

# **TORONTO** STAFF REPORT

June 16, 2005

To: Toronto and East York Community Council

From: Director, Community Planning, South District

Subject: Refusal Report  
Applications to amend the Official Plan and Zoning By-law  
164 Avenue Road  
Applicant: Sunny Hill Gardens Inc.  
Architect: Sweeny Sterling Finlayson & Co.  
File Number: 03187763 STE 20 OZ  
Ward 20 - Trinity-Spadina

Purpose:

To recommend refusal of the applicant's current proposal to amend the Official Plan and Zoning By-law for a 19-storey mixed-use development and approval of a development guideline for a 12-storey mixed-use building.

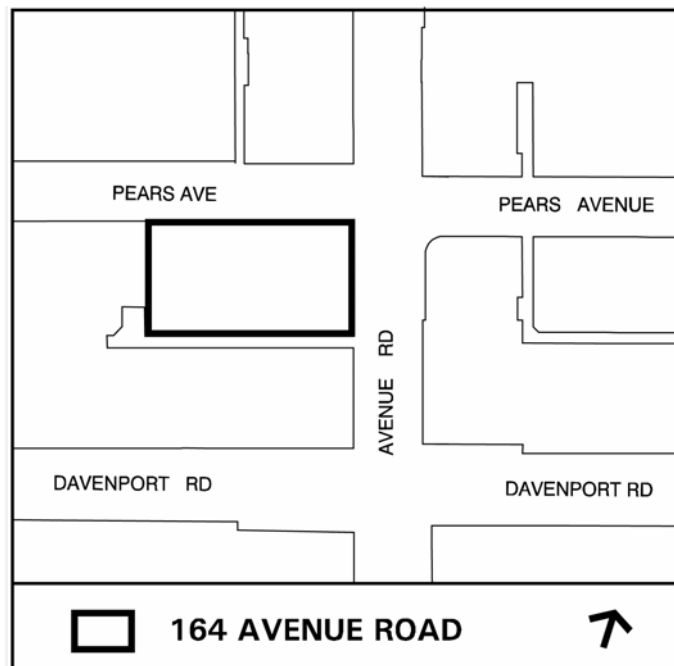
Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that City Council:

- (1) refuse the May 17, 2005 revision to Official Plan and Zoning By-law Amendment Application 03 187763 STE 20 OZ respecting a 19-storey mixed-use building;
- (2) authorize, the Chief Planner and Executive Director, City Planning Division and any other appropriate staff to oppose any appeal of Council's refusal of the



- application to the Ontario Municipal Board;
- (3) approve a development guideline for a 12-storey mixed-use building, substantially as set out in Appendix C and Appendix D, as a basis for a settlement at the Ontario Municipal Board should there be an appeal of Council's refusal; and
  - (4) request the Chief Planner and Executive Director, City Planning Division to hold an information meeting in the community to discuss the application should the owner appeal Council's refusal of the application to the Ontario Municipal Board.

### Proposal

On October 22, 2003 Sunnyhill Gardens Inc. applied for Official Plan and Zoning By-law Amendments for 164 Avenue Road. The applicant proposed to construct an 18-storey (62 metres) mixed-use building, with retail space and an automobile showroom at grade, 138 residential condominium units and four levels of underground parking for 236 parking spaces. The vehicular access was proposed from Pears Avenue.

The application was revised and resubmitted to City Planning on May 17, 2005 with some minor design changes to the building and an increase in building height. The applicant is now proposing to construct a 19-storey (65.8 metres) mixed-use building with 11 fewer residential units (127 units) and 28 fewer parking spaces (208 spaces).

A comparison of the development statistics for the original and revised proposal is attached to this report as Appendix A.

### Site and Surrounding Area

The 2,664.5 square metre site is located on the southwest corner of Avenue Road and Pears Avenue. The site's topography slopes approximately 1.4 metres south to north and 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 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. The lane extends the entire length of the site and is only accessible from Avenue Road. If a development is approved on this site, the City will require a 1.17 metre wide strip of land to the full extent of the site abutting the north limit of the lane for lane widening improvements.

Surrounding land uses include:

North: Located on the north side of Pears Avenue are an 8-storey residential building at 138 Pears Avenue, a 5-storey residential condominium at 142 Pears Avenue, a 1-storey vacant building at 128 Pears Avenue, a parking lot and a row of 3-

storey mixed-use buildings that have frontage on Avenue Road. Further north is a low-density residence area.

Planning Staff have been advised that the properties known municipally as 126 and 128 Pears Avenue are controlled by the owner of 164 Avenue Road.

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 residence area located on the southeast 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 (67 metres) residential apartment building built in the 1960's and owned by the Toronto Housing Company.

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

#### Planning Policy Context

#### Provincial Policy Statement

Issued under the authority of Section 3 of the Planning Act, the Provincial Policy Statement (PPS) provides direction on matters of provincial interests related to land use planning and development. On March 1, 2005, a new PPS came into effect and replaces the policies that had been issued on May 22, 1996 and amended in 1997.

Section 1.1.3 Settlement Areas states that land use patterns within settlement areas shall be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3 – “Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas.

The PPS Implementation and Interpretation Section 4.5 states: “The official plan is the most important vehicle for implementation of this Provincial Policy Statement”. Council is required to make decisions on planning matters that are consistent with PPS policies.

## Official Plan of the former Municipality of Metropolitan Toronto (Metro Plan)

The 164 Avenue Road property is located on the northern edge of the Central Area as delineated on the Metropolitan Centres and Corridors Map 2.

It is a key objective of the plan to maintain the Central Area through reurbanization that uses land, infrastructure and other services efficiently. It is the policy of the plan that the Area Municipal official plan shall provide policies requiring that major development with the Central Area to:

- a) be consistent in terms of scale and density with the transportation and other services provided by the Metropolitan Corporation to the area proposed for development and make efficient use of land;
- b) accommodate where feasible a mix of compatible uses in a development pattern that supports the use of transit and fosters pedestrian activity and which contributes to a balance of employment and residential uses with the Central Area as a whole;
- c) be physically compatible with the surrounding area; and
- d) comply with other applicable policies of the Plan.

## Former City of Toronto Official Plan Part I

### Section 1.5 The Central Core and the Neighbourhoods

The 164 Avenue Road property is located just within the northern limit of the Central Area Boundary and within the Annex neighbourhood. The subject site is adjacent to a low-density residential neighbourhood along Chicora Avenue. (Attachment 8)

The Former City of Toronto Official Plan designates the site as 'Low Density Mixed-Commercial Residential Area'. This designation permits a full range of commercial and residential uses in low-rise buildings in the range of 3 to 5 storeys.

Section 13.3 indicates that the maximum density permitted in a Low Density Mixed Commercial-Residential Area is 3.0 times the area of the lot.

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

This site is located within a Low Density Mixed-Commercial-Residential Area "B" in the Annex Area Part II Plan. The Area 'B' designation permits a broad mix of residential, commercial and institutional uses in a variety of building forms. 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.

The Annex is a Central Area neighbourhood of historic and architectural significance. It is the policy of Council to conserve this character and to improve the environment of the Annex through the enhancement of particular streetscapes and building types.

The Annex plan identifies that the higher density residential uses in apartment buildings are interspersed throughout the southeastern portion of the Annex.

Section 2.3 states that it is the policy of Council to recognize that building height is an important element in the maintenance of stability in the low rise residential areas, the consistency of streetscape and built form in predominantly commercial or mixed-use areas and in the visual coherence of Areas of Special Identity. Accordingly, Council upon application by the owner of a lot to amend the Zoning By-law with respect to the height limit shall:

- a) have regard for the expected conditions of wind and sun both for the subject lot and adjacent areas, and for the effect of any increase in height on the stability, consistency of streetscape and built form, and visual coherence of adjacent areas; and
- b) recognize that density standards are to be met within the prescribed height limit and thereby consider requesting the owner to reduce the density of any application to below the maximum permissible density, especially in respect to the size or number of dwelling units in any proposed residential or mixed commercial-residential development.

#### New Toronto 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. There have been several pre hearings to date.

The site is located just within the northern limit of the "Downtown" and is designated as a "Mixed Use Area". This is one of four land use designations identified as providing opportunities for increased jobs and/or population. While this designation encourages intensification, the new Plan recognizes that not all Mixed Use Areas will experience the same scale or intensity of development. The policies for Mixed Use Areas require new developments to provide a transition between areas of different development intensity and scale.

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.

### Zoning

The site is zoned CR T2.5 C1.5 R2.0. 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 provided the residential gross floor area does not exceed 2.5 times. The maximum building height permitted for this site is 14 metres. (Attachment 7)

### Site Plan Control

The proposal is subject to Site Plan Control Approval. A Site Plan Application has not been submitted to date.

### Reason for Application

An amendment to the Official Plan is required as the proposed density of 5.9 times the area of the lot significantly exceeds the maximum permitted density of 3.0 times.

An amendment to the Zoning By-law would be necessary because the proposed development exceeds the permitted density and height limits. The proposed density is 5.9 times the area of the lot whereas the permitted maximum density is 3.0 times the area of the lot.

The proposed 19-storey building has a height of 65.8 metres whereas the Zoning By-law limits height to a maximum of 14 metres. Therefore, the proposed building is 51.8 metres higher than permitted by the Zoning By-law.

Additional areas of non-compliance with the Zoning By-law may be identified as a result of the zoning review currently being undertaken.

Comments:

Application History and Community Consultation

A preliminary report was adopted by the Toronto and East York Community Council on February 17, 2004 for the original proposal. The report identified that the building height, mass and density were major issues to be addressed. For these issues to be resolved it would require the applicant to make significant changes to the proposal, otherwise the application would be refused. The Ward Councillor introduced a motion that was adopted by Toronto and East York Community Council requesting that:

- 1) the Chief Planner and Executive Director, City Planning Division establish a working committee that would include members of the immediate community to work with City staff and the applicant to establish design guidelines for the project; and
- 2) the working committee be directed to explore modifications to the applicant's current building design and one alternative design in accordance with the guidelines established.

A community consultation meeting was held by City Planning on March 29, 2004 and was attended by approximately 150 residents. The majority of the residents, who spoke, supported redevelopment of the property but were not supportive of the height, mass and density of the proposal. Issues with respect to neighbourhood compatibility, shadow impacts and traffic infiltration were also raised.

A Working Committee was formed and met on 5 occasions between March 20, 2004 and June 29, 2004. The Committee was comprised of representatives from the following stakeholders:

Applicant: Dermot Sweeny Architects Inc. (Sweeny Sterling Finlayson Architects)  
Annex Residents Association (ARA)  
Avenue Bloor Cottingham Residents' Association (ABC)  
Avenue and Davenport Residents Group  
Helen Kennedy – Councillor Chows Office

The Working Committee agreed to a terms of reference for the review of the 164 Avenue Road project generally as follows:

Purpose – to establish design principles and guidelines for the development site.

Objective – to define the appropriate building height, mass, setbacks and streetscape treatment.

Scope of Work – defining development principles and guidelines, reviewing alternative building designs and corresponding shadow plans and provides constructive feedback on the alternative building design(s).

At the 4<sup>th</sup> and 5<sup>th</sup> meetings the Working Committee reviewed three development alternatives. The Avenue Road and Davenport Residents group proposed a 9-storey building and the applicant, at the request of City Planning staff, produced a 14-storey proposal. The Architect for the applicant provided a third alternative for a revised 18-storey building.

The Working Committee discussed at length the three alternative proposals. The group discussed both the positive and negative attributes of each. The concept of lowering the 9-storey height of a portion of the building along Pears Avenue and increasing the height of the building slightly along Avenue Road appeared have merit, however, the appropriate maximum height was still undecided by the group.

The Working Committee established a set of design principles and guidelines for the applicant to apply to any revised application for 164 Avenue Road. The design principles are attached as Attachment B.

After the Working Committee's 5<sup>th</sup> meeting Planning staff further analyzed the surrounding built form context for the area. From this analysis and applying the Working Committee's design principles, it was determined by Planning staff that a 12-storey (38 metre) building would be appropriate for the 164 Avenue Road site.

Planning staff have since met with the applicant's architects to review the alternative 12-storey building. Planning staff have also met with the Annex Residents Association and ABC Residents Association who have indicated their support for a 12-storey building. The development guidelines for Planning staff's 12-storey building proposal are attached as Appendixes C and D.

#### Reasons for Refusal

The Sunnyhill Gardens Inc. proposal fails to address basic planning and urban design concerns originally discussed in the Preliminary Report, the issues identified at the Community Consultation meeting and the Design Principles and Guidelines developed by the Working Committee. The proposed 19-storey building overwhelms its Avenue Road and Pears Avenue context and sets a precedent for denser and taller buildings in the surrounding area.

#### Building Height and Fit with Surrounding Context

The 164 Avenue Road site is located in the northeastern portion of the Annex neighbourhood in a Low Density Mixed Commercial Area.



Section 3.13 of the in-force Official Plan states that Council shall encourage a high quality of urban design for new buildings and structures that harmonize with neighbouring development. This is to be achieved by, amongst other things, “ensuring that the siting and massing of new buildings is appropriate in relationship to neighbouring development.”

Section 3.14 of the Official Plan states that the massing of buildings should also provide a transition between areas of differing development intensity.

The built form structure of the Annex Neighbourhood is characterized by tall buildings at the intersection of Avenue Road and Bloor Street. The Hyatt Park Plaza at 4 Avenue Road is 14-storeys or 62.6 metres and 150 Bloor Street is a 25-storey (86 metre) high building. The secondary heights of buildings as one move away from the Bloor and Avenue Road intersection, are in the range of 7 to 12 storeys (24 to 42 metres).

The North Midtown area, immediately to the east, is also characterized by tall buildings at the intersections of Yonge and Bloor (34-storeys) and secondary heights (15 to 18 storeys) as one moves away from Bloor along Yonge and Bay Streets.

Building heights decrease substantially as one approaches the northern boundaries of the Annex and North Midtown areas. With a few exceptions, building heights in the immediate vicinity of the 164 Avenue Road site are in the range of 3 to 6-storeys.

This pattern of peaks and declining ridges of building height along arterial roads provides an orderly transition of development intensity and minimizes the impact of taller, denser, buildings on nearby, low-density neighbourhoods.

One exception to the built form pattern of the Annex is the 25-storey (67 metres) slab type building at 250 Davenport Road, which was built in the 1960's. This particular building casts shadows onto Ramsden Park and into the surrounding low-density neighbourhoods. The building is an anomaly in the area and its built form does not reflect the character of the surrounding neighbourhoods.

Contrary to providing an appropriate transition in building height, the proposed 19-storey development greatly exceeds the heights of existing and recently constructed buildings along area arterial roads and towers over the Pears Avenue West and Ramsden Park neighbourhoods. For example, at 238 Davenport Road, just south of the 164 Avenue Road site is a newly constructed 8-storey (25 metres) building. At 121 Avenue Road, located at the southeast corner of Avenue Road and Webster Avenue, Planning staff are reviewing a proposal for a 7-storey (26 metre) building.

### Massing

The 19-storey building has been described by the applicant as a “point-tower”, which is generally the term used to indicate a tall building with small and compact floor plate. For example, the Urban Design Guidelines developed by the Office for Urbanism for use in

the nearby Bloor-Yorkville area generally define a point tower as being in excess of 12 storeys, having an average gross floor plate size of less than 650 square metres and a maximum width of 25 metres. By contrast, the floor plate for the proposed 19-storey building has a gross area of 820 square metres and has a maximum east/west length of 38 metres. (Attachment 3). The massing of the building in conjunction with the excessive height generates a long broad shadow.

Sections 13.13 and 3.14 for the Toronto Official Plan states that the siting and massing of new buildings should respect the existing street proportions and provide transition between areas of differing development intensity. To achieve these objectives, Council may define maximum desirable building heights at the street edge and require the upper portions of buildings to be massed to ensure comfortable street level conditions. The proposed 19-storey building does not achieve these objectives.

The proposal is also inconsistent with the policies of the new Official Plan, which also encourages a transition between areas of different development intensity and scale.

#### Shadow Impacts

Section 2.28 of the in-force Official Plan states that Council shall maintain and where feasible and appropriate, improve current levels of comfort for pedestrians on streets and in other public open spaces of Toronto for as much of the year as possible and for as much of each day as possible. Section 3.27 of the in-force Official Plan requires Council to seek to ensure that new development does not detract from sunlight available on parks in the City. The new Toronto Official Plan echoes these policies, requiring tall buildings to minimize the negative impact of shadows.

The 25-storey building at 250 Davenport Road casts significant shadows on the surrounding residential properties along Pears Avenue west and east and on Ramsden Park as shown by the applicants Shadow Plan for March and September 21. Likewise, the proposed 19-storey building would create an additional adverse shadow impact to the rear yards of single family homes along Chicora Avenue, the south east portion of Ramsden Park and the single family homes along Pears Avenue east.

On March 21, from 9:00 am until 11:00 am a portion of the rear yards of the single family homes along Chicora Avenue are impacted by the shadows from the proposed development. The property at 138 Pears and future development sites at 128 Pears and the abutting parking lot are also adversely effected during these times.

On March 21, from 3:00 p.m. until 5:00 p.m. the southwest portion of Ramsden Park is shaded by the proposed 19-storey building. From approximately 3:30pm until 5:00 p.m. the front and back yards of the single-family residences along Pears Avenue east are shaded by the proposed building.

On September 21, from 10:00 am until 12:00 p.m. the properties at 138 Pears and future development sites at 128 Pears and the abutting parking lot are adversely effected by the 164 Avenue Road shadows.

On September 21, from 5:00 p.m. until 6:00 p.m. the front and back yards of the single-family residents along Pears Avenue east are shaded by the proposed building.

A reduction in the height of the tower from 19-storeys to 12-storeys, together with a narrower building profile, would eliminate these shadowing concerns.

#### Alternative Development Proposal

Intensification is a desirable objective for this site given, among other considerations, the large size of the site. Planning staff believes there is an opportunity to realize this objective without setting a negative precedent respecting building height or generating negative shadow and potential wind impacts.

Consequently, Planning staff do not support the 19-storey proposal, resubmitted on May 17, 2005 and believe that an alternative development with a maximum height of 12-storeys (38 metres) and a step back at the 11<sup>th</sup> and 12<sup>th</sup> storey would be appropriate.

The recommended 12-storey development, at a density of approximately 4.5 times the area of the lot, would include built form characteristics and features set out in Appendixes C and D.

#### Section 37

Section 37 of the Planning Act allows the City to grant increased density and/or height in exchange for community benefits. The Official Plan contains provisions authorizing such an exchange, provided the density and/or height increase are consistent with the objectives of the Official Plan regarding building form and physical environment. The discussions to date between City staff and the applicant have focused mainly on built form issues and because those have not been resolved, discussions regarding Section 37 have not progressed beyond the initial indication by staff that the City intended to use the tool, were any development with increased density and/or height recommended for this site.

For an application of this type at this location appropriate community benefits could include, but not be limited to, one or more of the following: (i) improvements to City Parks within the Annex neighbourhood and/or (ii) funding towards a Heritage Conservation District Study within the Annex neighbourhood.

#### Conclusions:

Given the site location and the relative proximity to the downtown and public transit, the site is arguably a location for some residential intensification. However, the density and

height proposed in this application (5.9 times coverage and 65.8 metres respectively) are significantly larger than permitted by current planning controls. The desire to achieve residential intensification through additional development on the site must be balanced with a respect for the existing site conditions, the low to mid-rise built form and character of the community along Avenue Road, Pears Avenue and Davenport Road. Intensification must be implemented in a manner that it does not negatively impact on adjacent development or undermine the desirability and attractiveness of the neighbourhood in which it occurs.

The height and massing and density of the proposed development are not acceptable. Therefore, the proposed intensification of the site is not supportable and planning staff recommend that City Council refuse the original proposal for an 18-storey building application and the current 19-storey proposal. Further, staff recommend that Council adopt the development guidelines for a 12-storey mixed-use building, substantially as set out in Appendixes C and D, as a basis for a settlement at the Ontario Municipal Board should there be an appeal of Council's refusal.

Contact:

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Gary Wright  
Director, Community Planning, South District

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List of Attachments:

Attachment 1: Application Data Sheet  
Attachment 2: Site Plan  
Attachment 3: Elevations 1  
Attachment 4: Elevations 2  
Attachment 5: Elevations 3  
Attachment 6: Elevations 4  
Attachment 7: Zoning  
Attachment 8: Official Plan  
Appendix A: Comparison of Original and Revised Applications  
Appendix B: Working Committee's Design Principles for 164 Avenue Road  
Appendix C: Recommended Development Guidelines for 164 Avenue Road  
Appendix D: Recommended Building Envelope for 164 Avenue Road

### 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 \*\*GRID S2003  
Project Description: Construct 127 residential condominium units with commercial retail space at grade, STAR stream complex

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
DERMOT J. SWEENY ARCHITECTS INC.			SUNNY HILL GARDENS INC.

#### PLANNING CONTROLS

Official Plan Designation:	Low Density Mixed Commercial-Residential Area	Site Specific Provision:
Zoning:	CR T2.5 C1.5 R2.0	Historical Status:
Height Limit (m):	14	Site Plan Control Area:

#### PROJECT INFORMATION

Site Area (sq. m):	2664.5	Height:	Storeys:	19
Frontage (m):	38.789		Metres:	65.8
Depth (m):	69.982			
Total Ground Floor Area (sq. m):	1200.3			<b>Total</b>
Total Residential GFA (sq. m):	14313		Parking Spaces:	109
Total Non-Residential GFA (sq. m):	1488		Loading Docks	1
Total GFA (sq. m):	15801			
Lot Coverage Ratio (%):	0.45			
Floor Space Index:	5.9			

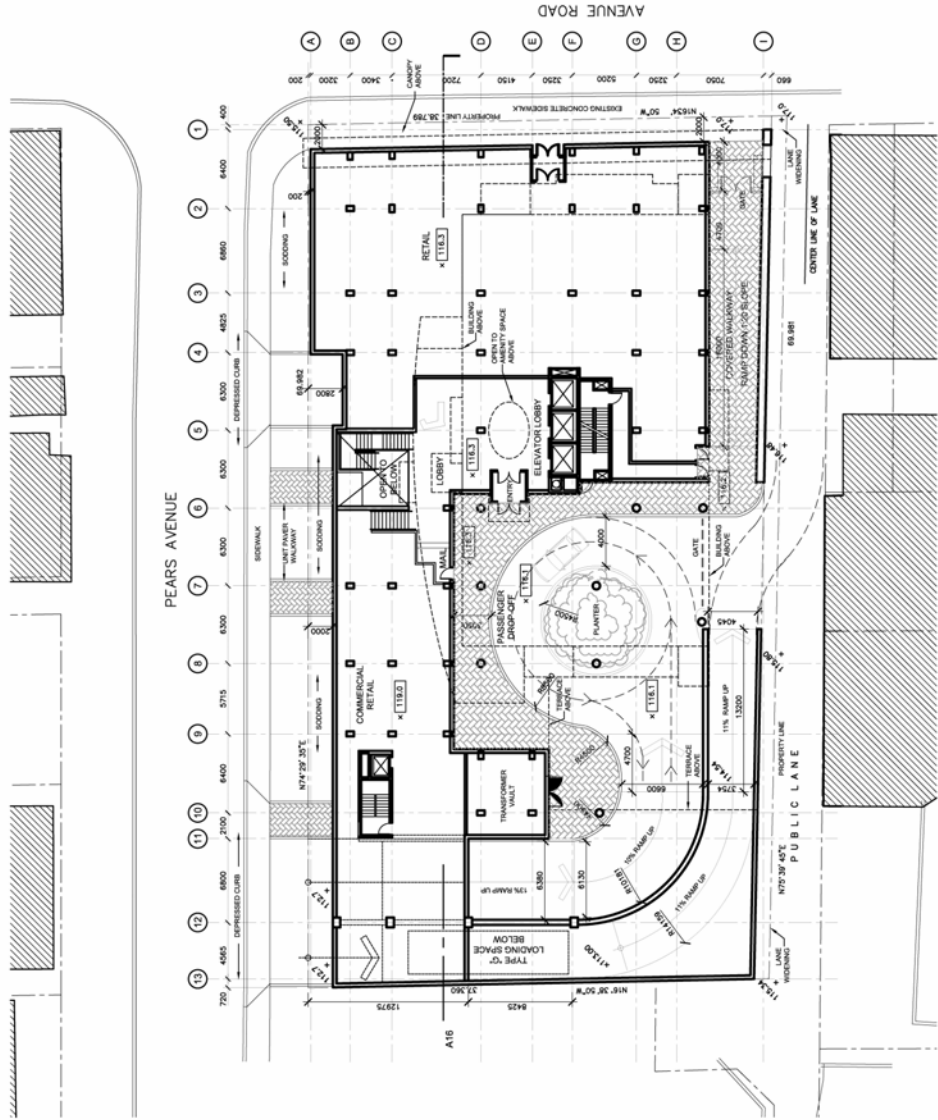
#### DWELLING UNITS

#### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	14313	0
Bachelor:	0	Retail GFA (sq. m):	1488	0
1 Bedroom:	56	Office GFA (sq. m):	0	0
2 Bedroom:	65	Industrial GFA (sq. m):	0	0
3 + Bedroom:	6	Institutional/Other GFA (sq. m):	0	0
Total Units:	127			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	Steve Daniels, Planner
	<b>TELEPHONE:</b>	(416) 392-1306

### Attachment 2: Site Plan

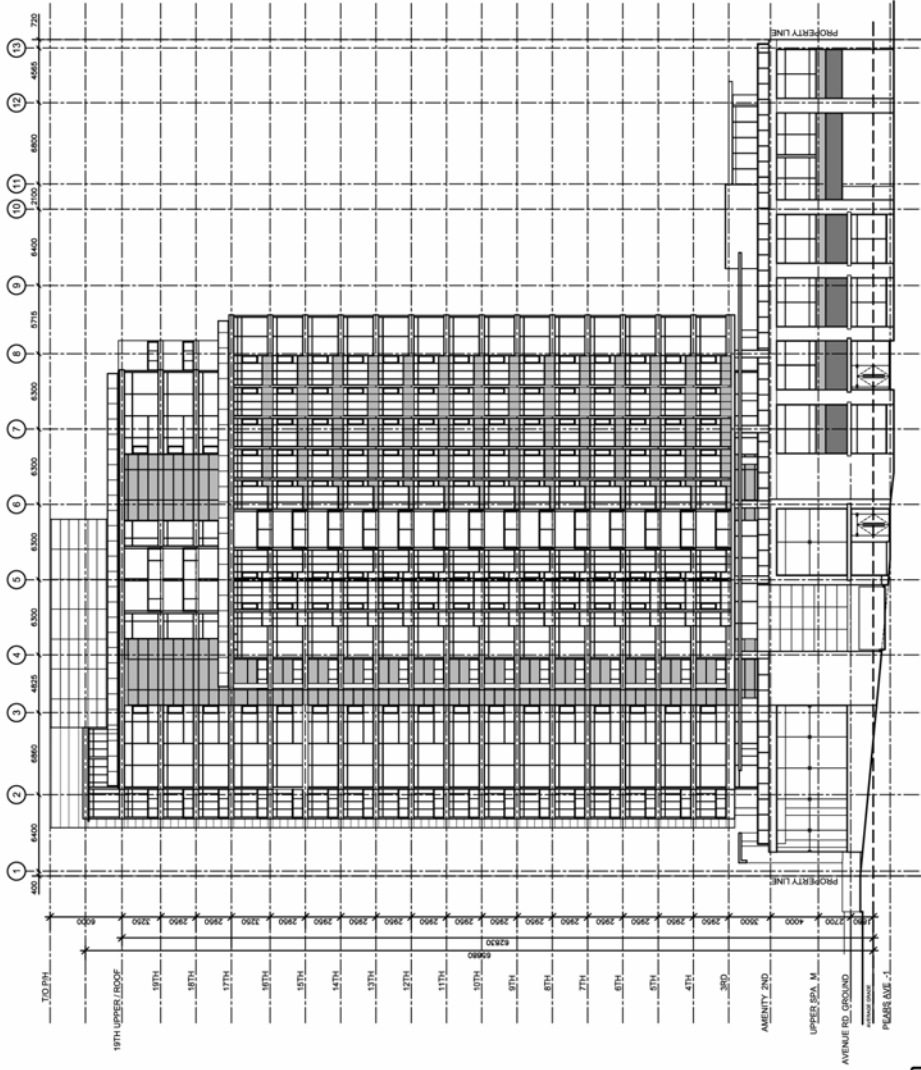


164 Avenue Road

**Site Plan**  
Applicant's Submitted Drawing  
Not to Scale  
05/26/05

File # 03\_187763

Attachment 3: Elevation 1



Pears Ave. Elevation

Elevations

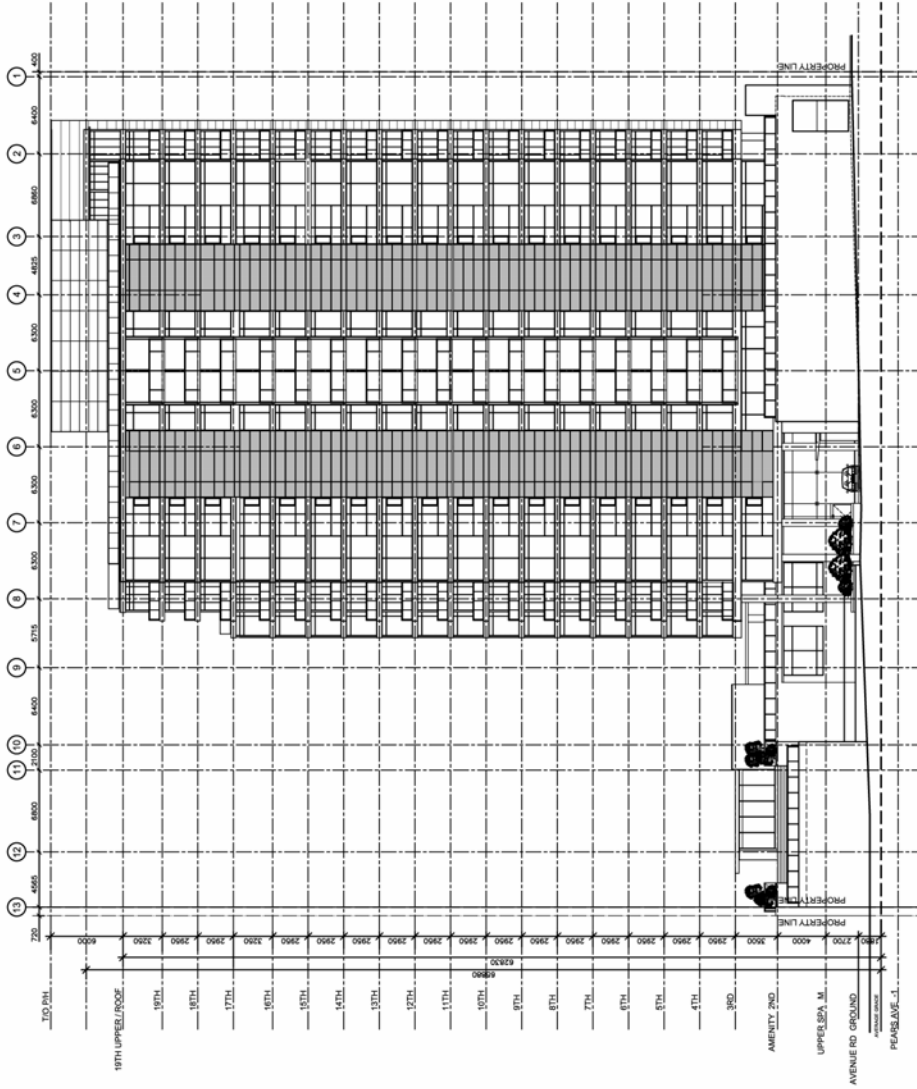
Applicant's Submitted Drawing

Not to Scale  
05/26/05

164 Avenue Road

File # 03\_187763

Attachment 4: Elevation 2



South Elevation

164 Avenue Road

Elevations

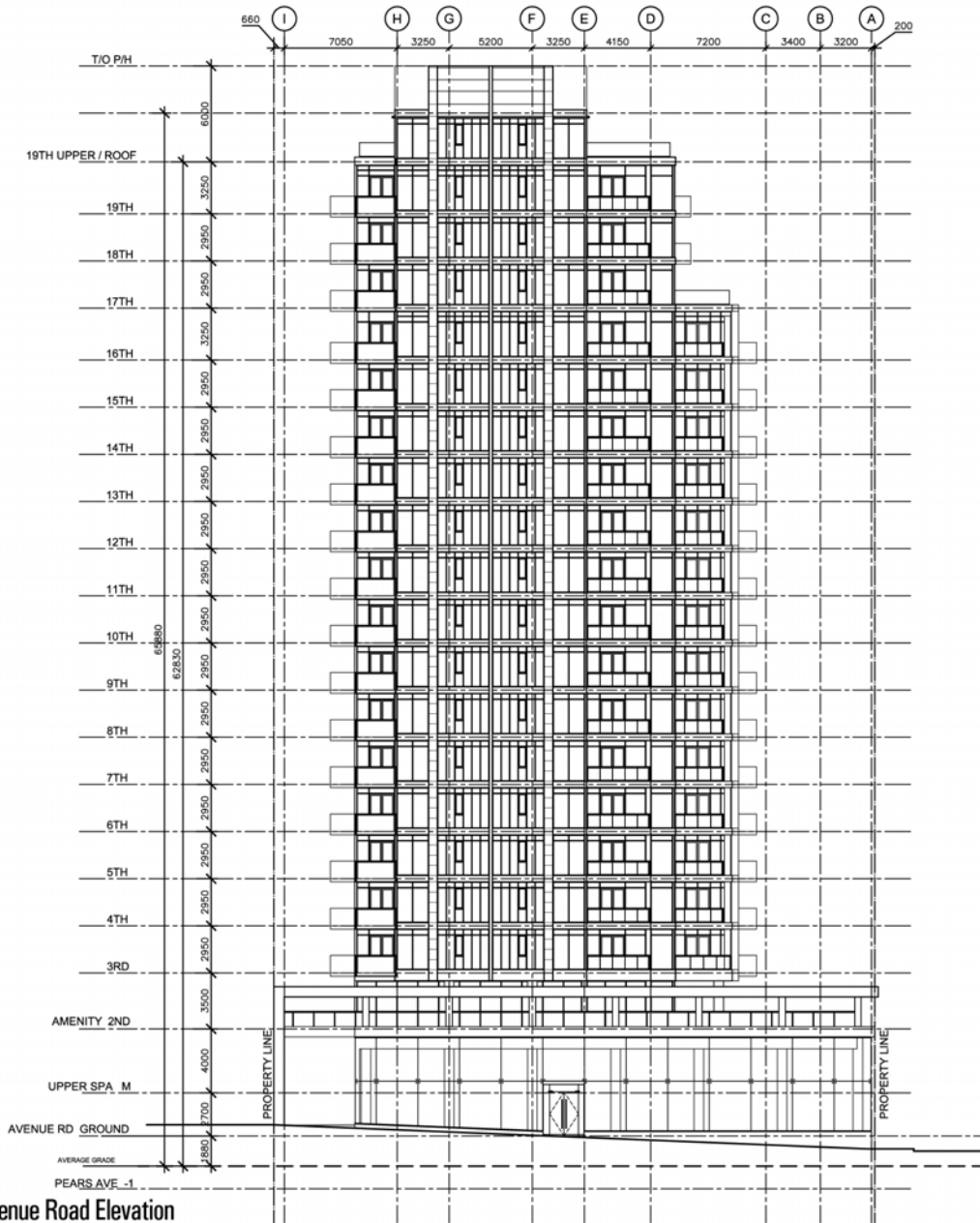
Applicant's Submitted Drawing

Not to Scale  
05/26/05

File # 03\_187763



### Attachment 5: Elevation 3



Avenue Road Elevation

## Elevations

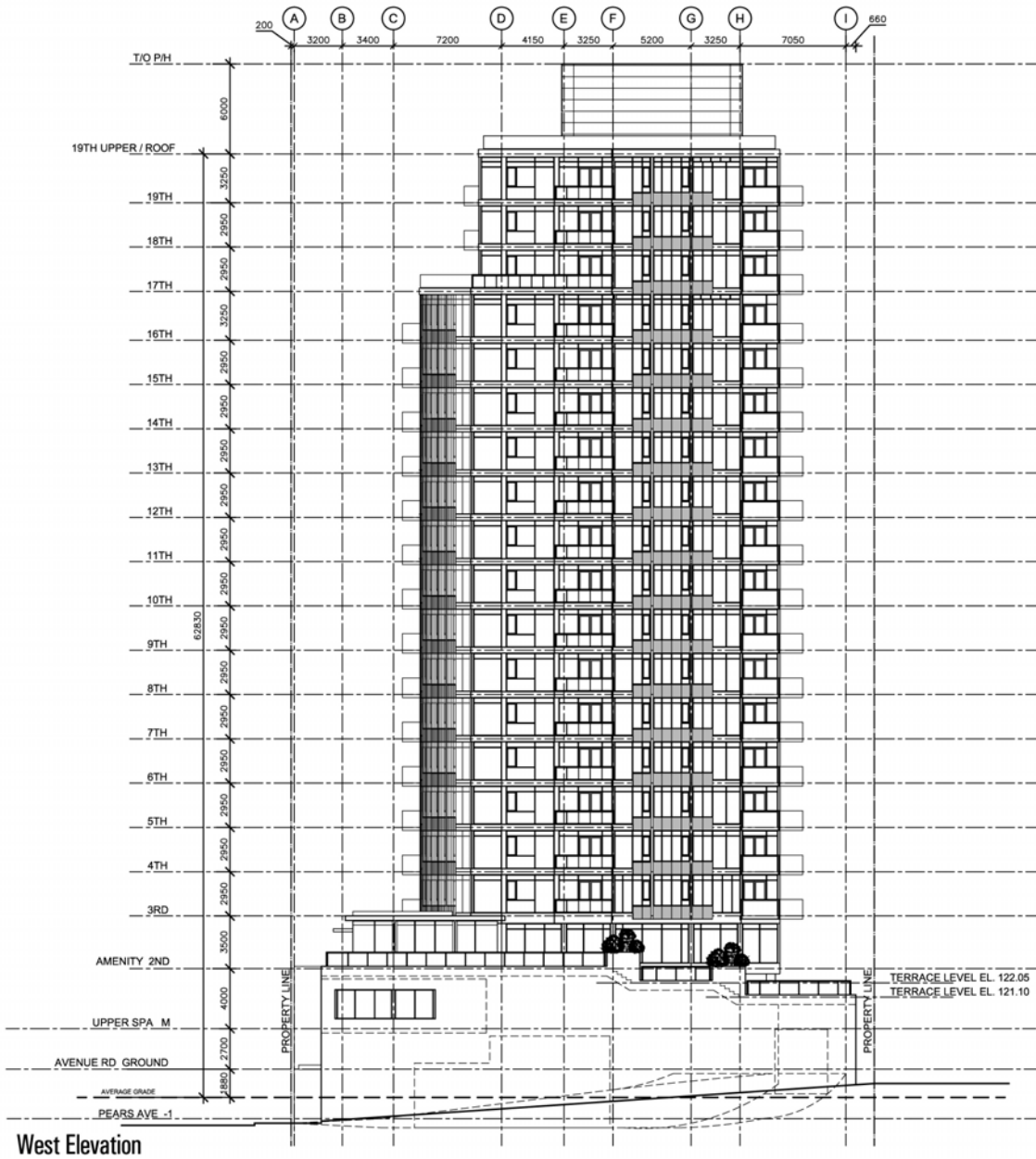
Applicant's Submitted Drawing

Not to Scale  
05/26/05

164 Avenue Road

File # 03\_187763

### Attachment 6: Elevation 4



## Elevations

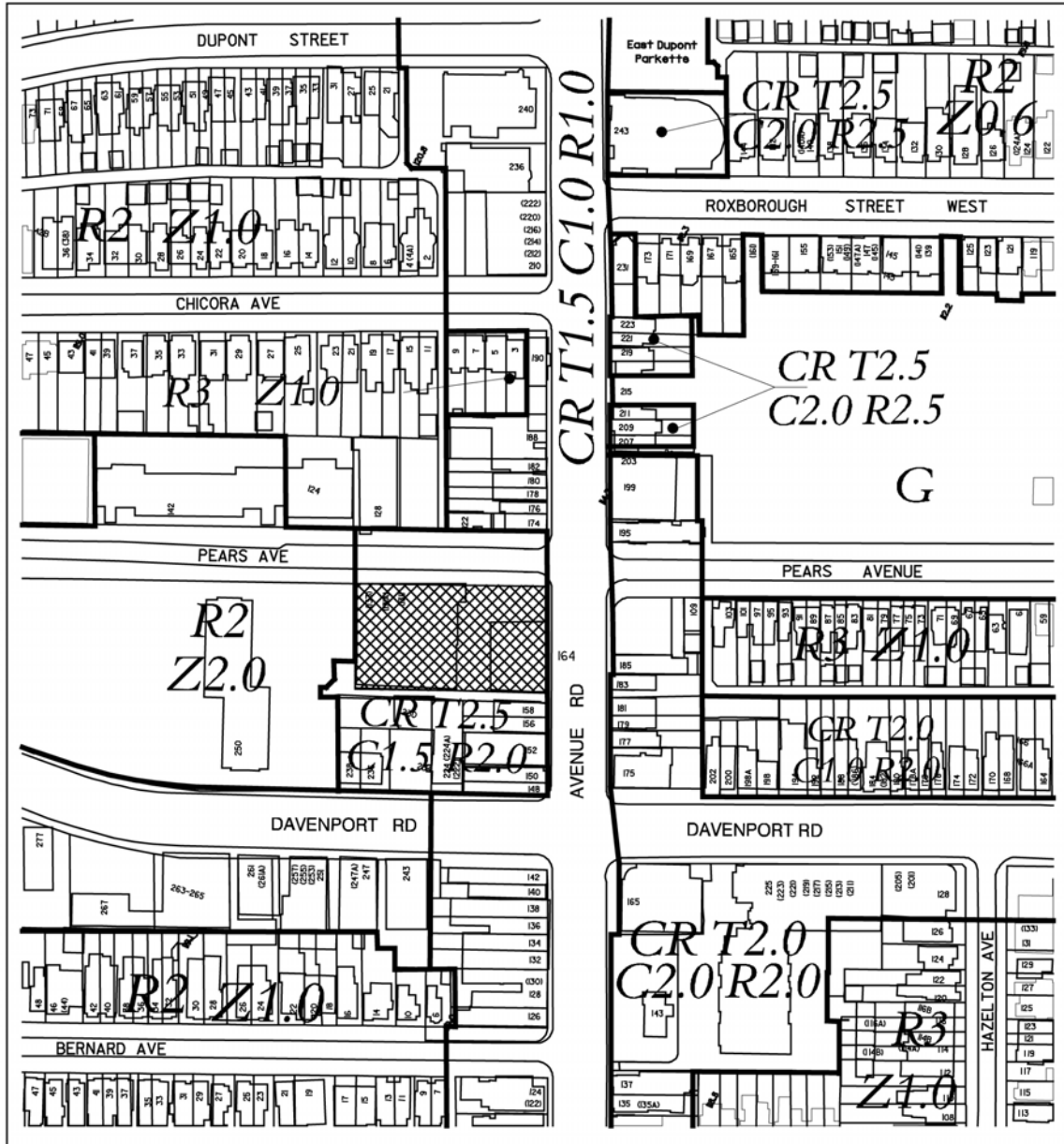
Applicant's Submitted Drawing

Not to Scale  
05/26/05

## 164 Avenue Road

File # 03\_187763

### Attachment 7: Zoning (Map)



164 Avenue Road

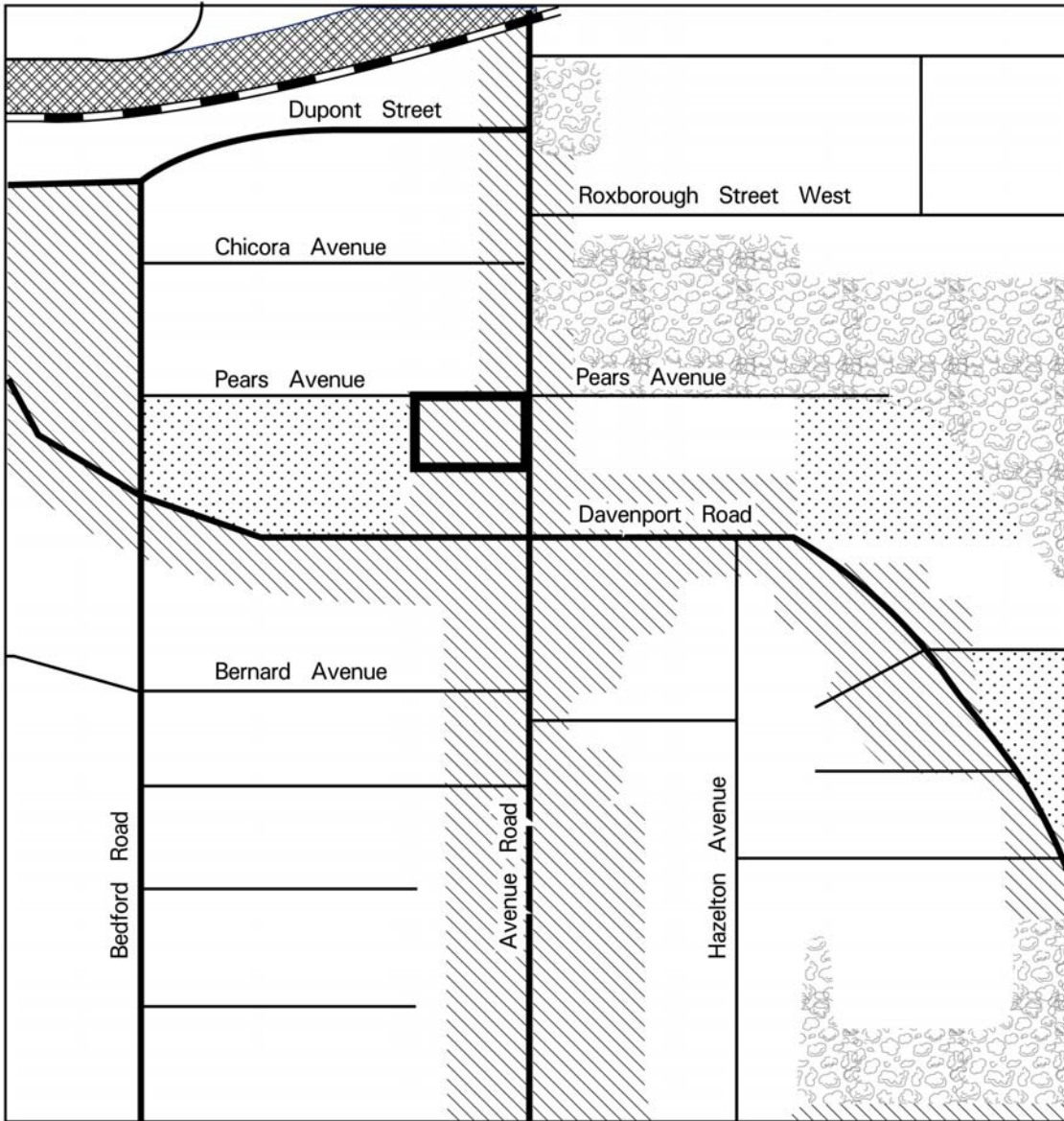
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



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



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 01/09/04 - NRS

### Attachment 8: Official Plan (Map)



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

**Appendix A**

**Comparison of Original and Revised Applications for 164 Avenue Road**

<b><u>Application October 22, 2003</u></b>		<b><u>Revised Application May 17, 2005</u></b>
Density	5.94	5.9
Total GFA	15,818.6 m <sup>2</sup>	15,801 m <sup>2</sup>
Height	62.23m	65.8m
Total # Units	138	127
Total # Parking Spaces	236	208
Number of Driveway Entrances & Widths	One (11m)	One (11m) plus a Second (5.5m)
North Lot Line Set Back (Pears Avenue)	3.3 m	5 m
East Lot Line Set Back (Avenue Road)	2.1m	4 m
North Elevation Building Width 7 <sup>th</sup> Floor	43 m	53 m
North Elevation Building Width 8 <sup>th</sup> to 18 <sup>th</sup> Floor	43 m	38 m

## **Appendix B**

### **Working Committee's Design Principles**

#### The Building Street wall:

- The height of the street wall should be proportional to the abutting built form context (existing and planned);
- The street wall should incorporate building entrances and windows at regular intervals to provide access and views to and from active ground floor uses

#### Height

- Impact of shadows should be minimized on public sidewalks, on site and off site amenity areas and on dwelling units; and
- For buildings taller than prevailing street proportions: the base of the building should provide an appropriate relation to the street and the higher portion should be setback from the podium.

#### Street Continuity and Massing

- Matches or enhances prevailing rhythm along streets and open spaces;
- Consider the impact of views from public sidewalk and open space;
- Massing meets existing street proportion and planned context;
- Building mass accentuates corner; (Pears Avenue and Avenue Road); and
- Integrate rooftop mechanical into massing.

#### Built form characteristics Related to the Surrounding Context

- Appropriate transition of height and/or setbacks between areas of different development intensity and scale (High Density, Medium Density and Low Density Areas).

#### Quality of Life for Future Residents

- Massing and height afford ample light, view and privacy for future occupants;
- Massing and height help mitigate street noise; and
- Massing affords suitable locations for outdoor amenity space.

#### Building Relationship to the Public Realm

- The building setbacks should relate to the existing building setbacks along Pears Avenue West and Avenue Road.

#### Street Improvements

- Provide street trees, benches, lighting, decorative paving, planters etc;
- Pedestrian weather protection; and
- Barrier free accessibility.

#### Vehicular Access Points

- Width and number of driveway entrances into site are to be minimized, to mitigate the disruption pedestrian environment; and
- Drive-through service aisles are not to be located between street and building face.

#### Site Servicing

- Garbage entrances and ramps integrated into building mass to reduce impact; and
- Service and parking areas located to minimize visual impact on streets and open spaces.

#### Grade Relationships

- Retaining walls avoided at street line and neighbouring property edges; and
- Gradients to allow for pedestrian accessibility from public sidewalk to building entrance.

## **Appendix C**

### **Recommended Development Guidelines for 164 Avenue Road**

The recommended 12-storey development, at a density of approximately 4.5 times the area of the lot, would include the following built form characteristics:

- A 3-storey (11 metre) high podium;
- Massing above the podium substantially in accordance with Appendix D;
- Setbacks along Avenue Road and Pears Avenue substantially in accordance with Appendix D;
- Compliance with By-law 438-86 as amended with respect to parking, loading and amenity space;
- Driveway access from Pears Avenue 6 metres wide;
- Garbage pick-up for the project should be from the public lane that abuts the south side of the property; and
- A. 1.17 metre widening of the public lane that abuts the south side of the property.

Other elements of the Guideline include:

- Provision of public benefits under Section 37 of the Planning Act to include but not be limited to one or more of the following (i) improvements to City Parks within the Annex neighbourhood and/or (ii) funding towards a Heritage Conservation District Study within the Annex neighbourhood; and
- Execution of a Site Plan Agreement under Section 41 of the Planning Act prior to the introduction of Bills in Council or the issuance of a Board Order for a development at 164 Avenue Road.



