

VIA EMAIL

June 12, 2024

Avenues, Mid-rise and Mixed Use Areas Study Team
City Planning Division
City Hall, East Tower
12th 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
Various Properties
Preliminary Comments on Behalf of Choice Properties REIT**

Our File: CHO/TOR/24-01

We are the planning consultants for Choice Properties REIT ("Choice"), the landowner of a number of properties throughout Toronto and an active member of the development community.

On behalf of Choice, we have been monitoring the Toronto Housing Action Plan initiatives, including the *Avenues, Mid-rise, and Mixed Use Areas Study*. Choice is the landowner of numerous properties within the City of Toronto, including several properties located within existing *Avenues* and *Mixed Use Areas*, and there has an interest in reviewing the proposed policies as an affected stakeholder.

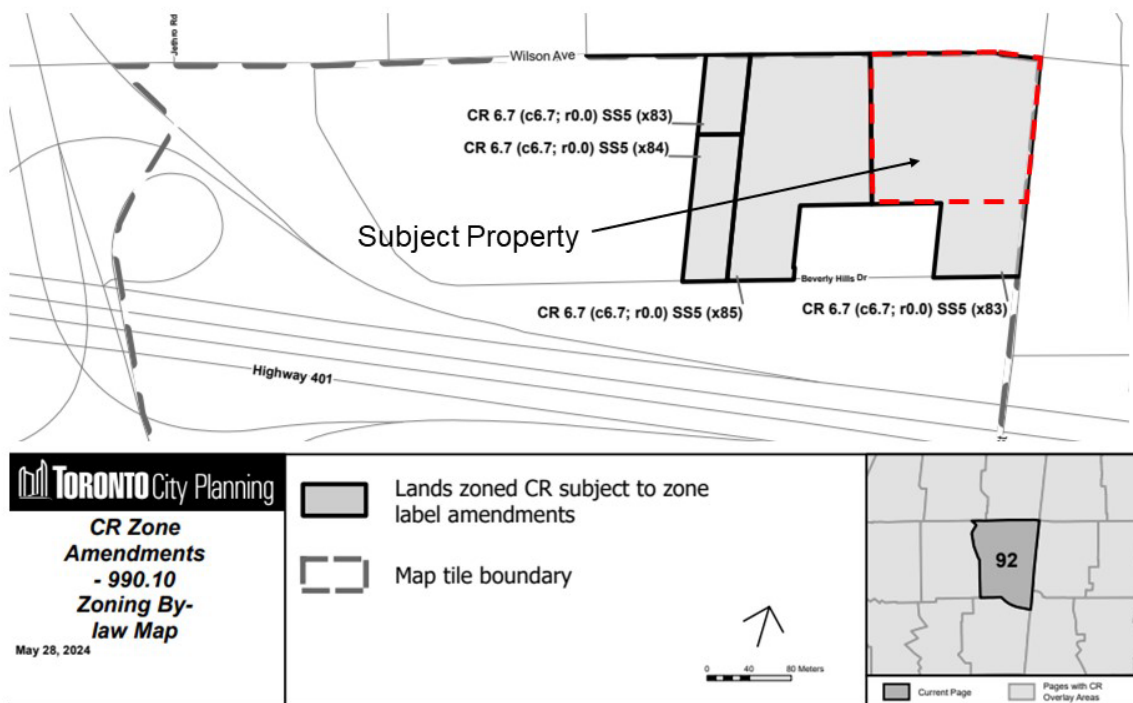
We have reviewed the *As-of-Right Zoning for Mid-rise Buildings on Avenues and Updated Rear Transition Performance Standards – Proposals Report* Staff Report dated May 27, 2024, which provides details on a proposed Zoning By-law Amendment to implement as-of-right zoning permissions for mid-rise buildings 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.

Choice's land holdings include the lands municipally known as 1569-1591 Wilson Avenue, 3501 Yonge Street, and 449 Carlaw Avenue, among many others. On a preliminary review of the draft Zoning By-law Amendment mapping, these three properties are proposed to be directly subject to new Zoning labels and development standard sets. Choice is the landowner of many other properties in the City of Toronto, which may additionally be subject to the proposed zoning changes, and our detailed review as it relates to the numerous Choice landholdings remains ongoing. We may provide further preliminary comments as required.

Comments Specific to 1569-1591 Wilson Avenue

- 1569-1591 Wilson Avenue is designated *Mixed Use Areas* in the City of Toronto Official Plan, and is currently zoned CR 1.0 (c1.0; r0.0) SS3 (x83) under the City-wide Zoning By-law 569-2013, as amended.
- As identified on Map 92 of the proposed CR Zone Amendment mapping, 1569-1591 Wilson Avenue is identified as CR 6.7 (c6.7; r0.0) SS5 (x83) [Figure 1].

Figure 1
Proposed CR Zone Amendments – 1569-1591 Wilson Avenue (Map 92 excerpt)



Location and boundaries are approximate

- The zoning as currently proposed would not permit mixed-use residential development, being that the 'r' value is 0.0.
- 1569-1591 is subject to the *Mixed Use Areas* policies of the Official Plan. These 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 and 4.5.4).
- It is the clear intent of the Official Plan that these lands 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 address residential use permissions, as the current draft zoning would not permit residential uses. **We suggest the proposed zoning for 1569-1591 Wilson Avenue should be CR 6.7 (c6.7; r6.7) SS5.**

Development Standard Sets 4 and 5

- Generally, the proposed development standards are reflective of the Mid-Rise Building Performance Standards. We note one regulation that may need to be clarified for certainty of zoning interpretation.
- Proposed regulations 15(B) and 16(B) (pertaining to SS4 and SS5 respectively), state “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 seek 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 regulations 15(D) and 16(D), and which may be appropriate to extend beyond a maximum of 3.0 metres from the lot line. In our interpretation, upper levels of the building would continue to be considered a “main wall”, and therefore subject to this provision.

General Comment

- 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. **In our submission, it would be appropriate for the Zoning By-law initiative to incorporate the results of ongoing amendments to the Official Plan.**

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.



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Senior Associate

cc. Choice Properties REIT (via email)
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