

**281-289 Avenue Rd – Zoning Amendment
Preliminary Report**

Date:	August 17, 2011
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	11 184731 STE 22 OZ

SUMMARY

This application proposes to construct a new 11-storey residential condominium building containing 75 dwelling units, and 83 parking spaces within three levels of below grade parking at 281-289 Avenue Rd. The overall height, including the mechanical penthouse, is 38.3 m and the total GFA is 7,763 m².

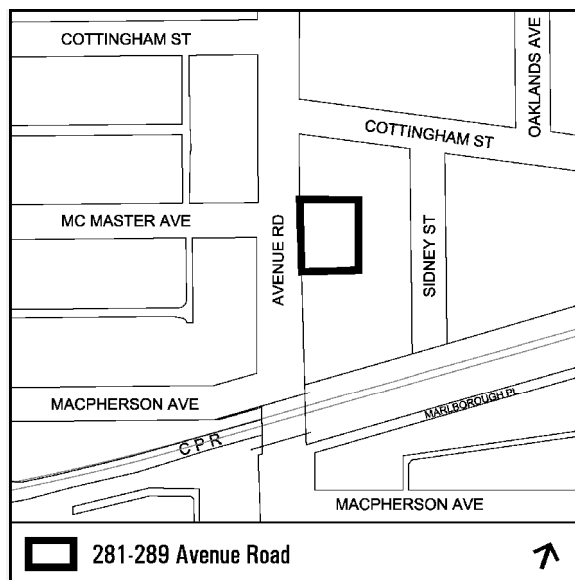
This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the applications and on the community consultation process.

A Community Consultation meeting will be held once revised plans are submitted and reviewed by staff. A Final Report is targeted for the first quarter of 2012. This target date assumes the applicant will provide 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 281-289 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 under 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 to discuss the complete application submission requirements. At this meeting, staff raised issues with respect to height, density and massing, the application of the City's Mid-Rise Guidelines, impacts on the abutting City park, and impacts on the adjacent low-rise neighbourhood.

ISSUE BACKGROUND

Proposal

The proposal is to demolish the existing two semi-detached houses and single detached house and construct an 11-storey residential condominium building. The proposed building has a maximum height of 38.3 m, including the mechanical penthouse, and transitions down from 11-storeys, to 8-storeys, and then to 6-storeys towards the rear of the property which is adjacent to a low-rise residential neighbourhood. The proposed Floor Space Index is 5.62 and the Lot Coverage Ratio is 0.68.

Currently, 75 dwelling units are proposed, with the majority (90%) consisting of 2 bedrooms or more. Also proposed are 150 m² of indoor residential amenity space, and 152 m² of outdoor amenity space.

It is proposed that the site will be accessed from a vehicular driveway, located on the southern portion of the lot, off of Avenue Road, that will provide access to the underground parking garage. Residential and visitor parking is proposed in a 3-level underground parking garage, comprised of 74 residential parking spaces and 9 visitor parking spaces. Private garbage pick-up is proposed. Also, proposed are outbound left-turn prohibitions on weekdays during the typical "rush hour" times in the morning and evening.

Site and Surrounding Area

The subject site is located just south of the southeast corner of Avenue Road and Cottingham Street. The site is approximately 1,382.53 m² in size with a 41.74 m frontage on Avenue Road.

Currently there are two, 3-storey semi-detached houses, and one, 3-storey single detached house on the property.

The following uses about the property:

North: Immediately north of the site is an 8-storey rental apartment building (291 Avenue Road), with the retaining wall for the ramp to its underground garage along the northern property line of the subject site. There is a TTC bus stop in front of this building. Further north, on the northeast corner of Avenue Road and Cottingham Street, there is a 6-storey mixed-use residential commercial building.

South: To the south of the subject site is Robertson Davies Park, which is separated from the site by a chain-link fence and row of tall trees, all of which are City-owned. The park contains a walkway, a couple of benches, and a balanced amount of sunny and shady spots. Further south is the CN railway tracks.

East: To the east is a low-rise residential neighbourhood made up of single detached and semi-detached houses. The property abuts the rear yards of 6 single and semi-detached houses which are on the west side of Sidney Street. There are a total of 19 houses on Sidney Street, which is a dead-end street.

West: The site abuts Avenue Road which is a major road with six lanes of traffic. Along the west side of Avenue Rd, across from the site, are a row of 2 to 3-storey house form buildings with a mix of residential and commercial uses.

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 City's Official Plan designates the subject site as an *Apartment Neighbourhood* on Map 17- Land Use Plan. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities and small-scale retail, service and office uses that serve the need of area residents.

The Official Plan distinguishes *Apartment Neighbourhoods* from low-rise *Neighbourhoods* because a greater scale of buildings is permitted and different scale-related criteria are needed to guide development. In addition, *Apartment Neighbourhoods* are stable areas of the

City where significant growth is not anticipated. New development in *Apartment Neighbourhoods* is subject to criteria respecting location, massing, transition to lower scale *Neighbourhoods* and areas of different development intensity, and minimizing shadow impacts, among others.

Zoning

The current zoning for the site in City of Toronto By-law 438-86 is R4A Z2.0. This is a residential zoning designation that allows a number of uses, including an apartment building having a gross floor area of up to 2.0 times the lot area. The maximum permitted height is 16.0 metres.

Site Plan Control

The proposal is subject to Site Plan Control. The applicant has not yet submitted an application.

Tree Inventory and Preservation

The applicant has submitted a Tree Inventory Plan which includes an Arborist Report. The Tree Plan shows that the applicant proposes to remove four (4) private trees which meet the criteria for protection under the City's Private Tree By-law, and as such would require Council approval. Also proposed is the removal of eleven (11) trees situated on City-owned park land. The Tree Plan indicates that six (6) private trees situated on adjacent private properties to the east, are intended to be preserved.

The applicant has proposed to plant eight (8) new deciduous trees along the west side of the lot, five (5) ornamental trees along the south side, and one (1) ornamental tree on the north side.

Reasons for the Application

The proposed development does not comply with certain standards contained in the Zoning By-law, in particular as they relate to height and density. The proposed density of 5.62 times the lot area exceeds the maximum total density of 2.0 times permitted by the Zoning By-law. At 11 storeys and 32.75 metres in height (38.25 with mechanical penthouse), the proposal exceeds the maximum 16 metre height limit permitted by the Zoning By-law. Other areas of non-compliance occur with respect to the provision of visitor parking, bicycle parking, landscaped open space, and loading.

Additional variances to the Zoning By-law will be confirmed through the review of the application.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Rationale Report, prepared by Urban Strategies Inc.;

- Transportation and Traffic Impact Analysis, prepared by BA Group;
- Site Servicing & SWM Report, prepared by Politis Engineering Ltd.;
- Noise and Vibration Impact Study, prepared by J.E.Coulter Associates Ltd.;
- Arborist Report, prepared by The Tree Specialists Inc.; and,
- Shadow Studies, prepared by Rafael + Bigauskas Architects.

A Notification of Complete Application was issued on June 1, 2011.

Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

The TGS Checklist has been submitted by the applicant. Staff have identified that the Tier 1 bicycle parking rate has not been met. Further review by City staff for compliance with the Tier 1 performance measures will continue when revised plans are received.

Mid-rise Guidelines

Planning staff believe that a mid-rise building is appropriate on this site. As such, staff will refer to the Avenues and Mid-Rise Buildings study and staff reports as adopted by Council on July 6, 7 and 8, 2010, which focused on tools and performance standards which are intended to encourage well-designed mid-rise buildings on *Avenues*.

The performance standards contained in that study are intended to be used as tools to implement the Official Plan's *Avenues* and *Neighbourhoods* policies, maintaining a balance between reurbanization and neighbourhood stability. The performance standards give guidance about the size, shape and quality of mid-rise buildings and are intended to support the policies of Section 2.3.1 (Healthy Neighbourhoods) of the Official Plan. This section of the Plan states that development in *Apartment Neighbourhoods* that are adjacent or in proximity to *Neighbourhoods* should:

- i) be compatible with those *Neighbourhoods*;
- ii) provide gradual transition in scale and density, as necessary to achieve the objectives of the Plan through the stepping down of new buildings towards and the setting back of new buildings from the *Neighbourhoods*;
- iii) maintain adequate light and privacy for residents in those *Neighbourhoods*; and
- iv) attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

While the development site is designated *Apartment Neighbourhoods* and not *Mixed Use*, and is not on an *Avenue* on Map 2 of the Official Plan, staff will guide the design of the development to follow the Official Plan policies (listed above) which the Mid-rise Guidelines performance standards are intended to support.

Issues to be Resolved

Issues to be addressed include, but are not necessarily limited to:

Height and Massing

The proposed development does not achieve many of the Mid-rise Guidelines performance measures that apply to this site, and therefore the height and massing of the building should be revised.

Sidewalk setback

The proposed development has various front yard setbacks from the public sidewalk to accommodate planters. Due to the narrowness of the sidewalk and the proposal to have curb side garbage collection, the front yard setback will need to be increased.

Loading and Garbage

The proposed development does not include the required on-site Type G loading space and instead proposes to conduct garbage collection and other delivery activities along Avenue Road. Given the proposed number of units, staff have deemed this unacceptable and have requested that the proposal be revised to provide for one Type G loading space.

Vehicular visitor parking and Bicycle parking

The applicant is proposing nine (9) visitor parking spaces instead of the fifteen (15) spaces required by the Zoning By-law. A total of 32 bicycle parking spaces are proposed which does not meet the requirements of the Zoning By-law 438-86 or Tier 1 of Toronto's Green Standards. Forty-five (45) residential bicycle spaces and twelve (12) visitor spaces are required.

Trees

A number of private and City-owned trees are proposed to be removed to facilitate this development. Urban Forestry staff have "numerous concerns" with the applicant's proposal to remove privately-owned trees. Staff have also indicated that, in the proposal's current form, some of the privately-owned trees on adjacent private properties, and the majority of publicly-owned trees, along the edge of the park, cannot be preserved due to the proximity of the proposed development's underground garage which is directly on the lot lines. Park's staff have also cited that a number of trees along the park's edge will be "substantially impacted" by the development. Staff will continue to evaluate the proposal, and will work with the applicant regarding this issue.

Section 37 of the Planning Act

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 7,763 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.

Community Consultation

A meeting on the proposal was held on July 6, 2011, by the area residents prior to the official community consultation meeting. Approximately 63 people were in attendance. A summary of concerns raised is as follows:

- the proposed height and density are too great;
- the proposal would have negative impacts with respect to shadowing, sky views, privacy and open space on the adjacent properties to the east on Sidney Street and the surrounding low-rise residential neighbourhood;
- the proposal would remove mature trees on-site and on other private properties, negatively impacting the existing rear yard conditions for Sidney Street residents;
- the proposal would remove trees in the adjacent City park;
- the proposal would amplify the shortage of on-street parking;
- the proposal would increase traffic congestion onto Avenue Road; and
- the proposed access from Avenue Road would create safety issues.

CONCLUSION

Planning staff have communicated their concerns to the applicant and will require the proposal to be revised to address the issues raised above. Additional issues may be identified through further review of the application, agency comments and the community consultation process.

CONTACT

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SIGNATURE

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Community Planning, Toronto and East York District

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ATTACHMENTS

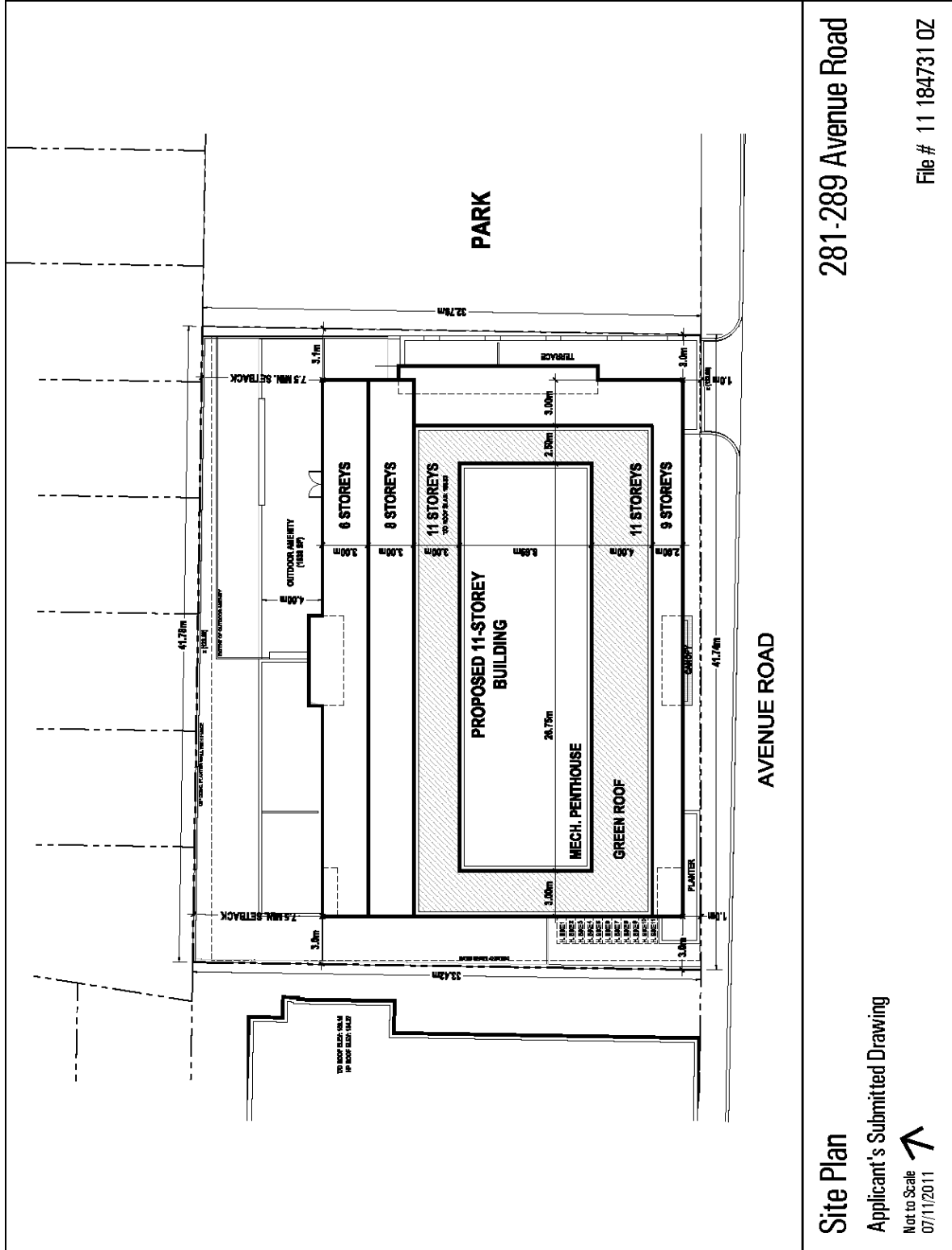
Attachment 1: Site Plan

Attachment 2: Elevations

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 1: Site Plan



281-289 Avenue Road

Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 07/11/2011

File # 11 184731 0Z

Attachment 2: Elevations

The drawing displays four architectural elevations of a building, arranged in a 2x2 grid. Each elevation is a detailed line drawing showing the facade of the building with windows, doors, and structural elements. The elevations are labeled as follows:

- WEST (FRONT) ELEVATION:** Located in the top-left quadrant, showing the front facade of the building.
- SOUTH ELEVATION:** Located in the top-right quadrant, showing the side facade of the building.
- EAST ELEVATION:** Located in the bottom-left quadrant, showing the side facade of the building.
- NORTH ELEVATION:** Located in the bottom-right quadrant, showing the rear facade of the building.

Each elevation includes a vertical grid of lines and labels for structural elements, such as columns and beams. The building appears to be a multi-story structure with a prominent entrance on the west side.

Elevations
Applicant's Submitted Drawing
Not to Scale
07/11/2011

281-289 Avenue Road

File # 11 184731 0Z

Attachment 3: Zoning



281-289 Avenue Road

File # 11_184731_0Z

G	Parks District	CR	Mixed-Use District
R1S	Residential District	I1	Industrial District
R2	Residential District	T	Industrial District
R4A	Residential District		



Not to Scale
Zoning By-law 438-86 as amended
Extracted 07/13/11

Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	11 184731 STE 22 OZ
Details	Rezoning, Standard	Application Date:	April 29, 2011
Municipal Address:	281 AVENUE RD		
Location Description:	PLAN 309E PT LOTS 41 & 42 **GRID S2211		
Project Description:	Rezoning application to construct new 11 storey condo - 75 residential units - 3 levels below grade parking - 83 parking spaces - 32 bicycle parking spaces - Application is for 281-289 Avenue Rd		

Applicant:	Agent:	Architect:	Owner:
SHERMAN BROWN DRYER KAROL			1819555 ONTARIO INC

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	
Zoning:	R4A Z2.0	Historical Status:	
Height Limit (m):	16	Site Plan Control Area:	N

PROJECT INFORMATION

Site Area (sq. m):	1382.53	Height:	Storeys:	11
Frontage (m):	41.74		Metres:	32.75
Depth (m):	33.42			
Total Ground Floor Area (sq. m):	937.03			Total
Total Residential GFA (sq. m):	7762.91		Parking Spaces:	83
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	7762.91			
Lot Coverage Ratio (%):	67.8			
Floor Space Index:	5.62			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	7762.91
Bachelor:	0	Retail GFA (sq. m):	0
1 Bedroom:	7	Office GFA (sq. m):	0
2 Bedroom:	68	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	75		

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