

**21 Avenue Road - Official Plan and Zoning Amendment
Supplementary Report**

Date:	May 1, 2013
To:	City Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	P:\2013\Cluster B\PLN\City Council\CC13041 11 332281 STE 27 OZ - Zoning By-law Amendment

SUMMARY

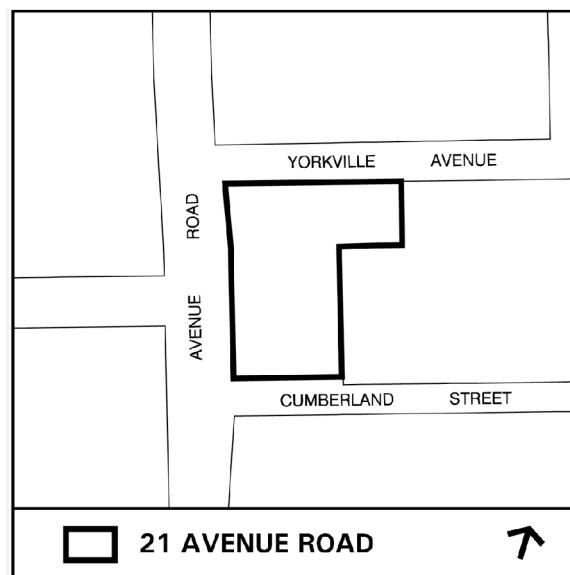
This report describes the resolution of issues relating to the proposed redevelopment of 21 Avenue Road by the working group and the applicant at a meeting called for by Toronto and East York Community Council.

Financial Impact

There are no financial implications.

ISSUE BACKGROUND

The Toronto and East York Community Council held a statutory public meeting on April 9, 2013, and notice was given in accordance with the *Planning Act*. At that meeting, Toronto and East York Community Council directed City Planning staff to continue to meet with the Working Group, the Applicant and the Ward Councillor to arrive at a new settlement and resolution to the reasonable satisfaction of all interested parties, and requested the Director, Community Planning, Toronto and East York District, to report directly to City Council for its meeting on May 7 and 8, 2013 on the outcome of such discussions.



COMMENTS

Building from preliminary discussions that took place between members of the working group and the applicant, a revised proposal was presented at the April 28, 2013 working group meeting, as directed. The revised proposal was endorsed by the working group with modifications with the request for city staff to review the proposed parking and loading modifications.

To implement the revised proposal with modifications, the recommendations provided in the Staff Report dated March 15, 2013 (21 Avenue Road – Official Plan and Zoning Amendment – Final Report) would need to be revised. Staff continue to work with City Legal Staff and the Ward Councillor to formulate the required replacement recommendations to be presented at City Council.

In comparison to the Staff recommended draft site specific zoning by-law, the revised proposal with modification can be summarized under the following four headings: South Tower Placement; Ground Floor Plan; Section 37; and Parking and Loading.

South Tower Placement

In the revised proposal, the South Tower shifted north by one metre, increasing the tower setback from Cumberland Street from 2 metres to 3 metres, and decreased the tower separation from 20 metres to 19 metres. The long (east-west) face of the tower was reduced and the tower was shifted west. As a result the tower setback from Avenue Road is reduced from 1.1 metres to 0.5 metres and the tower setback is increased from the east property line from 4.0 metres to 5.5 metres.

The revised proposal as modified by the working group would also permit projecting balconies on the south face of the new south tower above the 23rd floor up to one metre beyond the building face. Additional illustrations were requested to understand the precise location of the proposed balcony projections. Once finalized, the precise location of the projection will be illustrated in the site-specific zoning by-law, when the Bill is brought before City Council.

Overall, the gross floor area has been reduced by approximately 800 square metres totalling 61,200 square metres. The working group requested that the draft site-specific zoning by-law be revised to reflect the gross floor area reduction and all the setbacks discussed above.

Ground Floor Setbacks

The working group requested that the previously agreed to ground floor setbacks be secured in the draft site-specific zoning by-law. An additional schedule illustrating the ground floor setbacks will be added to reflect the proposed revisions and to secure the previously agreed to setbacks. The additional schedule will illustrate:

- Building 3 (10-storey building) shall be set back 2.45 metres from the east property line for the first 8.54 metres from grade;

- A portion of Tower 2 (new south tower) shall be set back between 4.0 and 4.1 metres for the first 9.0 metres at minimum from grade from the south property line;
- A portion of Tower 2 (new south tower) shall be set back 1.6 metres on the ground floor from the west and south property line; and
- The 200 square metre publically accessible open space and a 3.65 metre wide publically accessible east-west walkway.

Section 37

A new Section 37 package was presented to the working group. A total indexed contribution of \$3,000,000 to be directed towards a number of capital projects on site and within the neighbourhood was agreed to. Details relating to timing and wording of the community benefits are currently being drafted in consultation with City Legal and the local Ward Councillor. Some modifications have been identified since the working group meeting to include a financial contribution to capital repairs to TCHC buildings in the area.

A portion of the Section 37 contribution will be required within 30 days of the Bills becoming final and binding and the remainder will be paid or provided upon the issuance of the first above grade building permit for the South Tower above the 4-storey podium. The Section 37 package also includes in-kind capital improvements. The value of that work will be secured in the form of a letter of credit to be held by the City.

In summary, the contribution is to be directed towards: public art on site; the streetscape improvements for the Village of Yorkville, including all streets adjacent to the site including Avenue Road, Yorkville Avenue and Cumberland Street, all of which shall be designed with, among other materials, black granite sidewalks; the costs to reconstruct a widened sidewalk with black granite, should City Council direct at a future date staff to close the lane and such laneway is closed to allow for the increased width of the sidewalk along Avenue Road; streetscape improvement, and more specifically, the low rise residential Yorkville Heritage Conservation District, including the Utility Burial and New Street Lamp initiative; and capital repairs to Toronto Community Housing Corporation buildings in the area.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development:

- a 9 square metre at-grade “dog friendly” area;
- a decorative stone bench located within the public land and a water feature as part of the private patio area on the Owner’s lands, both fronting on Cumberland Street; and
- a public easement for the 200 square metres open space and the 3.65 metre wide east-west pedestrian walkway.

- podium building materials to be provided to the satisfaction of the Chief Planner and Executive Director of the City Planning Division

Parking and Loading

The working group was presented with a parking ratio and a modified Type G loading space. The working group took no position on this issue and referred the matter to Staff.

The applicant proposed a parking rate to include a minimum residential parking rate of:

- 0.1 parking spaces for each bachelor dwelling unit;
- 0.3 parking spaces for each one bedroom dwelling unit;
- 0.5 parking spaces for each two bedroom dwelling unit; and
- 1.2 parking spaces for each three bedroom dwelling unit.

The revised proposal also requests that the draft site-specific zoning by-law be amended to exempt the development from the requirement of a Type G loading space.

The previous reported number of parking spaces proposed was unacceptable to Staff. The proposal presented in the final staff report called for 363 parking spaces, when 803 residential units are proposed. This parking supply consists of 294 resident spaces, 65 visitor/non-resident spaces in a commercial parking area and 4 car-share spaces. The working group proposal would reduce the overall parking supply further by 32 parking spaces.

Planning staff are working with the applicant to find design solutions to increase the total number of parking spaces to be provided on site, beyond the 363 parking spaces previously suggested. One solution is to provide parking stackers in a portion of the underground garage.

Since the working group meeting the applicant has agree to provide a Type G loading space with a varied dimension. Planning staff are working with the applicant and Traffic Planning staff to ensure the revised dimension is acceptable. The draft site-specific zoning by-law would be revised to acknowledge the revised Type G loading space area.

Parkland

The revised proposal included a request that the discretionary portion of the cash in lieu of parkland be directed to Ramsden Park.

Conclusion

This report describes the outcome of the discussion with the 21 Avenue Road working group members. The working group supported a revised proposal with modifications. Staff continue to work with City Legal staff and the Ward Councillor to formulate the required replacement recommendations, needed to implement the revised proposal with modification, to be presented through a motion at City Council.

CONTACT

Oren Tamir, Planner

Tel. No. (416) 392-7349

Fax No. (416) 392-1330

E-mail: otamir@toronto.ca

SIGNATURE

Jennifer Keesmaat, MES, MCIP, RPP
Chief Planner and Executive Director
City Planning Division