

**VIA EMAIL**

June 12, 2024

Avenues, Mid-rise and Mixed Use Areas Study Team  
City Planning Division  
City Hall, East Tower  
12<sup>th</sup> Floor, 100 Queen Street West  
Toronto, ON M5H 2N2

Attention: Nancy Martins, Administrator Planning and Housing Committee

**Re: PH13.4 – Housing Action Plan: As-of-Right Zoning for Mid-rise  
Buildings on Avenues and Updated Rear Transition Performance  
Standards – Proposals Report  
2850 Kingston Road  
Preliminary Comments on Behalf of Canadian Tire Corporation  
Limited**

**Our File: CAT/TOR/24-02**

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We are the planning consultants for Canadian Tire Corporation Limited (“Canadian Tire”), the landowner of a number of properties throughout Toronto. On behalf of Canadian Tire, we have been monitoring the Toronto Housing Action Plan initiatives, including the *Avenues, Mid-rise, and Mixed Use Areas Study*.

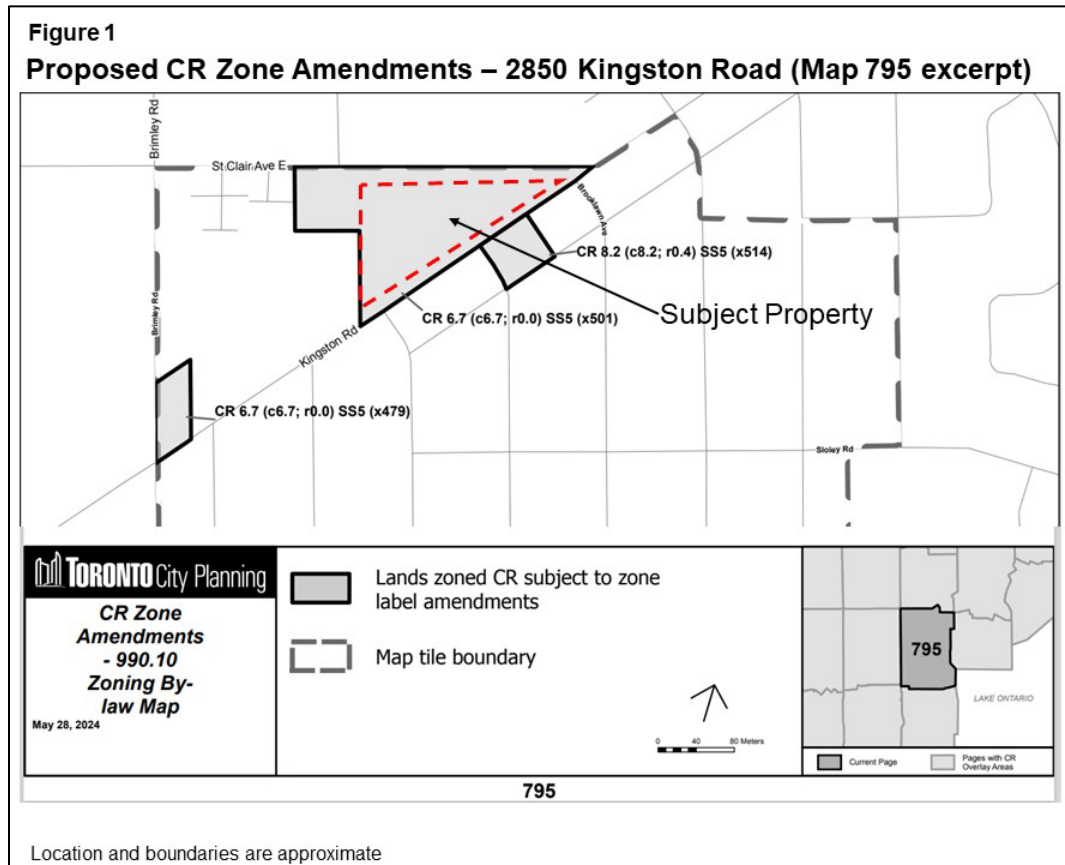
We have reviewed the *As-of-Right Zoning for Mid-rise Buildings on Avenues and Updated Rear Transition Performance Standards – Proposals Report* Staff Report dated May 27, 2024, which provides details on a proposed Zoning By-law Amendment to implement as-of-right zoning permissions for mid-rise buildings along Avenues in the CR zone. As per the Staff Report, the Planning and Housing Committee is recommended to direct City Planning Staff to consult stakeholders and the public on the proposed draft Zoning By-law Amendment and report back with the final recommended Zoning By-law Amendment in the third quarter of 2024.

Canadian Tire’s land holdings include the property municipally known as 2850 Kingston Road, Toronto (the “subject property”). The subject property is located along an *Avenue*, being at the intersection of Kingston Road and St. Clair Avenue East and is currently developed with a Canadian Tire store. The subject property is also designated *Mixed-Use Areas* in the City of Toronto Official Plan, and currently zoned CR 0.4 (c0.4; r0.0) SS3 (x501) within the City-wide Zoning By-law 569-2013, as amended. The subject property is not subject to an existing Avenue Study.

Having reviewed the draft Zoning By-law Amendment, we offer the following preliminary comments on behalf of Canadian Tire.

## Draft Zoning Label

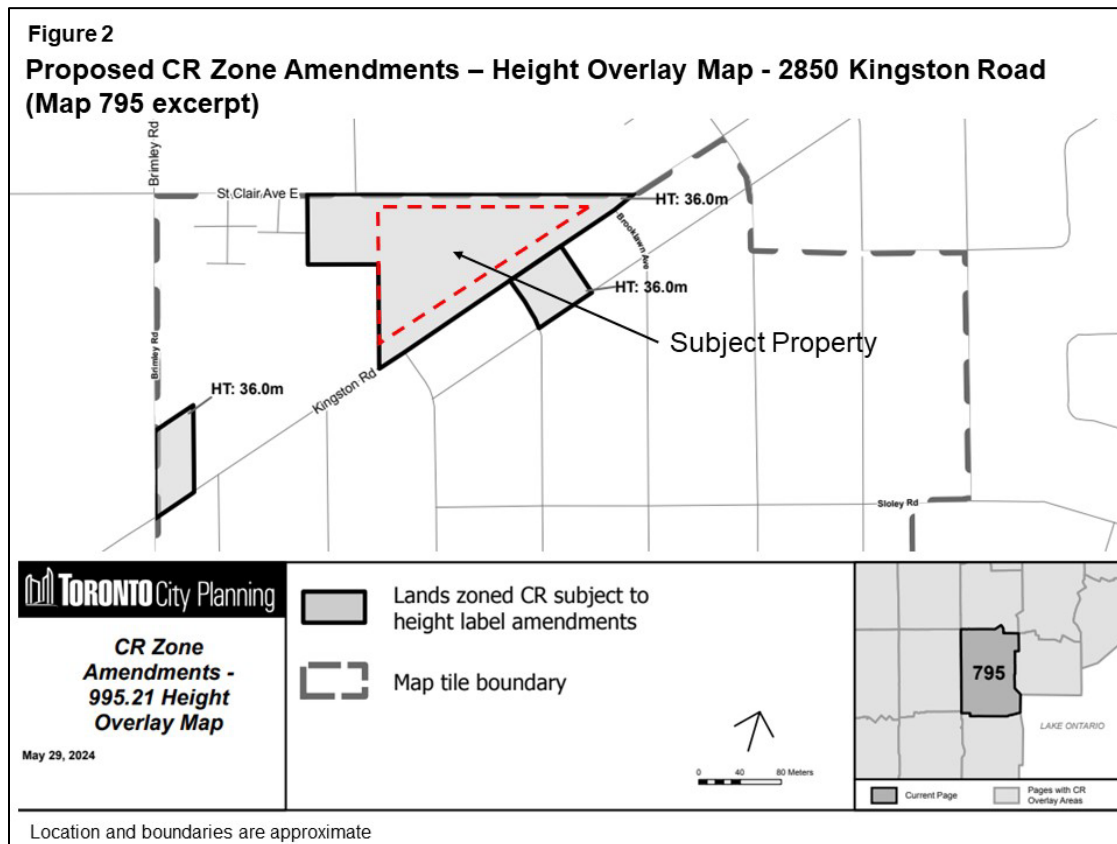
- The draft zoning for the subject property is CR 6.7 (c6.7; r0.0) SS5 (x501) (see Figure 1).



- The zoning as currently proposed would not permit mixed-use residential development, being that the 'r' value is 0.0.
- The *Mixed Use Areas* policies of the Official Plan are applicable to the subject property. The policies include that *Mixed Use Areas* are made up of a broad range of commercial, residential, and institutional uses, in single use or mixed use buildings (Policy 4.5.1). Further, large scale stand-alone retail stores are not permitted except where existing or permitted through zoning by-law amendment (Policies 4.5.3&4)
- It is the clear intent of the Official Plan that lands such as the subject property, would be developed or redeveloped for mixed-use residential uses, in the form of mid-rise-to-tall buildings, with commercial uses at grade, and a primary emphasis on residential uses in the storeys above grade.
- Accordingly, we submit that the proposed zoning for the subject property should be revised to include residential use permissions. As per the approach taken in other similar instances on the proposed zoning maps, **we suggest the proposed zoning for the subject property should be CR 6.7 (c6.7; r6.7) SS5.**

### Draft Height Overlay Map

- The draft height overlay map identifies the subject property with a maximum height of 36.0 m (see Figure 2).



- We understand that the City's Housing Action Plan and Avenue Review is a multi-pronged approach that seeks to facilitate development along Avenues and in Mixed Use Areas, including different and inter-related action items that include Official Plan policy and Schedules, review of Urban Design Guidelines and review of the Zoning By-law. We understand that as part of this, the City is reviewing the opportunity to consider sub-classification of Avenues and expanding the existing Avenue structure, among other matters. Due to the inter-related nature of these initiatives, we seek clarification as to how the draft Zoning By-law Amendment intends to incorporate the results of those reviews, including the different standards that may apply to the sub-classification of the Avenues, including the potential for tall buildings with an increased maximum height on the overlay map. **In our submission, it would be appropriate for the Zoning By-law initiative to incorporate the results of ongoing amendments to the Official Plan.**

### Development Standard Set 5

- Generally, the proposed development standards are reflective of the Mid-Rise Building Performance Standards. We note one regulation may need to be clarified for certainty of zoning interpretation.

- Proposed regulation 16(B) states “at least 75% of the main wall of the building facing a front lot line must be at or between the front lot line and a maximum of 3.0 metres from the front lot line. We wish to confirm that the intent of this regulation is for only main walls of the first 3 storeys to be within this maximum 3.0-metre setback, as upper storeys require setbacks in accordance with proposed regulation 16(D).

Existing Site-Specific Exception 501

- The subject property is subject to zoning exception 501 which sets out required building setbacks as follows:
  - *The minimum building setback from a lot line that abuts:*
    - *Kingston Rd. is the greater of 21.0 metres, from the centre line of Kingston Rd., or 3.0 metres from a lot line abutting Kingston Rd;*
    - *St. Clair Ave. is the greater of 16.5 metres, from the centre line of St. Clair Ave., or 3.0 meters from a lot line abutting St. Clair Ave.;*
- We request clarification as to the interrelationship of exception 501 (which sets out a minimum front yard setback of 3.0 m), and regulation 16(B) as noted above, which sets out a maximum front yard setback of 3.0 m. These regulations conflict as the resultant minimum and maximum setback from the Kingston Road property line would both be 3.0 m.
- We also note that City Staff have confirmed that a road widening of approximately 3.05 m will be required from the Kingston Road frontage at the next *Planning Act* application or opportunity for the City to collect this widening dedication. This is due to Kingston Road’s planned width of 36 m, whereas the current approximate width is 33.5 m.
- We request clarification as to the status of compliance for the existing Canadian Tire retail store should this draft Zoning By-law Amendment be enacted, and how these regulations would impact potential future redevelopment of the property.
- Our preliminary suggestion is that site-specific zoning exception 501 could be amended to require a minimum setback from Kingston Road of 0.0 m, which would fulfill the intent of draft regulation 16(B) for any future redevelopment and ensure the existing Canadian Tire store maintains zoning compliance.

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 any further public meetings concerning the As-of-Right Zoning for Mid-Rise Buildings on Avenues project.

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

Sincerely,

**ZELINKA PRIAMO LTD.**



Jonathan Rodger, MScPI, MCIP, RPP

Principal Planner

cc. Canadian Tire Corporation Limited  
Toronto Planning and Housing Committee  
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