

TORONTO STAFF REPORT

January 26, 2004

To: Toronto South Community Council

From: Director, Community Planning, South

Subject: Preliminary Report
Application to amend the Official Plan and Zoning By-law 438-86 of the (former) City of Toronto
164 Avenue Road. (Southwest Corner of Pears Avenue and Avenue Road)
Sunny Hill Gardens Inc. (Dermot Sweeny Architects Inc.)
File Number 03 187763 STE 20 OZ
Ward 20 - Trinity-Spadina

Purpose:

To provide preliminary information on the above-noted application and to seek Community Council's directions on further processing of the application and on the community consultation process.

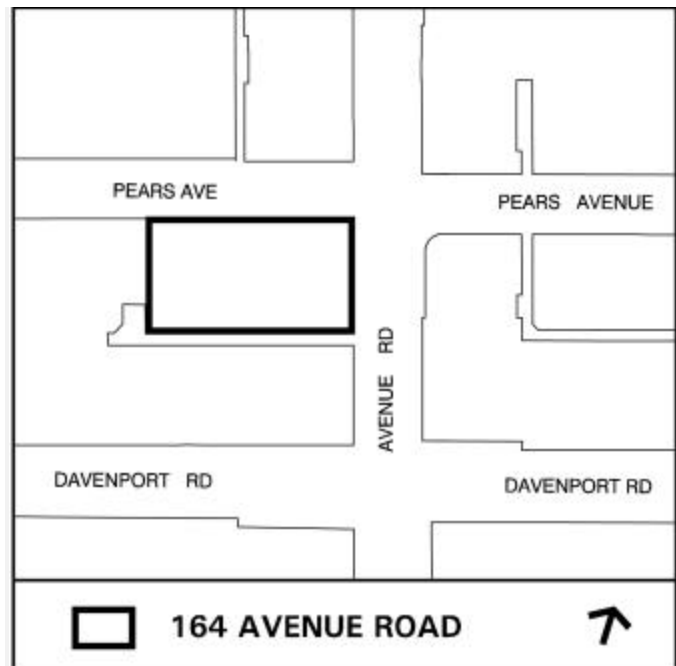
Financial Implications and Impact Statement :

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor.
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site;
and



- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

Comments:

Proposal

The property is currently being used as an automobile dealership and auto repair shop known as Downtown Fine Cars. The applicant is proposing to redevelop the site and construct an 18-storey mixed-use building, with retail space and an automobile showroom at grade, 138 residential condominium units and four levels of underground parking. Vehicular access is proposed from Pears Avenue.

Site Description

The large (2,664.5 square metre) site is located on the south-west corner of Avenue Road and Pears Avenue. The site slopes moderately falling approximately 1.4 metres south to north and approximately 2 metres east to west. The site currently accommodates a 1-storey building which contains an automobile showroom fronting on Avenue Road and a 2-storey building that fronts on Pears Avenue which contains the auto repair shop. The total gross floor area of the two existing buildings is 5,980 square metres representing a density of 0.45 times the area of the lot. The applicant intends to demolish the two existing buildings.

Located on the south side of the site is a public lane, approximately 3.5 metres wide, that extends the entire length of the site and is only accessible from Avenue Road.

Surrounding land uses include:

- North: Located on the north side of Pears Avenue are an 8-storey hotel at 124 Pears Avenue, 5-storey residential condominium at 142 Pears Avenue, a bar, a parking lot a and 3-storey mixed use buildings that have frontage on Avenue Road. Further north is a low density residential zone on Chicora Avenue. (Attachment 3)
- South: On the south side of the Public Lane are 2-3 storey retail stores with apartment units above fronting on Avenue Road. There are 3-storey commercial buildings and a new 8-storey mixed use building fronting onto Davenport Road.
- East: On the east side of Avenue Road there are several 3-storey mixed use buildings that have frontage on Avenue Road. There is also a low density residential zone located on the south east side of Pears Avenue east of Avenue Road. Ramsden Park is located north of Pears Avenue and east of Avenue Road.
- West: The abutting property to the west comprises of a 25-storey residential apartment building owned by the Toronto Housing Company.

The site is located approximately 4 city blocks from the Rosedale Station on the Yonge subway line and approximately 6 city blocks from the Bay station on the Bloor subway line.

Former City of Toronto Official Plan

The Former City of Toronto Official Plan designates the site as 'Low Density Mixed-Commercial Residential Area'. (Attachment 4) This designation permits a full range of commercial and residential uses.

Former City of Toronto Official Plan Part II (Annex Area Plan 'B')

This site is located within the Annex Area Part II Plan. The Annex Area Plan 'B' permits a broad mix of residential, commercial and institutional uses in a variety of building forms.

In Low Density Mixed Commercial-Residential Area 'B' zones, Council may pass by-laws to permit buildings containing a mix of residential uses and commercial and/or institutional uses provided the total gross floor area does not exceed 3.0 times the area of the lot, and provided that the non-residential gross floor area does not exceed 2.0 times the area of the lot and the residential gross floor area does not exceed 2.5 times the area of the lot.

New Official Plan

At its meeting of November 26-28, 2002, Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new plan, in part, with modifications. The Minister's decision has been appealed in its entirety. The Official Plan is now before the Ontario Municipal Board. No hearing date has been set. Once the plan comes into force and effect, it will designate the site as a 'Mixed Use Area' within the "Downtown".

Policies pertaining to Mixed Use Areas are described in Chapter 4.5 of the New Official Plan. Mixed Use Areas permit a broad array of commercial uses and are intended to absorb much of the new housing in Toronto in the coming decades. The highest buildings and greatest intensity, will always occur in Mixed Use Areas within the Downtown, subject to applicable development criteria.

The new Official Plan sets criteria for development for Mixed Use Areas that are intended to contribute to the quality of life by requiring buildings to be located, planned and massed to amongst other things:

- provide a transition between areas of different development intensity, particularly providing setbacks from and stepping-down of building heights towards lower scale Neighbourhoods;
- locate and mass new buildings to minimize shadow impacts on adjacent Neighbourhoods during the spring and fall equinoxes;

- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces; and
- Provide ground floor uses that enhance safety, amenity and animation of adjacent streets.

Provided that the criteria noted above are met, no amendment to the new Official Plan will be required.

Zoning

The site is zoned CR T2.5 C1.5 R2.0 by Zoning By-law 438-86 of the (former) City of Toronto (Attachment 3). The zoning permits a variety of residential dwelling types including an apartment building and a range of commercial uses and accessory uses. The maximum permitted gross floor area is limited to 3.0 times the area of the lot, and provided that the non-residential gross floor area does not exceed 2.0 times the area of the lot and the residential gross floor area does not exceed 2.5 times the area of the lot. The maximum building height permitted for this site is 14 metres.

Site Plan Control

The proposal is subject to Site Plan Control Approval. An application for Site Plan Control has not been submitted at this time. The applicant will be required to submit a Site plan Control application which will be processed concurrently with the Official Plan and Zoning By-law amendment.

Reasons for the Application

The applicant's development proposal is for a density of 5.94 times the area of the lot which exceeds the density of 3.0 times the area of the lot permitted by the Annex Part II Plan. The height of the proposed building is 62.23 metres which exceeds the 14 metre height permitted in Zoning By-law 438-86.

Other areas of non-compliance, if any, will be identified as a result of the zoning review currently being undertaken as part of the review process.

Issues to be Resolved

Height and Built Form

The proposal is for an 18-storey (62.23 metres) building setback 3 to 5 metres above the first floor on Avenue Road which, because of the sites changing elevation, is the second floor on Pears Avenue. Additional setbacks occur on Pears Avenue above the 8th and 16th floors. The proposed building height is substantially beyond the 14 metre limit permitted by the Zoning By-law and the length of the tower as shown on the North Elevation Plan (Attachment 2a) creates a substantial building mass along the south side of Pears Avenue.

One of the impacts resulting from the height and massing of the proposed building are new shadows created in the rear yards of the Chicora Avenue residential properties early in the day and on the residential properties east of Avenue Road in the late afternoon. Another impact is the visual impact of the building particularly as viewed from the north (Pears Avenue).

The extent to which the height and the east-west length of the proposed building will have to be reduced will be determined through a detailed analysis of the submitted shadow studies and required 3-D modelling.

Density

The proposed density is 5.94 *times* the lot area which significantly exceeds the maximum density of 3.0 *times* the lot area as permitted in the Zoning By-law. Further revisions will be required to address the above-noted issues of shadow and the building mass which will reduce the proposed density.

Traffic and Parking

The applicant has submitted a Traffic Impact Assessment Study, which is being reviewed by Works and Emergency Services and Transportation Planning Staff.

Landscaping and Residential Amenity Space

The proposed intensification of the site means that landscaping, pedestrian circulation and private amenity space will require special attention when the Site Plan Control application is submitted. A preliminary analysis of the proposed siting of the building would indicate that the setback on Avenue Road is insufficient resulting in a too narrow side width.

Environmental Assessment

The applicant has submitted an Environmental Site Assessment, which is being reviewed by Works and Emergency Services staff.

Section 37 Agreement as pursuant to the Planning Act

The former City of Toronto Official Plan contains provisions pertaining to the exchange of public benefits for increased height and density for new developments pursuant to Section 37 of the Planning Act. Ideally, these benefits are provided and secured as part of the proposed development on site. If these public benefits cannot be included on site, a financial contribution in-lieu is provided. Staff will continue to discuss and review with the applicant how this proposal can appropriately address these policies.

Outstanding Information/Studies

The following additional information is required to be submitted:

- i). site plan control application including landscape plan, streetscape plan and roof plan;
- ii). pedestrian level view study depicting building from key vantage points in the immediate vicinity;
- iii). revised shadow diagrams which clearly indicate the extent of new shadow cast by the proposed building. Additional test times should include 9:30 a.m., 10:30 a.m., 11:30 a.m., 3:30 p.m., 9:00 a.m., 11:00 a.m., 3:00 p.m. and 5:00 p.m.; and
- iv). East elevation including the outline of adjacent buildings to the south and the first building north of Pears Avenue

Further additional information may be required by other departments to whom this application has been circulated.

Conclusions:

The major issues identified to date are building height and massing. These issues and others that may be identified through the processing of this application must be resolved and changes made to the proposal, otherwise the application in its current form will be refused. The next step is to hold a community meeting in the first quarter of 2004.

Contact:

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Email:sdaniell@toronto.ca

Ted Tyndorf
Director, Community Planning, South District

List of Attachments:

Attachment 1: Application Data Sheet

Attachment 2: SitePlan

Attachment 3: Elevations 1

Attachment 4: Elevations 2

Application 5: Zoning

Application 6: Official Plan

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Application Type: Official Plan Amendment & Rezoning Application Number: 03 187763 STE 20 OZ
Details: OPA & Rezoning, Standard Application Date: October 22, 2003

Municipal Address: 164 AVENUE RD, Toronto ON
Location Description: PL E199 BLK A PL E120 LT39
Project Description: Construct 138 residential condominium units with commercial retail space at grade, STAR stream complex.

Applicant: DERMOT J. SWEENEY ARCHITECTS INC.
Agent:
Architect:
Owner: SUNNY HILL GARDENS INC.

PLANNING CONTROLS

Official Plan Designation: Site Specific Provision:
Zoning: CR T2.5 C1.5 R2.0 Historical Status:
Height Limit (m): 12 Site Plan Control Area:

PROJECT INFORMATION

Site Area: 2664.5 Height: Storeys: 18
Frontage: 38.789 Metres: 62.23
Depth: 69.982
Ground Floor GFA: 1200.3 **Total**
Residential GFA: 14872.8 Parking Spaces: 236
Non-Residential GFA: 945.8 Loading Docks 1
Total GFA: 15818.6
Lot Coverage Ratio: 0.45
Floor Space Index: 5.94

DWELLING UNITS

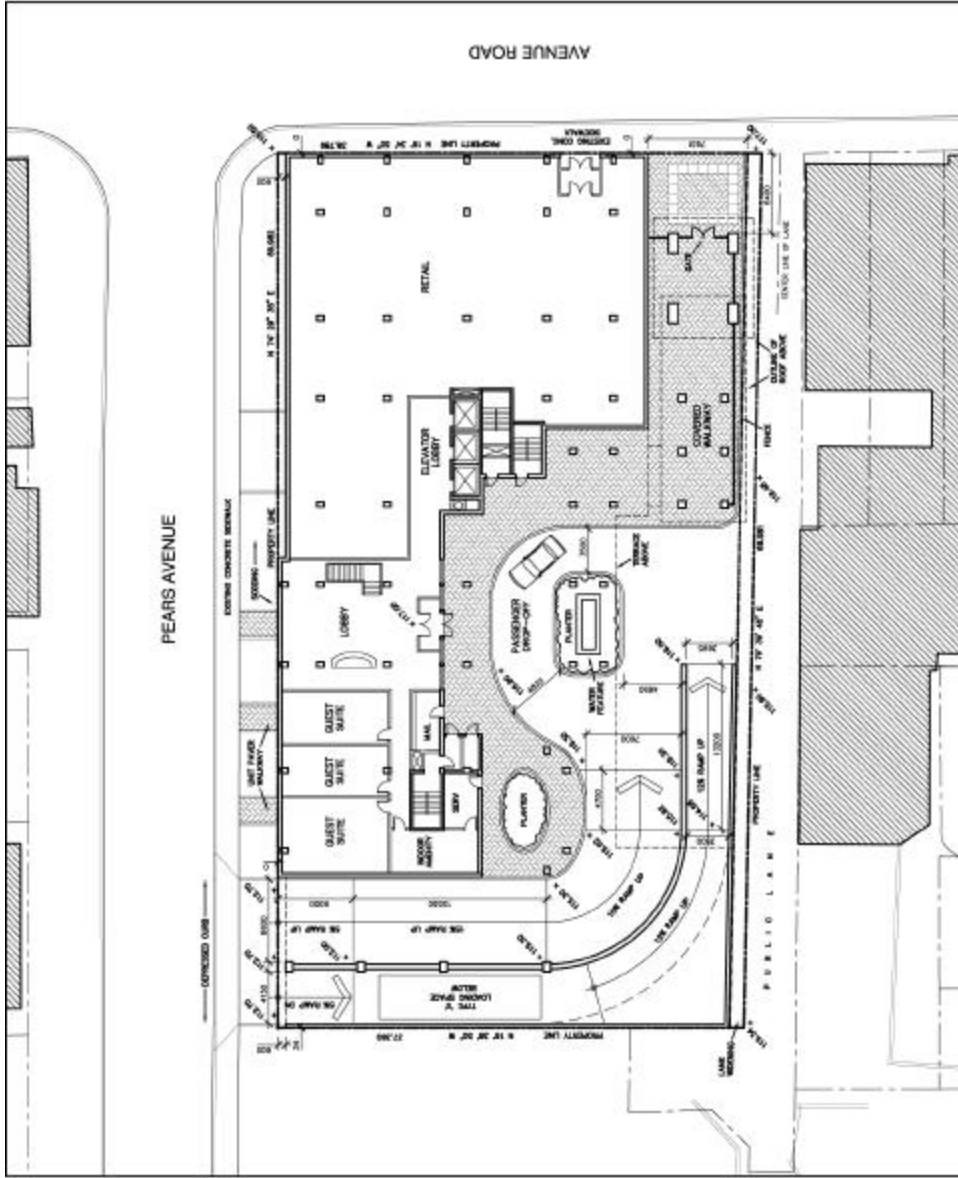
Tenure Type: Condo
Rooms: 0
Bachelor: 0
1 Bedroom: 49
2 Bedroom: 81
3 + Bedroom: 8
Total Units: 138

FLOOR AREA BREAKDOWN

	Above Grade	Below Grade
Residential GFA:	14872.8	0
Retail GFA:	945.8	0
Office GFA:	0	0
Industrial GFA:	0	0
Institutional/Other GFA:	0	0

CONTACT: **PLANNER NAME:** Steve Daniels, Assistant Planner
TELEPHONE: (416) 394-2608

Attachment 2: Site Plan



164 Avenue Road

File # 03_187763

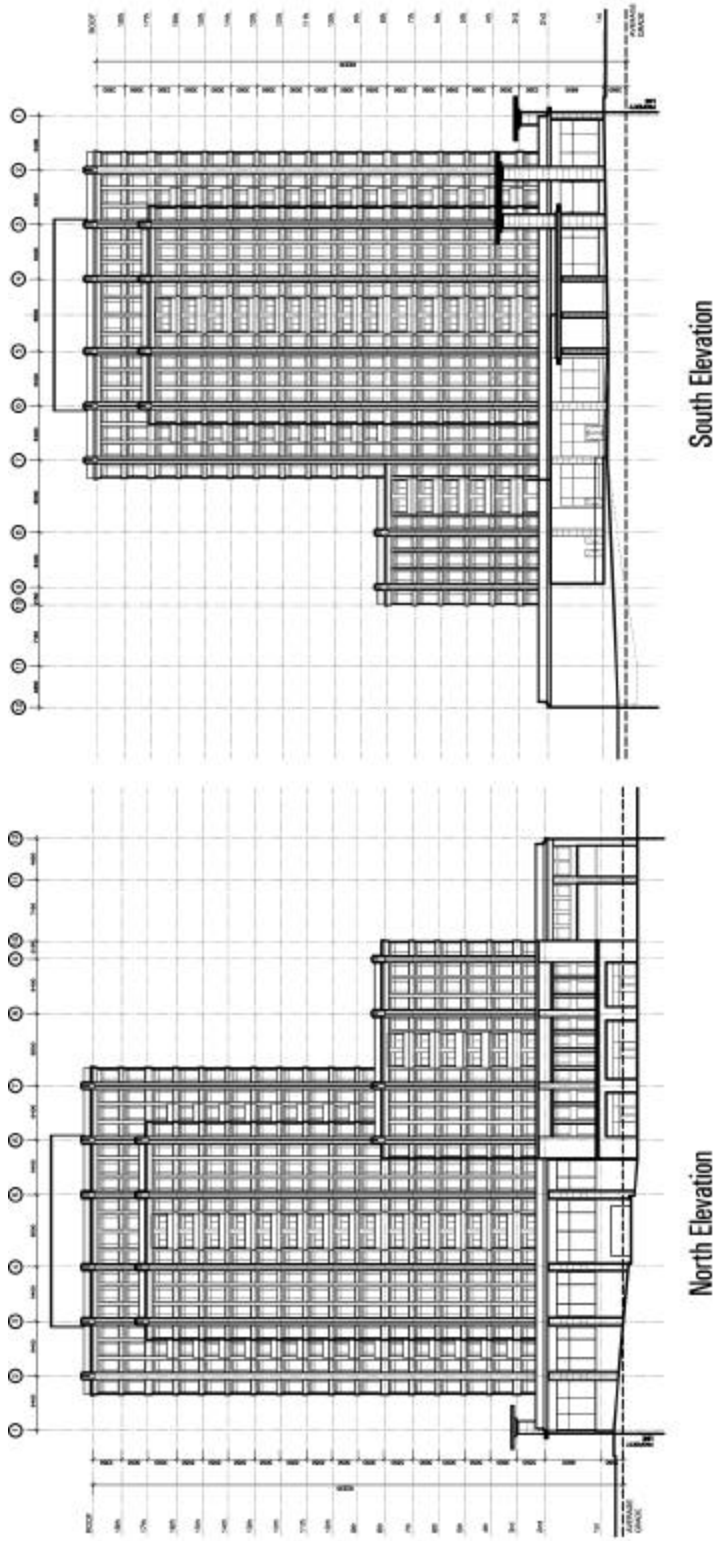
Site Plan

Applicant's Submitted Drawing

Not to Scale
01/12/04



Attachment 3: Elevation 1



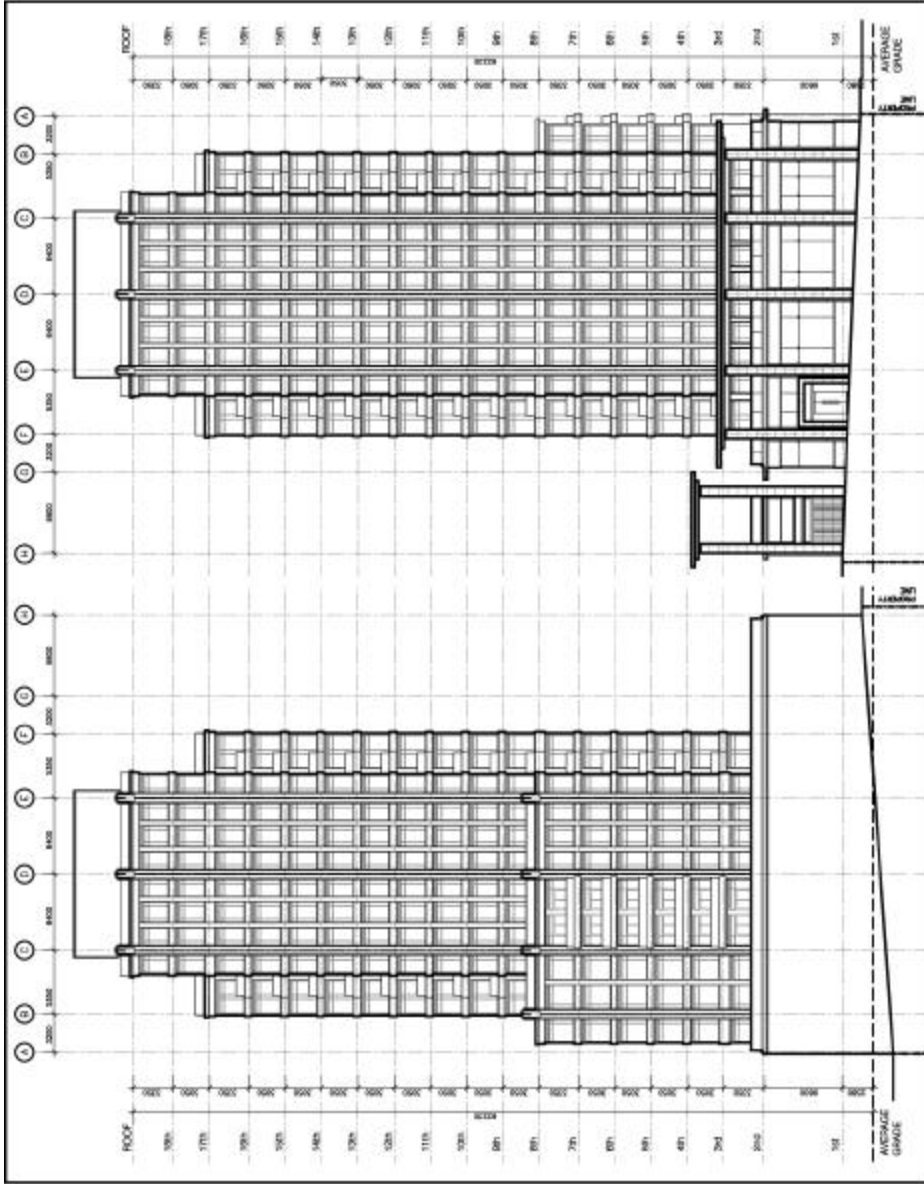
164 Avenue Road

File # 03_187763

Elevations
Applicant's Submitted Drawing

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01/1/2014

Attachment 4: Elevation 2



164 Avenue Road

East Elevation

West Elevation

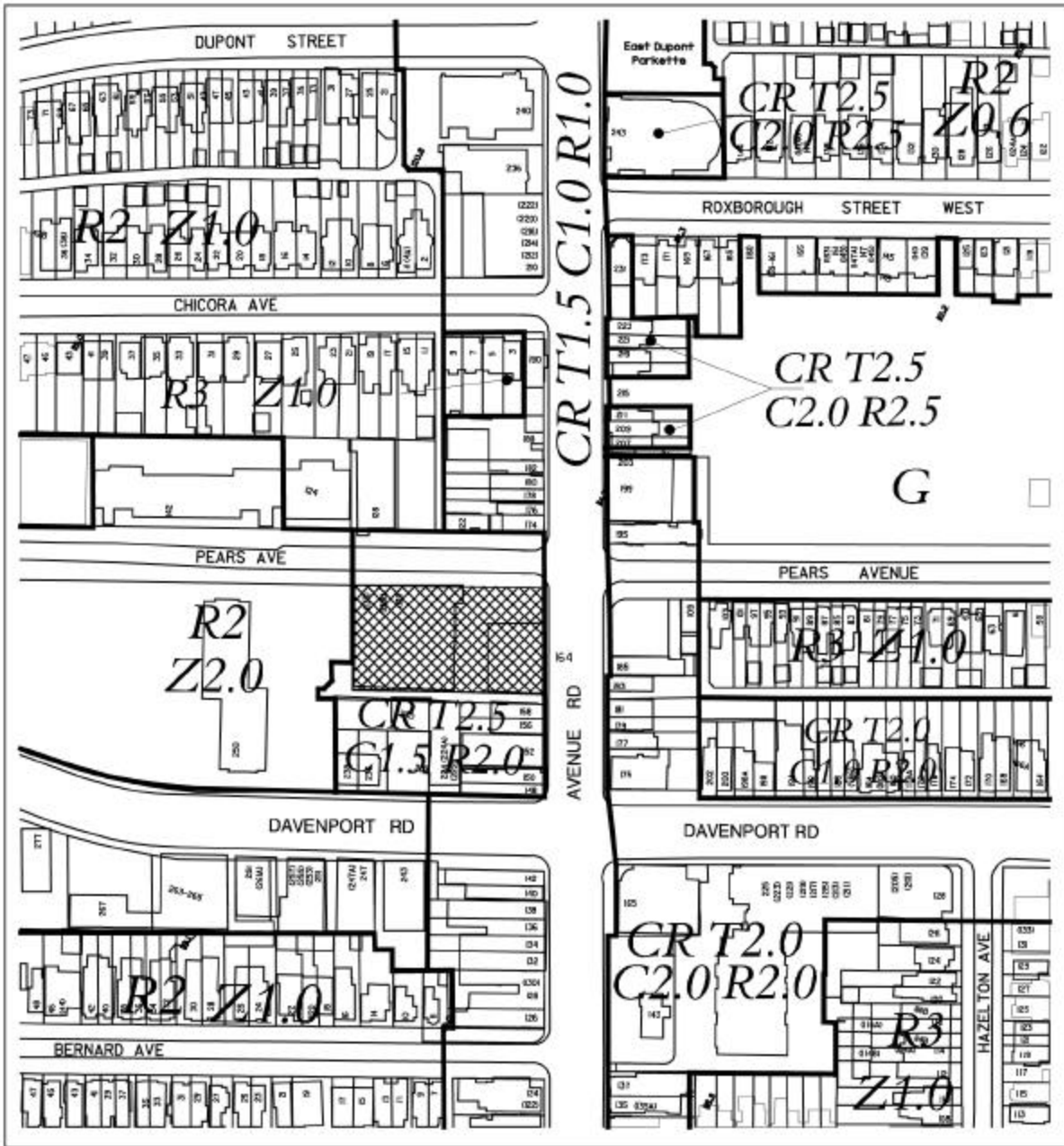
Elevations

Applicant's Submitted Drawing

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01/12/04

File # 03_187763

Attachment 5: Zoning (Map)



TORONTO Urban Development Services
Zoning

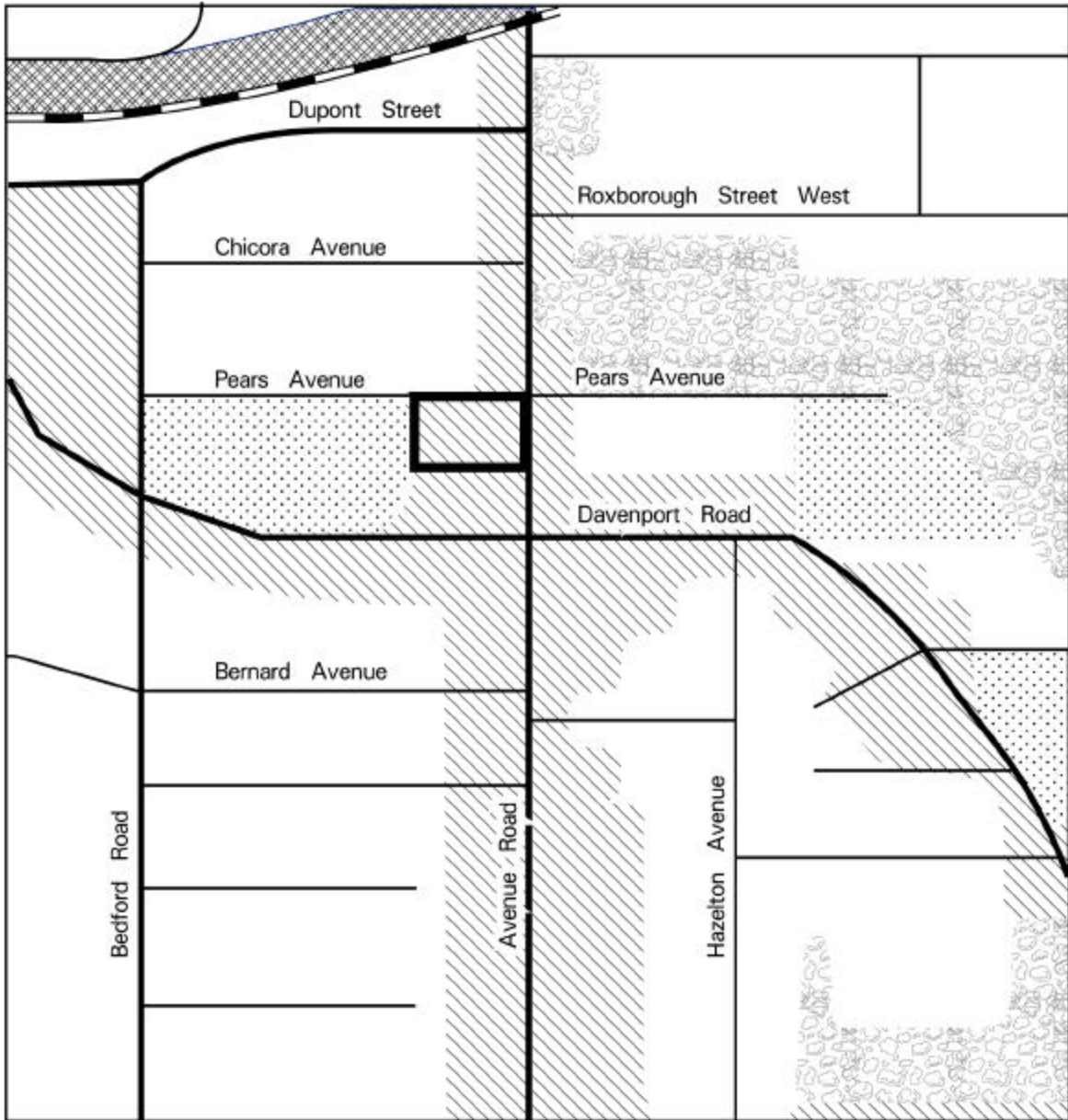
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G Parks District R2 Residential District CR Mixed-Use District
R3 Residential District



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Zoning By-law 438-86 as amended
Extracted 01/09/04 - NRS







Attachment 6: Official Plan (Map)



 **TORONTO** Urban Development Services
Official Plan

164 Avenue Road

File # 03_187763

- | | |
|--|---|
|  Site |  Low Density Mixed Commercial-Residential Area |
|  Low Density Residence Areas |  Public Utility Corridor |
|  Medium Density Residence Areas |  Open Space |


Not to Scale
01/12/04