock & Blackwell LLP



Signe Leisk
Partner

c.c. Client

SL/rc
Enclosure



ZELINKA PRIAMO LTD

A Professional Planning Practice

VIA EMAIL

December 7, 2018

City Planning
Toronto and East York District
City of Toronto
100 Queen Street West, 18th Floor
Toronto, ON M5H 2N2

Attention: Mr. Daniel Woolfson, Senior Planner

Dear: Mr. Woolfson:

**Re: Main Street Planning Study – Framework Plan Options
Preliminary Comments on Behalf of Canadian Tire Real Estate
Limited
2681 Danforth Avenue
Toronto, ON**

Our File: CAT/TOR/17-04

We are the planning consultants for Canadian Tire Real Estate Limited (“CTREL”) for the Main Street Planning Study (“the Study”). CTREL are the owners of the lands known municipally as 2681 Danforth Avenue in the City of Toronto (the “subject lands”). We met with City of Toronto Planning Staff (Daniel Woolfson and George Pantazis) on January 25, 2018 with regard to the Danforth Avenue Planning Study. We also participated in the November 28, 2018 land owners meeting for the Main Street Planning Study.

On behalf of CTREL, we have reviewed the Framework Plan Options presented by the City of Toronto and the planning consultants (SvN) at the land owners meeting. On behalf of CTREL and with the understanding that the Framework Plan Options are not final, we are pleased to provide preliminary comments as outlined below. We will continue to review the Framework Plan Options and any subsequent documents released by the City of Toronto for the Main Street Planning Study and may provide further comments as required.

At this time, our preliminary comments for the Main Street Planning Study Framework Plan Options are as follows:

- In general, we submit that any new designations or policies introduced as a result of the Study should provide for the operational needs of the existing Canadian Tire store on the subject lands. Proposals for minor expansions, exterior alterations and loading space additions should not require an Official Plan Amendment;
- In general, we seek confirmation that the current “Mixed Use” land use designation for the subject lands under the Official Plan will not be altered as part of the Study;
- In general, we seek clarification as to the land use designations proposed for the subject lands. The intent of the “Large Scale Commercial (Integrated)” and

"Mixed-Use Office" designations is unclear and we express concern that these proposed designations may result in a gross floor area maximum or minimum. We also seek clarification in regard to Framework Plan Option A and the purpose of designating the southern portion of the subject lands for "Mixed-Use Office" and not the northern portion or the subject lands as a whole;

- In general, we seek clarification as to the intent of the "Active Building Frontage" shown for all street frontages on the subject lands and whether an active frontage is encouraged or required. In our submission, requiring active retail frontages on local streets may compromise the vitality of existing active retail streets in the area such as Danforth Avenue and Main Street. Additionally, we express concern that requiring an active building frontage along all street frontages does not provide for loading areas, parking access or areas where internal building uses (such as storage) are not compatible with active frontages;
- In general, we seek clarification as to the location of the "Large Scale Commercial (Integrated)" shown on the subject lands. In our submission, any large scale commercial use permissions should apply to the subject lands as a whole and should not be shown in specific locations. We note that the proposed "Large Scale Commercial (Integrated)" location shown on Framework Plan Option B is internal to the block whereas a location with frontage on Danforth Avenue may be more appropriate;
- In general, we submit that a "Suggested Height" range should be identified for the northern portion of the subject lands. We note that this portion of the subject lands is immediately east of 2575 Danforth Avenue, a 23-storey mixed use building, and west of the intersection of Danforth Avenue and Dawes Road which is shown with a "Suggested Height" of 8-10 storeys on both Framework Plan Options;
- In regard to Framework Plan Option A, we submit that the "Proposed Vehicular Circulation" shown connecting Guest Avenue to the western boundary of the subject lands would require the demolition of a portion of the existing Canadian Tire building. In our submission, it should be made clear in the final policy document that all "Proposed Vehicular Circulation" routes are only required in the event that the subject lands are fully redeveloped. Proposals for minor building alterations or stand-alone small-scale retail buildings should not trigger the dedication of a new right-of-way;
- In regard to Framework Plan Option B, we submit that the "Pedestrian Connections" shown connecting Guest Avenue to the western boundary of the subject lands and the "Proposed Vehicular Circulation" shown connecting Dawes Road with the western boundary of the subject lands would require the demolition of a portion of the existing Canadian Tire building. In our submission, it should be made clear in the final policy document that all "Pedestrian Connections" and "Proposed Vehicular Circulation" routes are only required in the event that the subject lands are fully redeveloped. Proposals for minor building alterations or stand-alone small-scale retail buildings should not trigger the dedication of a new right-of-way; and
- In regard to Framework Plan Option B, in our submission we seek further information on the "New Park" shown on the western portion of the subject lands. We note that a park in this location will hinder the ability of CTREL to fully redevelop the subject lands and that there are a number of existing public parks

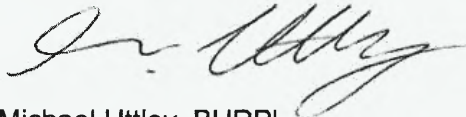
and recreational facilities that provide amenity for the Study Area. We seek further information in regard to the demonstrable need for a "New Park" on the subject lands. We also seek clarification as to whether the proposed location, size and configuration of the "New Park" is final or if the layout will be determined consultation with the City.

We would welcome the opportunity to meet with Staff to discuss our comments further. In addition, please kindly ensure that the undersigned is notified of any further meetings with respect to this matter as well as notice of the adoption of the Official Plan Amendment.

Should you have any questions, or require further information, please do not hesitate to call.

Sincerely,

ZELINKA PRIAMO LTD.

A handwritten signature in black ink, appearing to read "Michael Uttley". The signature is fluid and cursive, written over a white background.

Michael Uttley, BURPI
Planner

cc. Canadian Tire Real Estate Limited