

# Cassels

July 15, 2020

By email: [scc@toronto.ca](mailto:scc@toronto.ca)

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Scarborough Civic Centre  
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File: 8156-2627

Attn: Carlie Turpin

Dear Sirs/Mesdames:

**Re: Item No. SC16.3 | Request for Deferral  
Golden Mile Secondary Plan | Final Report  
Concerns Regarding Proposed OPA 499 and Urban Design Guidelines  
Canadian Tire Real Estate Limited | 1901 Eglinton Avenue East**

We are the lawyers for Canadian Tire Real Estate Limited (“**CTREL**”), the owner of approximately 2.63 ha (6.50 ac) known municipally as 1901 Eglinton Avenue East (the “**Property**”). The Property is improved with a Canadian Tire store and associated parking. We are writing to indicate our client’s ongoing and significant concerns in respect of the draft Golden Mile Secondary Plan (the “**Draft Secondary Plan**”) and related Urban Design Guidelines (the “**UDG**”), and to ask that consideration of the Item be deferred.

CTREL, through its planning consultants, Zelinka Priamo Ltd., has been participating in the ongoing Golden Mile Secondary Plan Study, provided preliminary feedback at a meeting with Staff on March 29, 2019, and provided preliminary comments on February 18, 2020. The majority of these comments remain unresolved and CTREL’s continued planning concerns are set out in detail in the attached letter (the “**Zelinka Priamo Letter**”).

At a high level, CTREL’s concerns center around the proposed required densities, implementation of new streets and midblock pedestrian connections, restriction of permitted uses, required building heights, requirement for active commercial uses at grade, and the lack of distinction in application of the policies to existing “development” versus “new development”.

Of greatest concern is the impact the Draft Secondary Plan will have on the existing and successful Canadian Tire store, and its ability to expand and redevelop the Property into the future with an appropriate range of uses. The Draft Secondary Plan as drafted would substantially restrict the potential for CTREL to make additions to its existing building or to redevelop the block, despite being located within a *Major Transit Station Area*, in an area appropriate for intensification.

As noted in the Zelinka Priamo Letter, our client would welcome the opportunity to meet further with Staff to discuss its concerns prior to adoption. We seek deferral of the Item until such time as additional consultation can occur and outstanding issues resolved.

Please provide the undersigned with written notice of all decisions related to this matter.

Yours truly,

Cassels Brock & Blackwell LLP

A handwritten signature in blue ink, appearing to read 'S. Leisk', written in a cursive style.

Signe Leisk  
Partner

SL  
Enclosure



**VIA EMAIL**

July 14, 2020

Cassels Brock & Blackwell LLP  
40 King St. W., Scotia Plaza, Suite 2100  
Toronto, ON  
M5H 3C2

Attention: Ms. Signe Leisk, Partner

Dear: Ms. Leisk

**Re: Scarborough Community Council – July 17, 2020 Meeting  
Item SC16.3 – OPA 499, Golden Mile Secondary Plan Study  
City-Initiated OPA File No.: 17 134997 EPS 00 TM  
Preliminary Comments on Behalf of Canadian Tire Real Estate  
Limited  
1901 Eglinton Avenue East  
Toronto, ON**

**Our File: CAT/TOR/18-01**

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We are the planning consultants for Canadian Tire Real Estate Limited (“CTREL”) for the Golden Mile Secondary Plan Study. CTREL are the owners of the approximately 2.63 ha (6.50 ac) lands known municipally as 1901 Eglinton Avenue East in the City of Toronto (the “subject lands”). The subject lands are developed with a Canadian Tire store and associated parking.

CTREL has been participating in the ongoing Golden Mile Secondary Plan Study and provided preliminary feedback at a meeting with Staff on March 29, 2019. In addition, on behalf of CTREL, we provided the attached preliminary comments dated February 18, 2020 regarding concerns with the December 20, 2019 Draft Secondary Plan Policies for the Golden Mile Secondary Plan. On June 24, 2020, Staff released Draft OPA 499, Golden Mile Secondary Plan (the “Secondary Plan”) along with the Final Report dated June 25, 2020 and draft Golden Mile Urban Design Guidelines dated July 2020 for the July 17, 2020 Public Meeting. Based upon our review of the Secondary Plan and Urban Design Guidelines, on behalf of CTREL we have the preliminary comments as outlined below and will continue to review the Secondary Plan in more detail, and may provide further comments as required. Please note that the references below to “former” Policy refers to the policies under the December 20, 2019 Draft Secondary Plan as referenced in our letter dated February 18, 2020.

At this time, our comments for the Secondary Plan are as follows:

- In general, we suggest that for the existing Employment Areas on the south side of Eglinton Avenue East, including the subject lands, it would be appropriate within the context of Growth Plan (2019) Policy 2.2.5.10 to consider additional

- permissions for non-employment uses while maintaining a significant number of jobs;
- The non-policy text of the Monitoring policies states “New development in the Plan Area is expected to occur incrementally and the timing and phasing of necessary infrastructure improvements will depend on a number of factors including the nature and rate of development, demographic shifts, changes in travel behavior and future transit implementation”. In addition, the non-policy text under Section 5 states “The economic revitalization strategy provides area-specific policies that are intended to attract new investment and retain existing businesses within the Plan Area.” Accordingly, we submit that the policies should provide flexibility to account for the operational needs of the existing Canadian Tire store on the subject lands and to provide greater opportunities for development given the new transit investment along Eglinton Avenue East;
  - We submit that in general, for many of the Secondary Plan policies, a distinction between “development” and “new development” should be added, in order to clarify that expansions/modifications to the existing development will not trigger the need for an Official Plan Amendment;
  - Based upon our review in order to provide context for our comments below:
    - The subject lands are within an Employment District according to Map 45-2, are within the Employment Area Character Area according to Map 45-3 and are within the 2.0 Maximum Permitted FSI (Gross) Development Density area on Map 45-5;
    - According to Maps 45-4, 45-8 and 45-18, a north/south New/Reconfigured Street (NS5) with a 20 m ROW is shown along the west portion of the subject lands, an east/west New/Reconfigured Street (EW4) with a 27 m ROW is shown along the south portion of the subject lands, and a north/south New Conceptual Street is shown running through the subject lands;
    - According to Map 45-9, Pedestrian Network, Proposed Mid-block Pedestrian Connections are shown through the subject lands;
    - According to Map 45-11, Minimum Building Setbacks of 3.0 m are shown along the north, west and south frontages of the subject lands along Eglinton Avenue East and the New/Reconfigured Streets NS5 and EW4;
    - The subject lands are shown with base building heights of “Minimum 3 storeys and Maximum 4 storeys” on the New/Reconfigured Streets NS5 and EW4 and “Minimum 5 storeys and Maximum 6 storeys for mixed-use buildings; Minimum 4 storeys and Maximum 5 storeys for employment/office buildings” along Eglinton Avenue East on Map 45-12;
    - The subject lands are shown with “Mid-rise buildings (5-11 storeys)” on Map 45-13;
    - On Map 45-15, “Required Active Commercial Uses at Grade” is shown along the Eglinton frontage of the subject lands, while “Possible Building Edge” is shown along the New/Reconfigured Street NS5, EW4 and along the Potential Mid-block Pedestrian Connection; and
    - A “Medium Scale Shared Mobility Hub” is shown at the southwest corner of the subject lands at the intersection of the New/Reconfigured Streets NS5 and EW4 on Map 45-17;

- For Policy 2.2 that states “this Vision will be achieved through the implementation of this policy framework, area specific zoning by-laws, Transportation and Servicing Master Plans, and Urban Design Guidelines”, we have comments for as outlined below for the draft Urban Design Guidelines dated July 2020;
- For Policy 3.2.4 that states “The Employment District will preserve existing uses and will intensify over time with transit-supportive employment and industrial uses”, we continue to submit that the policies of the Secondary Plan as noted below should accommodate the operational needs of the existing Canadian Tire store on the subject lands and allow for additions to existing buildings along with small-scale infill buildings;
- For Policy 3.10 (former 3.7) that states “Development in the Employment Area will provide mid-rise buildings with employment uses, as well as commercial uses at grade along Eglinton Avenue East. Development will provide public realm improvements including a new park”, we suggest that “new development” replace “development” in both instances to recognize existing development and that the area will redevelop “incrementally over time”. We also suggest that “Where appropriate” be added to the beginning of the policy in order to provide for flexibility for ground floor uses and the type of building. Lastly, we suggest that “as shown on Maps 45-4 and 45-6” after “including a new park” to provide clarity that new parks are not required for all developments;
- For Policy 4.3 that states “Commercial uses will be required at grade in certain locations”, we continue to submit that the word “required” be replaced with “encouraged” in order to recognize site-specific conditions;
- For Policy 4.8 that states “Small-scale infill stand-alone retail development of less than 1,000 square metres of gross floor area or additions of less than 1,000 square metres of gross floor area to existing stand-alone retail uses may be permitted provided it does not preclude the long-term development of this Plan”, we reiterate that “retail” should be deleted after “Small-scale infill stand-alone”, in order to provide additional flexibility to accommodate a broader range of permitted uses such as restaurants in small-scale stand-alone infill;
- For Policy 6.24 (former 6.26) that states “Additional parks and open spaces may be added to the network shown on Map 45-6: Public Realm Plan as opportunities arise and as circumstances require them”, we reiterate our request for clarification as to the circumstances that may “require” additional parks and open spaces and in particular for the subject lands;
- For Policies 6.27 and 6.29, we submit that there should be clarity that POPS should be provided through “new development” as opposed to through “development”;
- For Policy 7.10 Setbacks, that states “Development will provide minimum setbacks from streets, and parks and open spaces as identified on Map 45-11: Building Setbacks”, we reiterate our request that “will” should be changed to “is encouraged to” or to add “generally” after “will” in order to provide flexibility for additions to existing buildings. For related Policy 7.11 that states “Encroachments and projections into the minimum required setbacks will be generally limited through the zoning by-law to elements that provide enhancements to the public realm”, we continue to submit that “the minimum required setbacks” should be changed to “the minimum setbacks”;

- For Policy 7.12 (“Development adjacent to streets, parks, and open spaces will generally front onto these spaces with active at-grade commercial, residential, community, and/or institutional uses”) and Policy 7.13 (“Active at-grade commercial uses such as retail and service uses, restaurants, office uses, and entrances to office buildings are required at the locations identified on Map 45-15: Building Edges and Active Commercial Uses at Grade. Active at-grade commercial uses should:”), we reiterate our request that flexibility be added to the policies in order to accommodate additions to existing buildings, whereby for Policy 7.12 “where appropriate” be added after “institutional uses” and for Policy 7.13 “are required” be changed to “are encouraged”;
- For Policy 7.17 that states “Larger retail units located in the bases of new buildings may achieve the objective of Policy 7.16 by:”, we are concerned as to how the policy will apply to redevelopment that includes expansions to existing large-scale retail buildings. Accordingly, we suggest that “Where appropriate,” be added before “Larger retail units”;
- For Policy 7.21 (former 7.20), Parking and Parking Structures, we request that “Under redevelopment,” be added prior to “In *General Employment Areas*” in order to provide clarity that the policy is only applicable when lands are redeveloped as opposed to for minor additions to existing development;
- For Policy 7.26 that states “Minimum and maximum base building heights as shown on Map 45-12: Base Building Heights will be provided on tall and mid-rise buildings to define and support the different roles, functions, and characteristics of the adjacent streets, parks and open spaces within the Character Areas, and to support an overall pedestrian friendly scale in the Plan Area”, we suggest that “will be provided” be changed to “should be provided” or “where appropriate,” should be added before “Base Building Heights”;
- For Policy 7.28 (former 7.27) that states “Development will provide a mix of building types, variation of building heights, and transition in scale across the Plan Area as shown on Map 45-13: Building Types and Heights in Character Areas, and will support the built form vision for the Character Areas outlined in Policies 7.29 to 7.35”, we reiterate our request for clarification as to the applicability of the “Mid-rise buildings 5-11 storeys” on Map 45-13 for additions to existing buildings and small-scale infill. We suggest that “Development” should be changed to “New development” in order to draw distinction between redevelopment and additions to existing buildings;
- For Policy 7.35 (former 7.34) that states “Development in Employment Area will:  
a) Be sited and oriented to feature a strong relationship with Eglinton Avenue East, providing primary façades and entrances fronting directly onto the street”, we continue to suggest that “where appropriate” be added after “directly onto the street” in order to provide flexibility for additions to existing buildings;
- For Policy 7.36 (former 7.35) that states “Development will provide a mix of building types and heights”, we continue to suggest that “Development” should be changed to “new development”;
- For Policy 7.37 (former 7.36) that states “Along Eglinton Avenue East, development will consist of a mix of tall and mid-rise buildings...”, we continue to suggest that “development” should be changed to “new development”;

- For Policy 7.45 that states “Development of Mid-rise Buildings will:”, we suggest that “will” be changed to “should” in order to provide for flexibility under the associated Mid-Rise Guidelines;
- For Policy 11.6 that states “The fine-grain street network as shown on Map 45-7: Street Network will consist of Streets and Conceptual Streets and they will be defined as follows:”, we submit that the locations of the proposed streets are inappropriate and the conceptual street that bisects the subject lands is of particular concern;
- For Policy 11.8 that states “The exact location, alignment and design of streets and potential mid-block pedestrian connections will be refined, at the discretion of the City, through the development application review process (including the Plan of Subdivision process), a Municipal Class Environmental Assessment (“EA”), as required, or other implementation mechanisms at the discretion of the City”, we continue to submit that the “will” language should be replaced with “may” to allow for flexibility to reflect the potential for development applications for additions to existing buildings and small-scale infill buildings;
- For Policy 11.17 (former 11.18) that states “Development on individual blocks will extend the mobility network by introducing safe, generously-scaled, and comfortable potential mid-block pedestrian connections identified on Map 45-9: Pedestrian Network”, we submit that “Development” should be changed to “Where appropriate, new development” and that “as generally” be added before “identified on Map 45-9:”. We submit that the Proposed Mid-block Pedestrian Connections as shown on Map 45-9 are incompatible and not feasible within existing large-scale Major Retail developments in the context of Policy 4.7 that allows for large retail in General Employment Areas;
- For Policies 11.19 (“Development applications will be required to include Travel Demand Management (“TDM”) Strategies”) and 11.20 (former 11.20) (“Development applications will provide TDM strategies which will include:”), we reiterate that, the “will” language should be replaced with “may” to allow for flexibility for development applications for minor additions to existing buildings and small-scale infill that may have a negligible impact on transportation capacity;
- For Policy 11.24 (former 11.25) that states “Quantitative multimodal transportation assessments and site-related mitigation measures including a TDM strategies shall be prepared for all development applications within the area that demonstrate sufficient and safe transportation infrastructure to service the proposed development”, we reiterate that, the “shall be” language should be replaced with “may be” to allow for flexibility for development applications for minor additions to existing buildings and small-scale infill that may have a negligible impact on transportation capacity;
- Policy 13.3 states “On each individual Site, the density of development will not exceed the maximum FSI identified on Map 45-5: Development Density. Development on individual development Blocks may exceed the FSI shown, provided that a Context Plan is prepared in accordance with the policies of this Plan, demonstrating corresponding decreases in the FSI on other adjacent development Blocks, such that the overall density on Map 45-5: Development Density is not exceeded in accordance with the Policies in Section 4 of this Plan.” Definitions for “Block” and “Site” are provided in Section 13.25. We are

- concerned as to implications in the context of “corresponding decreases in the FSI on other adjacent development Blocks” if the “development Block” that includes the subject lands is redeveloped after adjacent blocks. We suggest that this requirement should be removed;
- For Policy 13.7 (former 13.6) that states “The City may, at its discretion, require an easement on private land to secure public access to the public realm enhancements identified in this Plan...”, we continue to suggest that “for new development” be added after “at its discretion”;
  - For Policy 13.11 (former 13.9) that states “In order to assess proposed development, additional information regarding the complete application submission requirements is as follows...”, we reiterate that “proposed development” should be changed to “proposed new development” to provide clarity that the additional information is not required for minor additions to existing buildings and small-scale infill development in all circumstances;
  - For Policy 13.16 (former 13.14) that states “The expansion of the street network in the Plan Area into a finer grid of streets will occur incrementally with development through the direct construction and conveyance of new streets or contributions towards the acquisition of land and construction of transportation infrastructure off site as secured through the development approvals process”, we suggest that “will occur incrementally with development” be changed to “may occur incrementally with new development” to provide clarity that the expansion of the street network is not required for minor additions to existing buildings and small-scale infill development. As noted for Policy 11.6, we submit that the locations of the proposed streets are inappropriate and the conceptual street that bisects the subject lands is of particular concern;
  - For Policy 13.17 (former 13.15) that states “The expansion of the transportation network will be gradual in the Plan Area, but certain street links and transportation network improvements, including transit, will be required for development to proceed in associated development areas”, we suggest that “will be required” be replaced by “may be required” in order to provide clarity that the certain street links and transportation network improvements are not required for minor additions to existing buildings and small-scale infill development;
  - For Policy 13.18 (former 13.17) that states “In the Plan Area, the expansion of the transportation network will occur incrementally with development as follows: a) If a required network improvement identified on Map 45-18: Transportation Implementation Plan forms part of a Site that is subject to a development application, that improvement will be secured and/or constructed prior to development proceeding; b) When required network improvements Map 45-18: Transportation Implementation Plan are not part of a Site that is subject to a development application, the development proponent of that Site will make best efforts to coordinate the required improvements with other landowners in the Plan Area;”, we reiterate that there should be a policy to clearly state that the securing of rights-of-way will only occur during the approval of comprehensive redevelopment, and small-scale infill development or additions to existing buildings will not trigger the conveying of lands for the purposes of new public streets; and
  - Policy 13.23 states “Uses and their associated existing gross density that are legally existing as of the date of adoption of this Plan will be permitted, provided:



13.23.1 Any renovation, addition or expansion of the use does not exceed 10 per cent of the gross floor area existing on the date of adoption of this Plan; or 13.23.2 Any renovation, addition or expansion of the use that exceeds 10 per cent of the gross floor area existing on the date of adoption of this Plan will require the submission of an Interim Development Strategy as part of a complete application for any proposal requiring a Zoning By-law Amendment or Site Plan Approval application for the interim use". Policy 13.24 states "An Interim Development Strategy submitted pursuant to Policy 13.23.2 will demonstrate to the City's satisfaction that such interim development:". We suggest that while the policies provide for existing development, the tests are extremely limiting and inappropriate.

At this time and in the context of Secondary Plan Policy 2.2, our comments for the draft Urban Design Guidelines include:

- In general:
  - We note that the Urban Design Guidelines reference "development" throughout the document. Consistent with our suggestions above, we submit that there should be a differentiation between "new development" and "development"; and
  - We suggest that text be added to the Urban Design Guidelines that addresses transition or as-of-right conditions and policies for additions/expansions of existing buildings as there are no references or guidelines within the document;
- The cross sections shown on Figures 8, 19, 21, 23, 25, 27 are not clear. We suggest that the Figures should be revised to provide clarity;
- Section 2.6.1 states "POPS should be provided throughout development sites", which would include "e. Mid-block Pedestrian Connections – allowing passage between or through buildings that is spacious, well-lit and safe, to further reduce walking distances to streets" while Section 3.4.1. states "... mid-block pedestrian connections can be provided through buildings ...". Consistent with our comments for Secondary Plan Policy 11.17, we submit that mid-block pedestrian connections are not feasible through large retail stores and should only be applicable for new development;
- Section 3.1 states "as shown on GMSP Map 11 Building Setbacks, minimum setbacks from streets and parks are required by the Plan. These setbacks provide additional space for landscaping, help encourage active transportation with walkways, allow for active at-grade commercial uses such as outdoor marketing and patios, and provide additional space to support privacy for street related residential uses adjacent to the public realm". We request that "are required" be replaced with "are encouraged" or "are generally required" in order to be consistent with our comments above for Secondary Plan Policy 7.10;
- Section 3.1.1. states "Encroachments and projections into the minimum required building setbacks will be generally limited to elements that provide enhancements to the public realm and may include the following:". We submit that "the minimum required building setbacks" should be changed to "the minimum setbacks for new development" in order to be consistent with our comments above for Secondary Plan Policy 7.11;

- Section 3.2.2. states “Where active at grade commercial uses are required, the façade on the ground floor should include a large amount of clear glazing that occupies approximately 50% - 70% of the façade, accompanied by vertical elements such as columns and pilasters”. In order to be consistent with our comments above for Secondary Plan Policy 7.13, we suggest that “are required” be replaced with “are encouraged for new development” in order to provide flexibility;
- Section 3.5.1 states “Driveways and laneways will be located strategically to limit their impact on the public realm.” We request that “for new development or once a Block is redeveloped,” be added after “laneways”;
- Section 3.9 provides guidelines for mid-rise buildings. We suggest that clarification be provided that the guidelines apply only to “new development”;
- Section 3.10 provides Guidelines for low-rise buildings and states that “Low-rise buildings are not permitted along Eglinton Avenue East frontage...”, but may be considered in General Employment Areas. In order to provide clarification that the guidelines only apply to “new development”, we suggest that a new introductory statement should be added to acknowledge that there are existing low-rise buildings along Eglinton Avenue East, which can remain, with the possibility of minor additions/modifications and small-scale infill buildings, until redevelopment is proposed;
- Section 4 broadly speaks to sustainable design elements. We suggest that there should be text added to the introductory statement in order to clarify that the guidelines apply to new development only; and
- Section 5.8, Figure 52, shows the demonstration plan for the employment area, with text that is not legible. We suggest that the demonstration plan should be revised to provide clarity.

We would welcome the opportunity to meet with Staff to discuss our comments further.

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

Sincerely,

**ZELINKA PRIAMO LTD.**



Jonathan Rodger, MScPI, MCIP, RPP  
Senior Associate



**ZELINKA PRIAMO LTD**  
*A Professional Planning Practice*

**VIA EMAIL**

February 18, 2020

Community Planning | City Planning Division  
Scarborough District  
City of Toronto  
150 Borough Drive, 4<sup>th</sup> Floor  
Toronto, ON M1P 4N7

Attention: Ms. Emily Caldwell, Project Lead

Dear: Ms. Caldwell:

**Re: Golden Mile Secondary Plan – Proposals Report  
Draft Secondary Plan Policies  
Preliminary Comments on Behalf of Canadian Tire Real Estate  
Limited  
1901 Eglinton Avenue East  
Toronto, ON**

**Our File: CAT/TOR/18-01**

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We are the planning consultants for Canadian Tire Real Estate Limited (“CTREL”) for the Golden Mile Secondary Plan Study. CTREL are the owners of the approximately 2.63 ha (6.50 ac) lands known municipally as 1901 Eglinton Avenue East in the City of Toronto (the “subject lands”). The subject lands are developed with a Canadian Tire store and associated parking.

CTREL has been participating in the ongoing Golden Mile Secondary Plan Study and provided preliminary feed back at a meeting with Staff on March 29, 2019. On January 31, 2020, CTREL were made aware of the Draft Secondary Plan Policies for the Golden Mile Secondary Plan, which were attached to the Proposals Report dated December 20, 2019 and the associated Golden Mile Secondary Plan Study Final Report dated November 29, 2019.

On behalf of CTREL, we have reviewed the Draft Secondary Plan Policies and the Golden Mile Secondary Plan Study Final Report. At this time, our preliminary comments on behalf of CTREL for the Draft Secondary Policies and Maps are as follows:

- The non-policy text of the Monitoring policies states “New development in the Plan Area is expected to occur incrementally and the timing and phasing of necessary infrastructure improvements will depend on a number of factors including the nature and rate of development, demographic shifts, changes in travel behavior and future transit implementation”. In addition, the non-policy text under Section 5 states “The economic revitalization strategy provides area-specific policies that are intended to attract new investment and retain existing businesses within the Plan Area.” Accordingly, we submit that the policies should provide flexibility to account for the operational needs of the existing Canadian Tire store on the subject lands;

- In general, for many of the Secondary Plan policies, we suggest that a distinction between “development” and “redevelopment” should be added, in order to clarify that modest expansions/modifications to the existing development will not trigger the need for an Official Plan Amendment;
- Based upon our review, under the Secondary Plan:
  - The subject lands are within an Employment District according to Map 2, are within the Employment Area Character Area according to Map 3 with a Maximum Permitted FSI (Gross) of 2.0 on Map 5;
  - According to Maps 4, 8 and 18, a north/south New/Reconfigured Street (NS5) with a 20 m ROW is shown along the west portion of the subject lands, an east/west New/Reconfigured Street (EW4) with a 27 m ROW is shown along the south portion of the subject lands, and a north/south New Conceptual Street is shown running through the subject lands;
  - According to Map 11, Minimum Building Setbacks of 3.0 m are shown along the north, west and south frontages of the subject lands along Eglinton Avenue East and the New/Reconfigured Streets NS5 and EW4;
  - The subject lands are shown with base building heights of “Minimum 3 storeys; Maximum 4 storeys” on the New/Reconfigured Streets NS5 and EW4 and “Minimum 5 storeys/Maximum 6 storeys” along Eglinton Avenue East on Map 12;
  - The subject lands are shown with “Mid-rise buildings (5-11 storeys)” on Map 13;
  - On Map 15, “Required Active Commercial Uses at Grade” is shown along the Eglinton frontage of the subject lands, while “Possible Building Edge” is shown along the New/Reconfigured Street EW4; and
  - A “Medium Scale Shared Mobility Hub” is shown at the southwest corner of the subject lands at the intersection of the New/Reconfigured Streets NS5 and EW4 on Map 17;
- We note under Policy 3.2 that the Districts in the Plan Area will develop “incrementally over time” and under Policy 3.2.4 “the Employment District will preserve existing uses and will intensify over time.” Accordingly, the policies of the Secondary Plan should accommodate the operational needs of the existing Canadian Tire store on the subject lands and allow for additions to existing buildings along with small scale infill buildings;
- For Policy 3.3.7 that states, “Development in Character Area 7 – Employment District will provide mid-rise buildings with employment uses”, a distinction is necessary between “development” and “redevelopment”. We suggest that “redevelopment” replace “development” in both instances to recognize existing development and that the area will redevelop “incrementally over time”;
- For Policy 4.3 that states, “Commercial uses will be required at grade in certain locations”, we suggest that the word “required” be replaced with “encouraged”;
- For Policy 4.7 that states “Major retail developments with 6,000 square metres or more of retail gross floor area may be considered on lands designated General Employment Areas on lots that front onto Eglinton Avenue East, in accordance with Policies 4.6.4 and 4.6.5 of the Official Plan, as well as Section 6, Public Realm and Section 7, Built Form of this Plan”, in our submission “existing major retail stores and/or power centres are permitted to remain” should be added to the policy. In addition, with the existing retail store established on the

subject lands, it would be appropriate to carry-over the amount of existing floor area as part of a comprehensive redevelopment that incorporates a large retail use within the podium of a new building and to avoid the potential need for an OPA if a new retail store in the comprehensive redevelopment is greater than 6,000 sq. m;

- For Policy 4.8 that states “Small-scale infill stand-alone retail development of less than 1,000 square metres of gross floor area or additions of less than 1,000 square metres of gross floor area to existing stand-alone retail uses may be permitted subject to submission and approval of an appropriate Context Plan” in our submission “retail” should be deleted after “Small-scale infill stand-alone”, in order to provide additional flexibility to accommodate a broader range of permitted uses such as restaurants in small-scale stand-alone infill. In addition, as the need for a Context Plan should be contextual and not required in all circumstances, we suggest that “subject to submission and approval of an appropriate Context Plan” should be changed to “subject to submission and approval of a Context Plan, where appropriate”;
- For Policy 6.4 that states “The street network shown on Map 7: Street Network will provide a fine-grain of streets and a high level of permeability for pedestrian, cycling, vehicular circulation, and goods movement, which will improve access to and from the broader Golden Mile Area, while creating new blocks that will be appropriately scaled for development”, since as noted in the non-policy text before Policy 6.4 that “A significant amount of new streets and reconfiguration, widening, and improvement of the existing streets are anticipated over time as the area develops”, we suggest that “Over time, as the area develops,” should be added before “The street network” and that “development” should be changed to “redevelopment”;
- For Policy 6.9 that states “Development will provide appropriate new streetscape and streetscape improvements to existing streets with the relocation of above and/or below grade utilities to be provided, as necessary”, we suggest that “will provide” be changed to “is encouraged to” in order to provide flexibility for additions to existing buildings”;
- For Policy 6.26 that states “Additional parks and open spaces may be added to the network shown on Map 6: Public Realm Plan as opportunities arise and as circumstances require them”, we request clarification as to circumstances that may “require” additional parks and open spaces and in particular for the subject lands;
- For Policies 6.27 and 6.29, in our submission there should be clarity that POPS will be provided through “redevelopment” as opposed to through “development”;
- Policy 7.2 that states “Larger sites will be divided into smaller development blocks through the introduction of new streets to form a fine-grained street and block network, creating setting, address, circulation, and access for new development. Development will support this street and block network with appropriate scale, orientation, and design”, we request clarification as to what is intended by “larger sites” and in our submission “larger sites” should be changed to “where appropriate, under redevelopment, larger sites”;
- For Policy 7.10 that states “Development will provide minimum setbacks from streets, and parks and open spaces as identified on Map 11: Building Setbacks Plan”, in our submission “will” should be changed to “is encouraged to” in order to

provide flexibility for additions to existing buildings. For related Policy 7.11 that states “Encroachments and projections into the minimum required setbacks will be generally limited through the zoning by-law to elements that provide enhancements to the public realm”, in our submission “the minimum required setbacks” should be changed to “the minimum setbacks”;

- For Policy 7.12 (“Generally, development adjacent to streets, parks, and open spaces will front onto these spaces with active at-grade commercial, residential, community, and institutional uses”) and Policy 7.13 (“Active at-grade commercial uses include retail and service uses, restaurants, office uses, and entrances to office buildings, and are required at the locations identified on Map 15: Building Edges and Active Uses at Grade. Active at-grade commercial uses will:”), in our submission flexibility should be added to the policies in order to accommodate additions to existing buildings;
- For Policy 7.13.b) for Active at-grade commercial uses, in our submission “continuous weather protection to ensure pedestrian comfort” should be encouraged as opposed to required;
- For Policy 7.16 that states “Development will contribute to the establishment of a fine-grained pattern of active at-grade uses through measures such as narrow building frontages, multiple entrances, and use of distinct signage and lighting fixtures on the ground floor façades”, in our submission “development” should be changed to “redevelopment”;
- For Policy 7.18 that states “Generally, parking will be located below grade to promote active uses above grade and limit their impact on the public realm...” in our submission, the Policy should be rephrased to clearly state that below-grade parking is not required in all circumstances and in particular for additions to existing buildings and small scale infill buildings;
- For Policy 7.20 that states “In General Employment Areas: a) Surface parking will not be located in front of or beside buildings along Eglinton Avenue East and the north-south streets leading directly to the ECLRT stops; and b) Surface parking will not be located in front of buildings. Where appropriate, limited surface parking may be located beside buildings along streets other than Eglinton Avenue East and the north-south streets leading directly to the ECLRT stops”, in our submission, the policy should only be applicable when lands are redeveloped;
- For Policy 7.27 that states “Development will provide a mix of building types, variation of building heights, and transition in scale across the Plan Area as shown on Map 13: Building Types and Heights in Character Areas, and will support the built form vision for the Character Areas outlined in Policies 7.29 to 7.34”, we request clarification as to the applicability of the “Mid-rise buildings 5-11 storeys” on Map 13 for additions to existing buildings and small scale infill and as to whether an OPA will be required for building height less than 5 storeys or greater than 11 storeys. In our submission, “Development” should be changed to “Redevelopment”;
- For Policy 7.34 that states “Development in Character Area 7: Employment Area will: a) “Be sited and oriented to feature a strong relationship with Eglinton Avenue East, providing primary façades and entrances fronting directly onto the street”, we suggest that “where appropriate” be added after “directly onto the street” in order to provide flexibility for additions to existing buildings;

- For Policy 7.35 that states “Development will provide a mix of building types and heights...”, we suggest that “Development” should be changed to “Redevelopment”;
- For Policy 7.36 that states “Along Eglinton Avenue East, development will consist of a mix of tall and mid-rise buildings...”, we suggest that “development” should be changed to “redevelopment”;
- For Policy 11.2, that states “The required transportation network improvements from the Plan will be refined, protected and implemented through the development approvals process and identified capital expenditures”, we suggest that “development” should be changed to “redevelopment” in order to provide clarity that the improvements will not be required for additions to existing buildings and small scale infill buildings;
- For Policy 11.8 that states “The exact location, alignment and design of streets and potential mid-block pedestrian connections will be refined through the development application review process, a Municipal Class Environmental Assessment (“EA”), as required, or other implementation mechanisms at the discretion of the City”, in our submission, the “will” language should be replaced with “may” to allow for flexibility to reflect the potential for development applications for minor additions to existing buildings and small scale infill buildings;
- For Policy 11.16.e) that states “Cycling infrastructure and facilities will be planned and provided through site development with bicycle parking along cycling routes and bike-share facilities as identified in Map 10: Cycling Network”, in our submission “development” should be changed to “redevelopment”;
- For Policy 11.17 that states “The cycling network, alignment, and design will be refined through the development application review process, an EA as required, street designs or other implementation mechanisms at the discretion of the City”, in our submission, the “will” language should be replaced with “may” to allow for flexibility to reflect the potential for development applications for minor additions to existing buildings and small scale infill buildings;
- For Policy 11.18 that states “Development on individual blocks will extend the mobility network by introducing safe, generously-scaled, and comfortable potential mid-block pedestrian connections as identified on Map 9: Pedestrian Network”, in our submission “development” should be changed to “redevelopment”;
- For Policy 11.20 that states “Development applications will be required to include a TDM Strategies” and for Policy 11.21 that states “Development applications will provide TDM strategies which will include:”, in our submission, the “will” language should be replaced with “may” to allow for flexibility for development applications for minor additions to existing buildings and small scale infill that may have a negligible impact on transportation capacity;
- For Policy 11.25 that states “Quantitative multimodal transportation assessments and site-related mitigation measures including a TDM strategies shall be prepared for all development applications within the area that demonstrate sufficient and safe transportation infrastructure to service the proposed development”, in our submission, the “shall be” language should be replaced with “may be” to allow for flexibility for development applications for minor additions to

existing buildings and small scale infill that may have a negligible impact on transportation capacity;

- Policy 13.3 that states “On each individual site, the density of development will not exceed the maximum FSI identified on Map 5: Development Density. Development on individual development blocks or land parcels may exceed the FSI shown, provided that a Context Plan is prepared in accordance with the policies of this Plan, demonstrating corresponding decreases in the FSI on other adjacent development blocks, such that the overall density on Map 5: Development Density is not exceeded. The Context Plan will also demonstrate that the built form of the proposed development meets all applicable policies set out by this Plan and the Official Plan. For the purposes of implementing the policies of this Plan, development site(s) will be considered to be the size of the site(s) as they exist as of the date of adoption of this Plan, unless City Council is otherwise satisfied”. We request clarification as to what is intended by “each individual site”, “individual blocks or land parcels” and “development site(s)” as they relate to Map 5 and the subject lands, particularly as to implications in the context of “corresponding decreases to FSI on other adjacent development blocks” if the subject lands are redeveloped after other lands within the overall area shown with an FSI of 2.0;
- For Policy 13.6 that states that “The City may, at its discretion, require an easement on private land to secure public access to the public real enhancements identified in this plan”, we suggest that “for redevelopment” be added after “at its discretion”;
- For Policy 13.9 that states “In order to assess proposed development on large sites, additional information regarding the complete application submission requirements is as follows:”, we suggest that “development” should be changed to “redevelopment”;
- For Policy 13.10 that states “Context Plans will be required as part of a complete application and the boundaries for a Context Plan will be determined in consultation with the City”, we suggest that the “will” language should be replaced with “may” to allow for flexibility for development applications for minor additions to existing buildings;
- For Policy 13.14 that states “The expansion of the street network in the Plan Area into a finer grid of streets will occur incrementally with development through the direct construction and conveyance of new streets on development sites or contributions towards the acquisition of land and construction of transportation infrastructure off site as secured through the development approvals process”, we suggest that “will occur incrementally with development through” be changed to “may occur incrementally with redevelopment through”;
- For Policy 13.15 that states “The expansion of the transportation network will be gradual in the Plan Area, but certain street and transportation network improvements, including transit, will be required for development to proceed in associated areas as identified in the Golden Mile TMP”, we suggest that phrase “will be required” be replaced by “may be required”; and
- For Policy 13.17 that states “The expansion of the street network into a finer grid of streets will occur incrementally with development as follows: a) If a required network improvement forms part of a site that is subject to a development application, that improvement will be secured and/or constructed prior to



development proceeding; b) When required network improvements are not part of a site that is subject to a development application, the development proponent of that site will make best efforts to coordinate the required improvements with other landowners in the Plan Area”, we suggest that there should be a policy to clearly state that the securing of rights-of-way will only occur during the approval of comprehensive redevelopment, and small scale infill development or additions to existing buildings will not trigger the conveying of lands for the purposes of new public streets.

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.**



Jonathan Rodger, MScPI, MCIP, RPP  
Senior Associate

cc. Ms. Teresa Liu, City of Toronto (Via Email)  
Canadian Tire Real Estate Limited (Via Email)