

143 Avenue Road - Zoning Amendment Application - Preliminary Report

Date:	October 18, 2013
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	13-223368 STE 27 OZ

SUMMARY

This application proposes to redevelop the site at 143 Avenue Road to construct a 12-storey, 40.4 metre high (excluding the mechanical penthouse) mixed-use building. The proposed development includes 94 residential units, approximately 865 square metres of retail commercial space and 67 residential parking spaces in a 3-level underground parking garage. The proposed density is approximately 7.4 times the lot area.

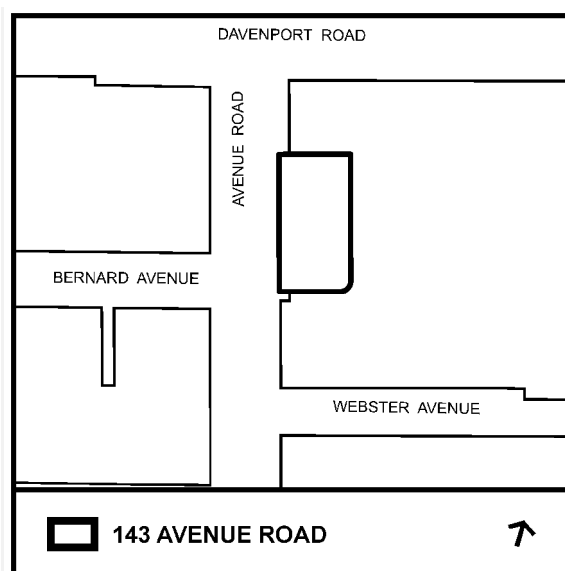
This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

A Final Report is targeted for the third quarter of 2014 provided the applicant submits all required information in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 143 Avenue Road together with the Ward Councillor.



2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant in 2013 to discuss complete application submission requirements.

The applicant has held two pre-application meetings with the local residents association to discuss the project and initial modifications to it.

ISSUE BACKGROUND

Proposal

This is an application to amend the Zoning By-law to permit the construction of a 12-storey mixed-use building (refer to Attachment 1: Site Plan, and Attachments 2 - 4. Elevations).

The proposed height is 40.4 metres to the main roof and 42.0 metres to the top of the mechanical penthouse. The overall density of the proposed development is approximately 7.4 times the lot area. The proposed development has 7,543 square metres of residential space located on the second to the twelfth floors and approximately 881 square metres of retail space located on the main floor and a portion of the second floor. (Refer to Attachment 7: Application Data Sheet for the complete list of project statistics)

The applicant is proposing a total of 67 parking spaces (for 94 residential units, including 6 residential visitor spaces) in a 3-level, underground parking garage. No commercial parking spaces are proposed. Access to loading from Avenue Road would be via a driveway in the south-west portion of the site.

Site and Surrounding Area

The site is located on the east side of Avenue Road, one property south of Davenport Road. The site is currently vacant and is being used as a temporary parking lot with approximately 30 spaces. The site's previous use was an Esso gas station.

The following uses abut the site:

North: 165 Avenue Road, a 6-storey commercial-office building. This building has a number of large windows facing south towards the proposed building.

South: 131 - 137 Avenue Road, two 2 1/2 storey semi-detached commercial buildings. A 3 metre-wide private gated pedestrian walkway that separates the pair of semis from the subject site services the residential condominium at 225 Davenport Road.

East: 225 Davenport Road, a 6-storey commercial-residential building (The Dakota), fronting on Davenport Road, with retail units on the ground floor. Pedestrian access to the residential units is from a walkway off the south side of Davenport Road that passes the rear of 165 Avenue Road. This mixed-use building has a number of outdoor patios accessed from at-grade dwelling units as well as heavily landscaped outdoor amenity space with benches facing west towards the subject site as well as a rooftop outdoor amenity space. To the southeast, (but not immediately abutting the site) is the Hazelton Yorkville Area Heritage Conservation District.

West: of Avenue Road is 2 Bernard Avenue, a 3-storey building retail at grade and a residential unit above. At 126-138 Avenue Road there is a row of 3-storey buildings with retail and commercial at grade and residential units on the second and third floors. At 140-142 Avenue Road there are two 2 storey buildings at the southwest corner of Avenue Road and Davenport Road, with retail at grade and residential units on the second floors. Also on the west side of Avenue Road is the East Annex Heritage Conservation District.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site has a Mixed Use Areas designation in the Official Plan (Map 18). Within the City's Urban Structure Map 2, the site is within the Downtown and Central Waterfront Area.

The policies in Chapter 3 of the Plan complement and support the City's growth strategy by integrating social, economic and environmental perspectives in decision-making to create an attractive City, with a strong economy and liveable communities.

The application will be evaluated using the built form policies of Section 3.1.2 of the Plan which address how the development improves the public realm, is organized to provide joint access and underground parking, and is massed to fit harmoniously into the planned context of the neighbourhood and the City. New development will be massed to define the edges of streets, parks and open spaces at good proportions. Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of these areas.

The *Mixed Use Areas* designation of this site provides for a broad array of residential uses, offices, retail and services, institutional, entertainment, recreation and cultural activities as well as park and open spaces.

The application will be evaluated under Section 4.5 *Mixed Use Areas*, Policy 2. The Development Criteria found in Policy 2, a- k will be applied in this review. City Planning staff will be focusing specifically on development criteria policies 2. c) to 2f) with respect to the massing and transition of the proposed building.

Area Specific Policy 211 – Bloor Yorkville/North Midtown

Area Specific Policy 211 in the Official Plan recognizes that the Bloor-Yorkville/North Midtown Area comprises a broad mix of districts with differing intensities, scales and heights in a diversity of building forms. The area includes *Neighbourhoods*, *Apartment Neighbourhoods*, *Areas of Special Identity*, *Mixed Use Areas*, and open space provided by parks and ravines. It forms the north edge of the Downtown and provides for transition in density and scale.

The subject site is located well north of the Height Ridge which ends just south of Webster Avenue as illustrated on Map 2 of 2 in Policy 211. Policy 211 (b) states that building height and density permissions within the Height Ridge generally diminish going north from Bloor Street. These height ridges provide a transition in scale from the 'height peak' at Yonge/Bloor and will be developed to a lesser height and physical scale and in a form compatible with adjacent areas.

Policy 211 (b) goes on to state that the northern portions of Avenue Road, Yonge Street and Davenport Road not shown as 'height ridges' on Map 2 are intended to have lower heights. The scale of buildings in these areas should be compatible with adjacent Neighbourhoods and with Areas of Special Identity shown as 'Low Rise Areas' on Map 2.

Development in Mixed Use Areas near the 'Low Rise Areas' will be designed to adequately limit shadow, wind and privacy impacts on these lower scale areas through

distance separation and transitions in scale including means such as angular planes and step-downs in height.

Policy 211 (e) states that new buildings will achieve a harmonious relationship to their built form context through building height, massing, setbacks, roofline and profile architectural expression as well as sensitively integrated vehicle access and loading.

Bloor – Yorkville/North Midtown Urban Design Guidelines

The Bloor – Yorkville/North Midtown Urban Design Guidelines, approved by City Council in July 2004, give guidance to improve the physical quality of the area and ensure that its special character is respected in terms of new development. The main planning objectives of these design guidelines include:

- Enhancement of areas of special identity, and the precincts and corridors;
- Protection of low-rise, pedestrian –oriented mixed use areas from the adverse impacts of commercial and/or higher density development;
- Protection and enhancement of historic buildings;
- Improvement of publicly accessible areas (streets and open spaces); and
- Excellence in urban design, architecture and landscape in private developments.

The Bloor-Yorkville/North Midtown area is comprised of a number of precincts and corridors, each defined by its attributes in terms of function, built form and character. The subject site is part of the Avenue Road Corridor.

The guidelines state that special consideration should be given to the impact of commercial uses, the form of development and parking and servicing arrangements on the adjacent low-scale residential neighbourhood. New buildings are to provide a transition between areas of different development intensity and scale. Shadow impacts are minimized on adjacent *Neighbourhoods* through the location and massing of new buildings.

Zoning

The site is zoned CR T2.0 C2.0 R2.0 pursuant to Zoning By-law 438-86, as amended and was excluded from the new City-wide Zoning By-law 569-2013, enacted on May 9, 2013. The CR zoning classification permits a wide range of commercial and residential uses. The residential uses include apartment buildings and townhouses, and the non-residential uses include: retail, restaurants, offices and personal service shops. The zoning permits a total overall density of 2.0 times the lot area. The maximum building height permitted is 14 metres.

Site Plan Control

The application is subject to site plan control. An application has not been submitted but is expected in the near future.

Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>.

This project is located within an area that is also subject to the Downtown Tall Buildings: Vision and Supplementary Design Guidelines (adopted by City Council in July 2012 and consolidated with the city-wide Tall Building Design Guidelines May 2013). This document identifies where tall buildings belong in the Downtown, and establishes a framework to regulate their height, form and contextual relationship to their surroundings. The Downtown Vision and Supplementary Design Guidelines should be used together with the city-wide Tall Building Design Guidelines to evaluate new and current Downtown tall building proposals. This portion of Avenue Road is not identified as a High Street. The Downtown Tall Buildings Guidelines are available at <http://www.toronto.ca/planning/tallbuildingstudy.htm#guidelines>.

Tree Preservation

The applicant has submitted an arborist report that states there are no trees within the site, although 18 trees on the east and south property lines would require removal. Three of those trees are large enough in calliper diameter to require a Permit to Injure or Destroy Trees on Private Property under the City of Toronto Private Tree Bylaw. City permission and written consent from the adjacent property owners is required as part of the permitting process.

Reasons for the Application

The applicant is requesting amendments to By-law 438-86 to permit the proposed building height of 42.0 metres (to the top of the mechanical penthouse) and a density of approximately 7.4 times the lot area. Other areas of non-compliance (i.e. parking, setbacks, common outdoor space) will be determined by Toronto Building through their review of the application.

The proposed development's compliance with the Official Plan will be determined in the initial stages of the review of this application.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- architectural plans and landscape drawings;
- planning rationale report;
- traffic impact study;
- functional service report;
- stormwater management report;
- preliminary pedestrian wind commentary;
- shadow study;
- arborist report;
- stage 1 archaeological assessment;
- phase 1 environmental site assessment;
- heritage site review; and
- green development standards checklist.

A Notification of Complete Application was issued on September 20, 2013.

Issues to be Resolved

Prior to submitting a Final Report to Toronto and East York Community Council, the following issues as well as any others which may be identified through the application review, agency circulation and public process will need to be reviewed and satisfactorily addressed by the applicant:

- the total proposed height and density of the building and its height relationship, in particular, to the adjacent mixed-use apartment building (The Dakota, 225 Davenport Road) to the east and to the height regime on Avenue Road to the north and south.
- the massing and scale of the base building in relation with the character of Avenue Road and its streetscape and the appropriateness of a mid-rise building form at this site.
- built form design in relationship to the architectural character of Avenue Road.
- the minimum building setback on Avenue Road.
- the shadow impact on Avenue Road and the shadow and skyview impact on the adjacent mixed-use apartment building at 225 Davenport Road.

Section 37

Section 37 of the Planning Act allows the City to grant a height and /or density increase that is greater than what the zoning by-law would otherwise permit in return for community benefits. The proposed gross floor area is 8,424 square metres. Notwithstanding the size of the proposal, the Official Plan policies do allow for the Use of Section 37 when agreed upon by the owner.

The details of a Section 37 Agreement between the applicant and the City will be worked out, in consultation with the Ward Councillor, if project is ultimately considered to be good planning and recommended for approval.

Toronto Green Standard

The Toronto Green Standard (TGS) Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

CONTACT

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SIGNATURE

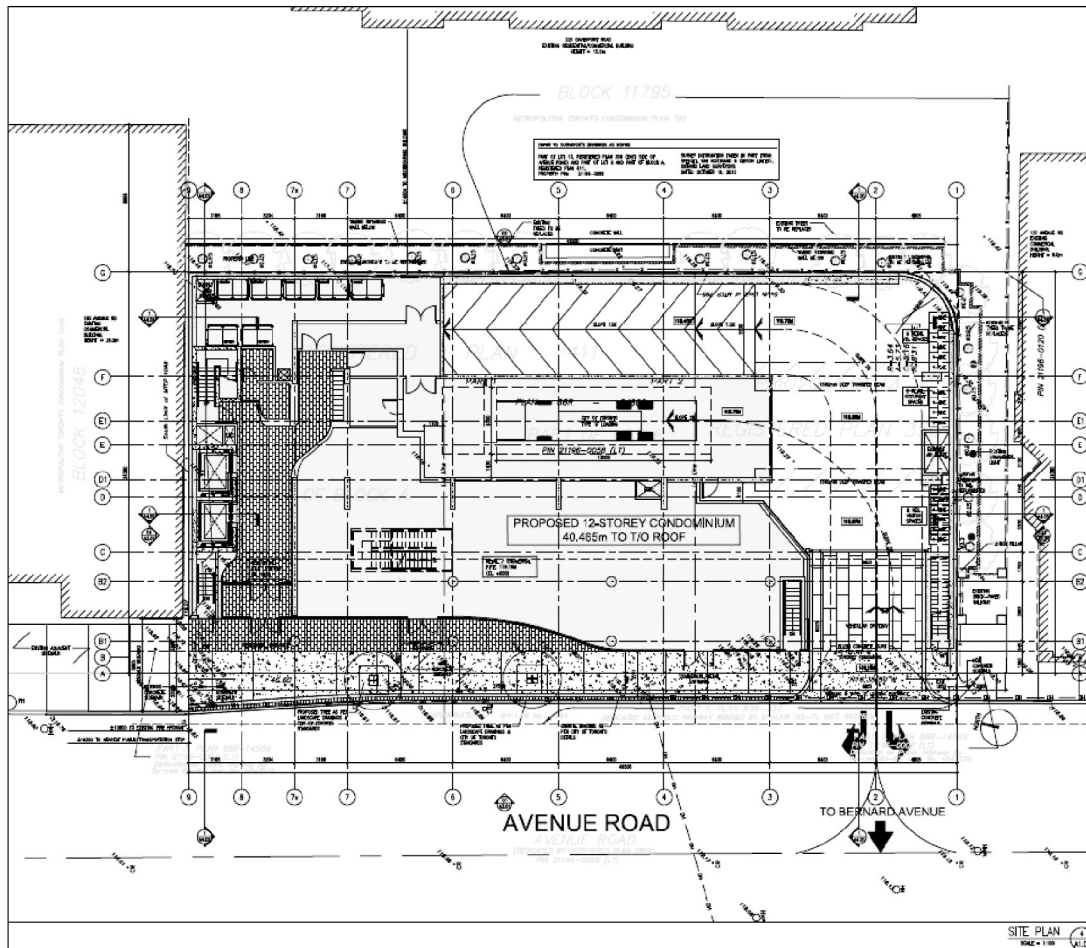
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: West Elevation
Attachment 3: East Elevation
Attachment 4: South Elevation
Attachment 5: North Elevation
Attachment 6: Zoning
Attachment 7: Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale
10/11/2013



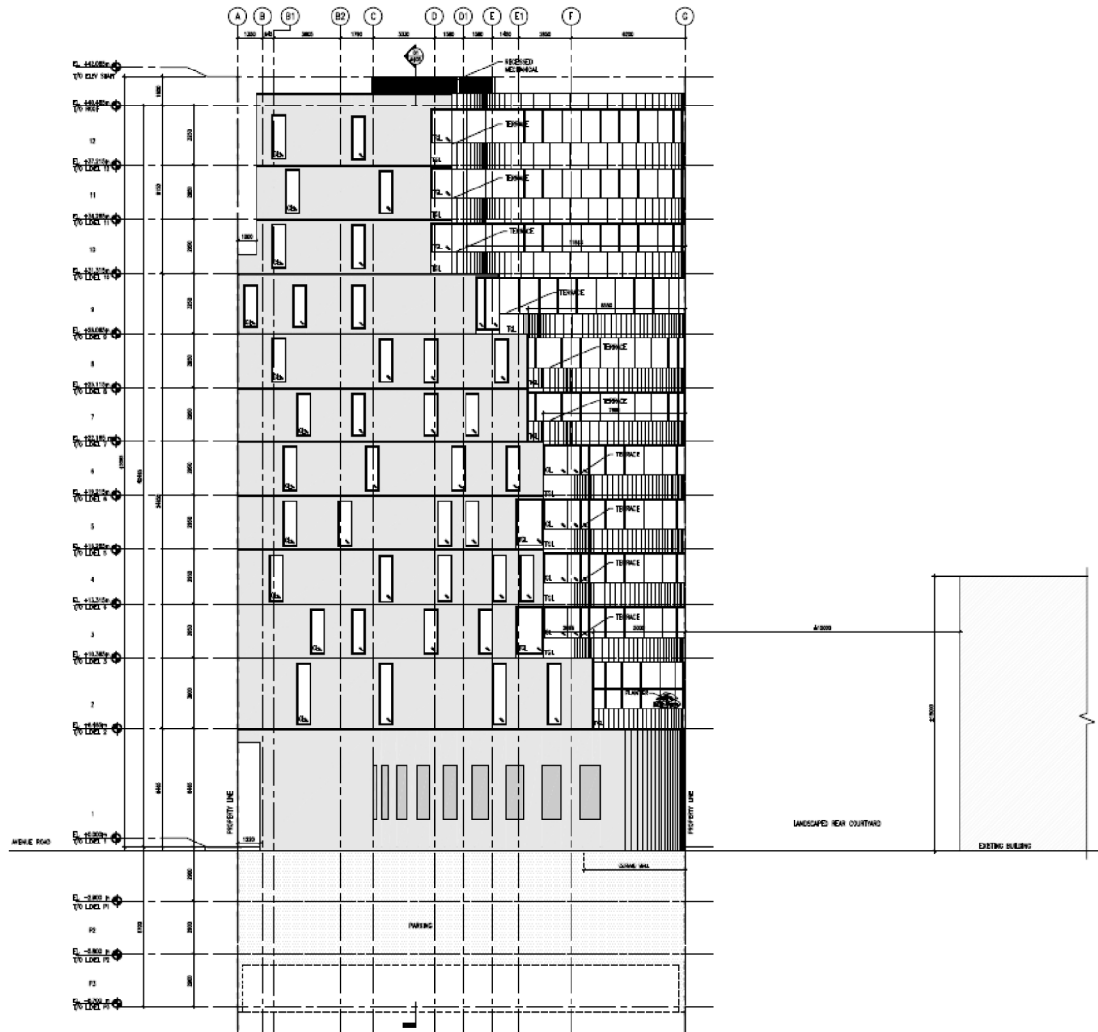
143 Avenue Road

File # 13_223368_02

Architectural drawing titled "KEY PLAN (NTS)" showing a cross-section of a building. The drawing includes a grid system with columns labeled 1 through 12 and rows labeled A through J. The building is shown in section, revealing internal structural elements, floor slabs, and walls. A legend on the left side of the drawing defines various symbols used in the plan, including structural members, walls, and doors. The drawing is titled "KEY PLAN (NTS)" and includes a north arrow pointing towards the top right.

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Attachment 4: South Elevation



South Elevation

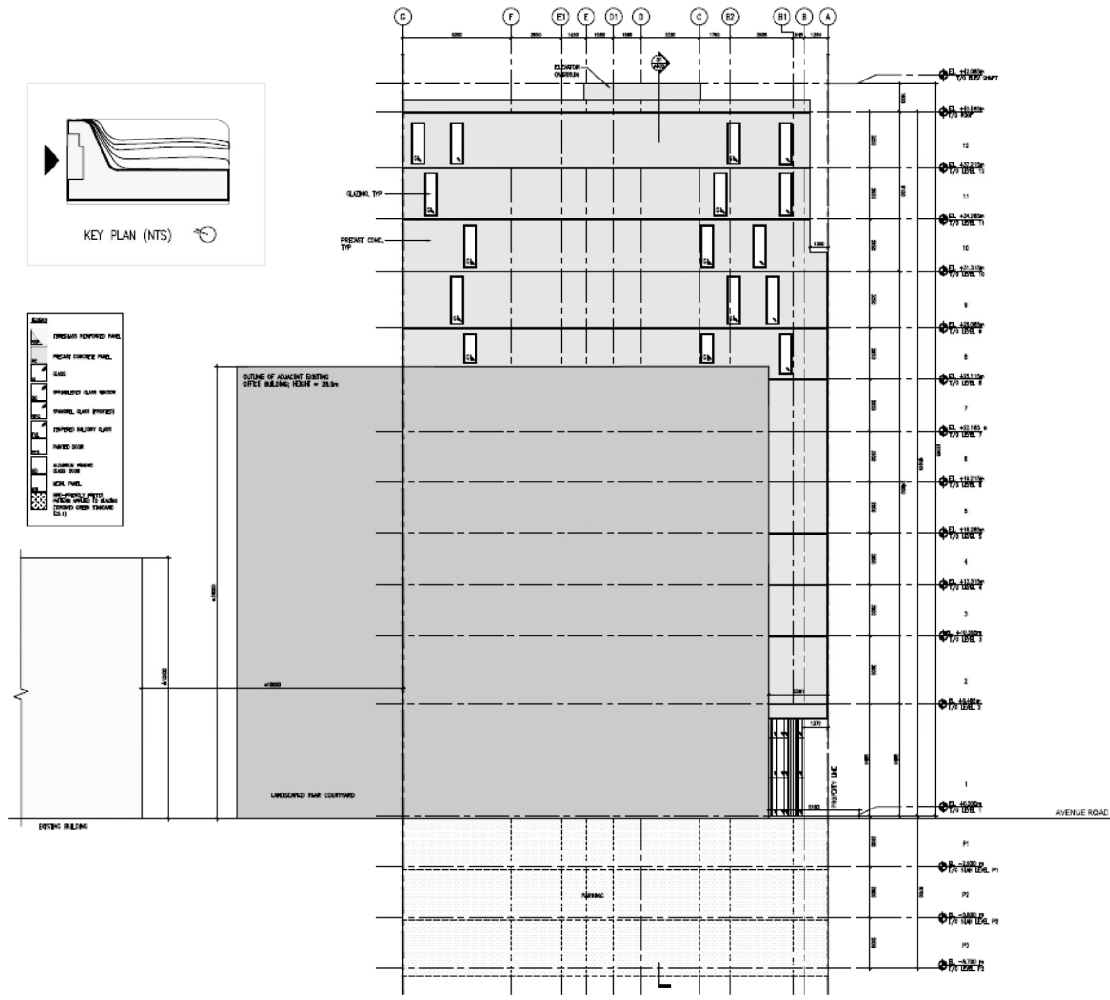
Applicant's Submitted Drawing

Not to Scale
10/11/2013

143 Avenue Road

File # 13_223368_02

Attachment 5: North Elevation



North Elevation

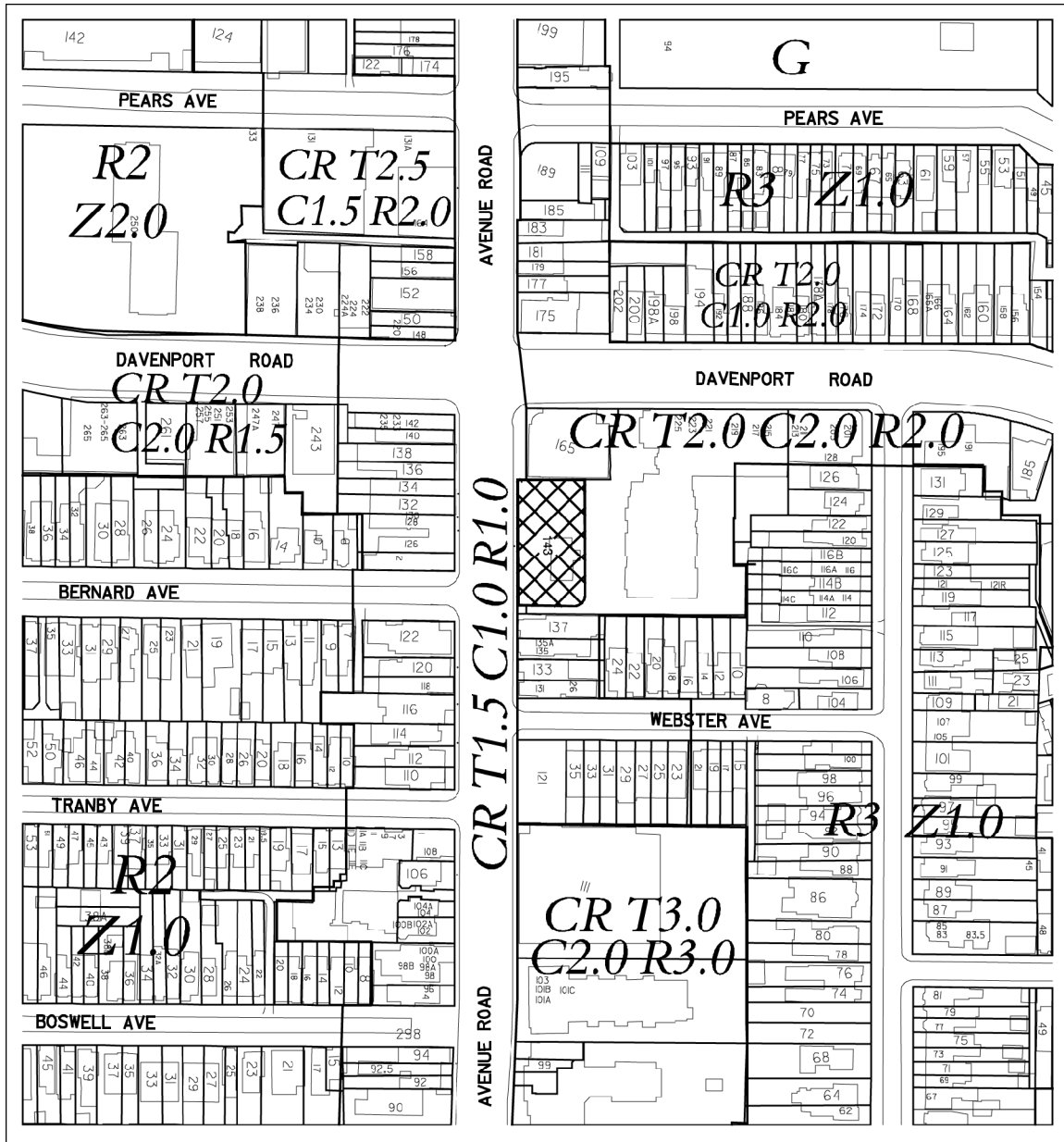
Applicant's Submitted Drawing

Not to Scale
10/11/2013

143 Avenue Road

File # 13_223368_OZ

Attachment 6: Zoning



Toronto City Planning
Zoning

143 Avenue Road

File # 13_223368_02

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



Not to Scale
Zoning By-law 438-86 as amended
Extracted 10/11/2013

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	13 223368 STE 27 OZ
Details	Rezoning, Standard	Application Date:	August 20, 2013
Municipal Address:	143 AVENUE RD		
Location Description:	PLAN 358 PT LOT 13 PLAN 411 PT BLK A PT LOT 6 **GRID S2703		
Project Description:	Proposed 12-storey mixed use building with 94 residential dwelling units, consisting of 39 one-bedroom units, 50 two-bedroom units and 5 three-bedroom units together with approximately 881 square metres of non-residential gross floor area of retail/commercial space. The proposed total gross floor area is approximately 8424 square metres.		

Applicant:	Agent:	Architect:	Owner:
Dash 143 Avenue Road Corp			Dash 143 Avenue Road Corp

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	No
Zoning:	T2.0 C2.0 R2.0	Historical Status:	
Height Limit (m):	14	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	1131	Height:	Storeys:	12
Frontage (m):	45		Metres:	42.1
Depth (m):	24			
Total Ground Floor Area (sq. m):	425			Total
Total Residential GFA (sq. m):	7543		Parking Spaces:	67
Total Non-Residential GFA (sq. m):	881		Loading Docks	1
Total GFA (sq. m):	8424			
Lot Coverage Ratio (%):	37			
Floor Space Index:	7.4			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	7543	0
Bachelor:	0	Retail GFA (sq. m):	881	0
1 Bedroom:	39	Office GFA (sq. m):	0	0
2 Bedroom:	50	Industrial GFA (sq. m):	0	0
3 + Bedroom:	5	Institutional/Other GFA (sq. m):	0	0
Total Units:	94			

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