



# STAFF REPORT ACTION REQUIRED

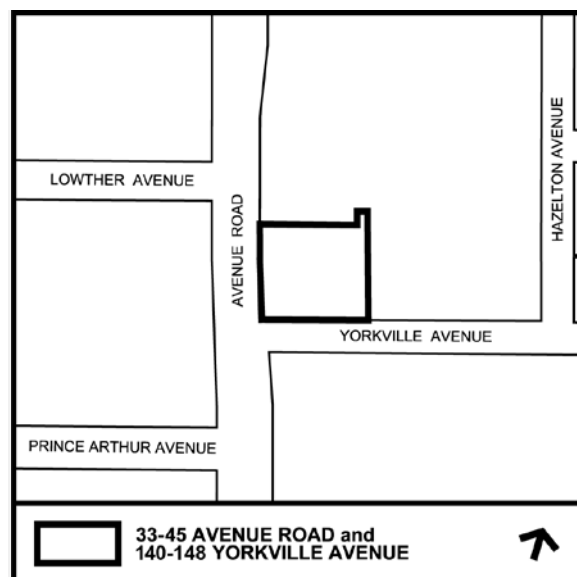
## 33- 45 Avenue Road and 140-148 Yorkville Avenue Zoning Amendment Application - Request for Direction Report

<b>Date:</b>	September 26, 2016
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 27 – Toronto Centre-Rosedale
<b>Reference Number:</b>	12 113502 STE 27 OZ and 16 126210 STE 27 SA

### SUMMARY

On October 20, 2015, the owner of the property at 33-45 Avenue Road and 140-148 Yorkville Avenue appealed its application for Zoning By-law Amendment (File No. 12 113502 STE 27 OZ) to the Ontario Municipal Board due to Council's failure to enact the requested amendment within the time allotted by the *Planning Act*. On August 4, 2016 the owner filed a referral of its Site Plan Control application (File No. 16 126210 STE 27 SA) to the Ontario Municipal Board.

This application proposes a new 30-storey mixed-use building with retail uses on the ground and second floors and residential uses above. The tower height is 127.6 metres including a 6.5 metre mechanical penthouse. A total of 74 residential units, 179 resident parking spaces and 102 bicycle parking spaces are proposed. The applicant also proposes to alter the designated heritage buildings on the site, commonly known as York Square, by removing the majority of the buildings and retaining the west and south facades of the building at the corner of Avenue Road and Yorkville Avenue.



The purpose of this report is to seek City

Council's direction with respect to the position of the City at the Ontario Municipal Board hearing.

This report recommends that Council direct the City Solicitor, together with appropriate City staff, to oppose the current proposal at the Ontario Municipal Board, and continue discussions with the applicant in an attempt to resolve the concerns outlined in this report.

The currently proposal's height and massing does not comply with the policies in the Official Plan; does not fit within the existing and planned context for the Bloor-Yorkville and North Midtown Area; and, does not adequately conserve the heritage attributes on the property.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council authorize the City Solicitor and appropriate staff to continue discussions with the applicant in an attempt to resolve the issues outlined in this report (September 26, 2016) regarding 33-45 Avenue Road and 140-148 Yorkville Avenue, from the Director of Community Planning, Toronto and East York District, and report back to City Council on the details of any settlement offer that may be provided, including Section 37 matters;
2. In the event that the outstanding issues contained in this report (September 26, 2016) regarding 33-45 Avenue Road and 140-148 Yorkville Avenue, from the Director of Community Planning, Toronto and East York District are not adequately resolved, City Council direct the City Solicitor, together with City Planning staff and other City staff, to attend the Ontario Municipal Board hearing to oppose the Zoning By-law Amendment (File No. 12 113502 STE 27 OZ) and Site Plan Control (File No. 16 126210 STE 27 SA) applications as proposed; and,
3. In the event that the Ontario Municipal Board allows the appeals in whole or in part, City Council authorize the City Solicitor to request that the Ontario Municipal Board withhold its final Order to approve the Zoning By-law amendment and Site Plan applications for the subject lands until such time as:
  - a. the City and the owner have presented to the Ontario Municipal Board a Zoning By-law amendment that implements the decision of the Ontario Municipal Board in a form and substance satisfactory to the Director, Community Planning, Toronto and East York District and the City Solicitor;
  - b. community benefits and other matters in support of the development as are determined appropriate are secured in a Section 37 Agreement executed

by the owner to the satisfaction of the Director Community Planning, Toronto and East York District and the City Solicitor;

- c. the Toronto Preservation Board and City Council consider the alteration to the property designated under Part IV of the *Ontario Heritage Act* and if required enter into a Heritage Easement Agreement; and,
- d. the Site Plan referral has been settled consistent with the Board decision on the zoning appeal and the Notice of Approval Conditions has been finalized by the City.

### **Financial Impact**

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

### **DECISION HISTORY**

On April 17, 2012, Toronto and East York Community Council considered the (March 19, 2012) Preliminary Report from the Director, Community Planning, Toronto and East York District and directed staff to hold a community meeting. Link to Preliminary Report: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.TE15.23>

On October 4, 2012, City Council adopted Amendment No. 203 to the Official Plan respecting the protection of views of the Ontario Legislative Assembly Building (By-law 1321-2012). Link to the By-law: <http://www.toronto.ca/legdocs/bylaws/2012/law1321.pdf>

On November 19, 2013, Toronto and East York Community Council deferred consideration of the report (October 18, 2013) from the Acting Director, Urban Design, City Planning Division, respecting the Inclusion on the City of Toronto Inventory of Heritage Properties - 33 Avenue Road, until its next meeting to be held on January 15, 2014.

On February 19 and 20, 2014, City Council included the property at 33 Avenue Road (York Square) on the City of Toronto Inventory of Heritage Properties and directed the Acting Director, Urban Design, City Planning, to submit a report on the reasons for designation under Part IV, Section 29 of the *Ontario Heritage Act* to the Toronto and East York Community Council through the Toronto Preservation Board.

On February 25, 2014, Toronto and East York Community Council deferred consideration of the report (January 6, 2014) from the Acting Director, Urban Design, City Planning Division, respecting the Intention to Designate under Part IV, Section 29 of the *Ontario Heritage Act* - 33 Avenue Road, until its next meeting to be held on April 8, 2014.

On April 8, 2014, Toronto and East York Community Council deferred consideration of the report (January 6, 2014) from the Acting Director, Urban Design, City Planning

Division, headed "Intention to Designate under Part IV, Section 29 of the *Ontario Heritage Act* - 33 Avenue Road", until its meeting to be held on June 17, 2014.

On July 8, 9, 10, and 11, 2014, City Council stated its intention to designate (By-law 52-5015) the property at 33 Avenue Road (York Square) under Part IV, Section 29 of the *Ontario Heritage Act* in accordance with the Statement of Significance: 33 Avenue Road (Reasons for Designation) attached as Attachment 3 to the report (January 6, 2014) from the Acting Director, Urban Design, City Planning Division. City Council also directed the Chief Planner and Executive Director, City Planning to establish a Working Group Process in consultation with the Ward Councillor, composed of community stakeholders, specifically to reach a consensus on a preferred development option which respects the heritage attributes and values of the site in accordance with the Statement of Significance contained in the report (January 6, 2014) from the Acting Director, Urban Design and report back on the findings and outcomes to the Toronto and East York Community Council in the first half of 2015.

Link to By-law 52-2015: <http://www.toronto.ca/legdocs/bylaws/2015/law0052.pdf>

## **ISSUE BACKGROUND**

### **Proposal**

The proposal includes a new 30-storey (127.6 metre, including mechanical penthouse) mixed-use tower at the northeast corner of Avenue Road and Yorkville Avenue. The proposed tower is articulated with varied stepbacks and heights.

The proposed tower is set back atop a three-storey retail and residential amenity space base building comprised of an altered heritage building and new construction. A new Privately Owned Publicly-Accessible Open Space (POPS) is to be located along Yorkville Avenue between the heritage building and the new base building. A 102 square metre "community space" is also proposed. A 3.5-metre wide walkway is proposed to connect the Yorkville Avenue POPS with Avenue Road.

Entrances to the retail uses are to be located primarily along Yorkville Avenue and the residential lobby is to be located off Avenue Road. The third floor of the base building is stepped back from the second floor.

A projecting resident amenity terrace physically and visually separates the base building from the tower. The terrace partially covers the POPS on Yorkville Avenue.

The proposed tower is articulated by recessing the lower west side of the tower and the upper east portion of the tower. The typical floor plate size of the tower is 830 square metres and set back 10.9 meters from the south, approximately 11 metres from the west, 7.9 metres from the east and 6.0 metres from the north property lines. Balconies are proposed to project 4.0 metres along the west and east facades.

The existing sidewalk along Avenue Road is 1.5 metres wide. The proposal provides for varying the setback along the ground level to widen the sidewalk by an additional 2.3 metres at the south end and 5.6 metres at the north end. Along Yorkville Avenue, the existing sidewalk is 4.0 metres wide adjacent to the subject site. The sidewalk would be widened adjacent to the POPS (18.1 metre frontage and 14 metre depth) and by an additional 2.75 metres at the east end of the site.

In total, 74 residential units are proposed in this application. The proposed residential unit breakdown is as follows:

<b>Unit Type</b>	<b>Number of Units</b>
1-bedroom	7
2-bedroom	3
3-bedroom	60
4-bedroom	4
<b>Total</b>	<b>74</b>

The applicant is proposing 1,639 square metres of indoor amenity space and 786.4 square metres of outdoor amenity space. The amenity areas are proposed to be located on the third and fourth floors.

The application includes a residential gross floor area of 19,767.3 square metres and 1,999 square metres of non-residential gross floor area, which translates to a Floor Space Index of 9.75 times the lot area.

A total of 179 vehicular parking spaces are proposed (156 residential spaces and 23 visitor spaces) to be provided in a five-level below-grade parking garage, accessible from Avenue Road. In addition to the resident and visitor parking spaces, 11 valet spaces will be located on the P1 level. All vehicles will access the site via one access point at Avenue Road in the north portion of the site. One Type G space is provided on the ground floor within the building.

A total of 102 bicycle parking spaces are proposed, including 89 residential spaces (80 long term, 9 short term) and 13 retail spaces (9 occupant and 4 visitor spaces). The bicycle parking spaces are located throughout the parking garage and the short term and visitor spaces are located on the ground level along Avenue Road.

For more information regarding this proposal, see Attachment No. 11, Application Data Sheet.

### **Site and Surrounding Area**

The site is located on the northeast corner of Avenue Road and Yorkville Avenue. The site size is approximately 22,378 square metres with frontages of 45 metres along Avenue Road and 49 metres along Yorkville Avenue.

The majority of the site is presently occupied by a complex of buildings and a courtyard with a heritage designation under Part IV, Section 29 of the *Ontario Heritage Act*. The heritage complex includes a group of 7 semi-detached and row houses dating from circa 1900 on Avenue Road and a 1960s two-storey infill building which frames an interior courtyard open to the air called 'York Square.' There is an additional property included in the site at 140 Yorkville which is not on the Heritage Register and presently occupied by a commercial building. There is a pedestrian link from Avenue Road and Yorkville Avenue to York Square and to the Yorkville Village shopping centre, located at the abutting property to the north.

Uses and structures near the site include:

North: at 55-87 Avenue Road is Yorkville Village, a mixed-use complex with an internal shopping mall on the lower levels and ground floor. Atop the shopping mall are two residential complexes. At the south end is 55A Avenue Road - 18A Hazelton Avenue (27.2 metres) and at the north end is 77 Avenue Road (25 metres).

East: is a one-storey south entrance to Yorkville Village currently under construction and the 9-storey (36.9 metres) Hazelton Hotel and Residences at 118 Yorkville Avenue.

South: of Yorkville Avenue, is 21 Avenue Road: a 32-storey (100 metres) mixed use building with retail uses at the base and residential uses above. South of 21 Avenue Road is a 40-storey (125 metres) mixed-use tower currently under construction. South of Cumberland Street at 150 Bloor Street is a 26-storey (86 metres) mixed use building known as Renaissance Plaza.

West: of Avenue Road, is 38 Avenue Road, a 26-storey (81.9 metres) residential building known as the Prince Arthur, which steps down to 10 storeys (29.3 metres) at the north end at Lowther Avenue. North of Lowther Avenue is 4 Lowther Avenue, a 6-storey (21.1 metres) mixed use building.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Official Plans integrate all applicable provincial policies.

Policy 2.6.1 states that significant built heritage resources shall be conserved. Policy 2.6.3 states that Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

Since the policies are outcome-oriented, the Official Plan is the most important vehicle for the implementation of the Policy Statement. City Council's planning decisions are required, by the *Planning Act*, 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, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The site is designated in the Official Plan as *Mixed Use Areas* and located within the *Downtown and Central Waterfront* on Map 2, the Urban Structure map of the Official Plan. The *Mixed Use Areas* designation provides for a broad range of commercial, residential and institutional uses, in single or mixed-use buildings, as well as parks and open spaces and utilities.

Development in *Mixed Use Areas* is subject to a number of development criteria. In *Mixed Use Areas*, developments will: locate and mass new buildings to provide a transition between areas of different development intensity and scale; provide appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*; locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall equinoxes; provide good site access and circulation and an adequate supply of parking for residents and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Heritage policies are found under Section 3.1.5 of the Official Plan. The Official Plan states that significant heritage resources will be conserved by listing and designating properties of architectural and/or historic interest on the City's Heritage Register. Heritage resources on the City's Heritage Register will be conserved. Properties on the Heritage Register will be conserved and maintained consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada (Policy 4), as revised from time to time and as adopted by Council. Proposed alterations, development, and/or public works (Policy 5) on or adjacent to a property on the Heritage Register will ensure that the integrity of the heritage property's cultural heritage value and attributes will be retained, prior to work commencing on the property and to the satisfaction of the City. The adaptive re-use (Policy 6) of properties on the Heritage Register is encouraged for new uses permitted in the applicable Official Plan land use designation, consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada.

Furthermore, Policy 26 refers to conserving the cultural heritage values, attributes and character and to mitigate visual and physical impacts and Policy 27 promotes the conservation of whole or substantial portions of buildings and discourages the retention of facades alone.

The Built Form policies in the Official Plan (3.1.2) state that new development will be located and organized to fit with its existing and/or planned context. The Built Form Tall Building Policies (3.1.3) state that tall buildings come with larger civic responsibilities and obligations than other buildings. To ensure that tall buildings fit within their existing and/or planned context and limit local impacts, built form principles will be applied to the location and design of tall buildings. Proposals will demonstrate how the building and site design will contribute to and reinforce the overall City structure and relate to the existing and/or planned context.

The Official Plan is intended to be read as a whole.

#### **Area Specific Policy 211 – Bloor Yorkville / North Midtown Area**

The City structure for the Bloor-Yorkville/North Midtown Area is provided in Area Specific Policy 211 of the Official Plan. Policy 211 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.

The Bloor-Yorkville/North Midtown Area forms the north edge of the Downtown and provides for transition in density and scale to surrounding lower rise areas. This transition is important to reinforce the diversity of built form and use, and to foster the stability of *Neighbourhoods*.

The tallest buildings in the Bloor-Yorkville/North Midtown Area will be located in the Height Peak in the vicinity of the intersection of Yonge and Bloor Streets. Buildings will step down from the Yonge and Bloor Street intersection in descending ridges of height along Yonge Street, Bloor Street and along portions of Avenue Road, Bay and Church Streets called Height Ridges. The subject site is located within the Avenue Road Height Ridge.

The lowest heights in the Bloor-Yorkville/North Midtown Area are in the *Neighbourhoods* and *Areas of Special Identity*. The subject site is primarily located within the Height Ridge as illustrated on Map 2 in Policy 211. The eastern edge of the development site falls within the *Areas of Special Identity* within *Mixed Use Areas* called the Village of Yorkville (Map 1, Policy 211).

#### **Site and Area Specific Policy 225 – Lands North and South of Bloor Street Between Park Road and Avenue Road**

Area Specific Policy 225 of the Official Plan encourages pedestrian walkways, at or below grade and new parks in locations illustrated on the map within the Policy. A



north-south pedestrian walkway is identified on the map connecting Yorkville Avenue to the Yorkville Village shopping mall through the subject site.

### **Site and Area Specific Policy 398 – Lands North of the Ontario Legislative Assembly Building**

Area Specific Policy 398 of the Official Plan protects the silhouette of the Ontario Legislative Assembly (OLA) Building. The policy states that no structure shall be seen above any part of the silhouette of the OLA Building when viewed from College Street and University Avenue, or that can be seen above its Centre Block from Queen Street at University Avenue.

### **Zoning**

The subject site spans over two zoning designations under Zoning By-law 438-86, as amended. The majority of the site is zoned CR T3.0 C2.0 R3.0 with a height limit of 30 metres and density limit of 3 times the area of the lot. The eastern edge of the site, fronting onto Yorkville Avenue, is zoned CR T3.0 C2.5 R3.0 with a height limit of 18 metres and a density limit of 3 times the area of the lot. This CR zoning category allows for a broad range of residential and commercial uses.

Zoning By-law 569-2013 does not apply to this site.

### **Heritage**

The property at 33 Avenue Road, historically known as York Square (1968-9) is designated under Part IV of the *Ontario Heritage Act* for its cultural heritage value (By-Law 52-2015). The property at 140 Yorkville Avenue is not on the Heritage Register.

York Square includes 7 semi-detached and row houses dating from circa 1900 on Avenue Road and a newer 1960s 2-storey infill building which extends from Yorkville Avenue into the site behind the historic houses to enclose an open air square with a tree. The complex is historically associated with the careers of the influential and nationally and internationally acclaimed architects A J Diamond (b 1932) and Barton Myers (b 1934).

York Square has associative value for its significant innovative approach to urban regeneration. It is one of the first examples in Toronto of rehabilitating and integrating historic buildings into a new project which transformed the original buildings with a contemporary use and a new outdoor space which contributed significantly to the revitalisation of the historic Yorkville neighbourhood. York Square set an important precedent for heritage preservation before Ontario's heritage legislation existed, for adaptive re-use and maintaining existing neighbourhood scale and character in opposition to the standard practice of demolition at that time.

In 2008, City Council adopted the Parks Canada document *Standards and Guidelines for the Conservation of Historic Places in Canada* as the official document guiding planning, stewardship and conservation approaches for all listed and designated heritage resources. *The Standards* include the following:

- Conserve the *heritage value* of a historic place. Do not remove, replace, or substantially alter its intact or repairable *character-defining elements*. Do not move a part of a *historic place* if its current location is a *character-defining element*.
- Conserve heritage value by adopting an approach calling for minimal intervention.
- Find a use for an historic place that requires minimal or no change to its character-defining elements.
- Evaluate the existing condition of character-defining elements to determine the appropriate intervention needed. Use the gentlest means possible for any intervention. Respect heritage value when undertaking an intervention.
- Maintain *character-defining elements* on an ongoing basis. Repair *character-defining elements* by reinforcing their materials using recognized conservation methods. Replace in kind any extensively deteriorated or missing parts of *character-defining elements*, where there are surviving prototypes.
- Make any intervention needed to preserve character-defining elements physically and visually compatible with the historic place and identifiable on close inspection. Document any intervention for future reference.
- Repair rather than replace *character-defining elements*. Where character-defining elements are too severely deteriorated to repair, and where sufficient physical evidence exists, replace them with new elements that match the forms, materials and detailing of sound versions of the same elements.

The *Standards and Guidelines* also include several key definitions. Central to these is the definition of Conservation as all actions or processes that are aimed at safeguarding the character-defining elements of an historic place so as to retain its heritage value and extend its physical life.

## **Bloor –Yorkville/North Midtown Urban Design Guidelines**

The Bloor-Yorkville/North Midtown Urban Design Guidelines were approved by City Council in July 2004 and are intended to 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 the Design Guidelines include:

- enhancement of Areas of Special Identity and historic buildings;
- protection of residential areas from adverse impacts of commercial and/or higher density development;
- improvement of public realm and publicly accessible areas; and
- excellence in urban design, architecture, and landscaping.

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 located within the Avenue Road Corridor and partially within the Village of Yorkville Precinct.

### **Tall Building Design Guidelines**

In May 2013, City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use them in the evaluation of 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.

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 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 Downtown tall building proposals.

This site is located on the Avenue Road High Street (from the north side of Bloor Street West to the south side of Elgin Avenue) as illustrated on Map 1 of the Guidelines. The height range for the subject site is 62-107 metres, as identified on Map 2 of the Guidelines. The High Streets Typologies Map (Map 3) also identifies the appropriate building typologies as a Tower-Base Form. Yorkville Avenue is not identified as a secondary high street.

Map 4 of the Guidelines identifies the Avenue Road and Yorkville Avenue Street frontages as a Priority Retail Street, which requires 60 percent of the building frontage to contain active retail uses.

### **TOcore**

On December 9, 2015, City Council adopted a staff report entitled 'TOcore: Planning Toronto's Downtown – Phase 1 – Summary Report and Phase 2 Directions'. The report outlined the deliverables of TOcore which will be a renewed planning framework through a Downtown Secondary Plan and a series of infrastructure strategies. The work for TOcore began on May 13, 2014 when Toronto and East York Community Council adopted a staff report regarding 'TOcore: Planning Toronto's Downtown', along with a related background document entitled 'Trends and Issues in the Intensification of Downtown'.

TOcore is looking at how Toronto's Downtown should grow, with both a renewed planning framework and the necessary physical and social infrastructure to remain a great place to live, work, learn, play and invest. TOcore is in its second phase, which involves drafting policies, plans and strategies. Reports to Toronto and East York Community

Council are targeted by the end 2016 on the results of the second phase and the next steps of implementation.

A component of TOcore's second phase includes City-initiated Official Plan and Zoning By-law amendments to update setback requirements for tall buildings in the *Downtown*. The Official Plan and Zoning By-law amendments seeks to reinforce minimum tall building setback and separation distance requirements to ensure that future growth positively contributes to the liveability, sustainability and health of *Downtown*.

### **Site Plan Control**

The proposal is subject to Site Plan Control. An application for Site Plan Control was made on March 10, 2016 (File No. 16 126210 STE 27 SA) which has been referred to the Ontario Municipal Board on August 4, 2016. The Site Plan application varies from the zoning application. The Site Plan Control application proposes a Floor Space Index (FSI) of 10.5 times the area of the lot compared to the 9.75 FSI proposed in the zoning amendment application. The 74 units proposed in the zoning amendment application is less than the 107 units proposed in the Site Plan Control application. The height of the proposed tower remained the same in both applications.

### **Reasons for the Application**

The proposal includes a 30-storey (127.6 metres tall, including the mechanical penthouse) mixed-use tower. The overall density proposed is 9.75 times the area of the lot, whereas the existing maximum permitted density is 3 times the area of the lot. The overall permitted height also exceeds the 30 and 18 metre height limit on the site. Another area of non-compliance includes the penetration of the angular plan requirement along Avenue Road. Zoning By-law amendment is therefore required.

### **Community Consultation**

Individual residents, resident associations, business associations, neighbouring landowners, and other interest groups have been engaged throughout the review of this application and raised a number of issues, at a community meeting and a number of working group meetings. ABC (the Avenue Bay Cottingham Resident Association), GYRA (the Greater Yorkville Resident Association), Bloor-Yorkville BIA (Business Improvement Area), Architectural Conservancy Ontario, the owner of Yorkville Village (Shopping Centre) and neighbouring condominium associations are some of the community groups that have participated in the application review process.

### **Community Consultation Meeting**

On January 22, 2015, City Planning staff, in consultation with the Ward Councillor, hosted a community consultation meeting at the Park Hyatt Hotel. Planning staff presented the policy framework and an overview of the application. The applicant provided further details with respect to its proposal, and a revised tower design which incorporated portions of the heritage building at the northeast corner of Avenue Road and Yorkville Avenue.

Following the presentations, City staff facilitated break-out sessions where attendees shared comments and asked questions. The meeting concluded with a question-and-answer period moderated by City Planning staff.

During the break-out sessions, attendees raised the following concerns and comments:

Relating to Heritage:

- the site has cultural importance with international significance
- painted white brick may have some history but the red brick is the heritage now
- looks like the heritage is "stuck on" with no respect for the old building
- questioning the importance of the existing buildings
- suggestion to relocate buildings
- losing a unique place in Toronto, proposal changes the vision of Yorkville
- concerns: that the circular windows are altered in the design; the 1968/69 buildings are not in the scheme and only one building is being restored rather than the entire complex; about removal of interior facades facing the courtyard; that the quiet, peaceful, oasis courtyard is not maintained; that the open air square has been removed and the size of the new square appears to be considerably reduced; and 75% of the heritage features are removed

Relating to Open Space:

- ensure York Square remains usable public space
- the excessive shopping space, looks too commercial
- concerns: about shade/wind and reduced open space size and increased density
- create a cultural/community space/amenity secured in Section 37
- maximize the amount of indoor and outdoor open space
- combine the site with First Capital's property next door to create a larger square
- have functional public art that enhances public space
- lacks green space – too much hardscape

Relating to Transportation:

- concerns about the access onto Avenue Road; look at alternatives; sightlines and need for turn restrictions; area traffic and shortfall in area parking spaces; and, potential conflict between truck traffic and pedestrians.
- consolidate access with shopping centre to the north

Relating to Built Form:

- new building should be kept small rather than a tower
- the proposal spoils the look and feel of Yorkville, becoming an area of tall towers
- concerns: with the relationship and distance of the retail units to the sidewalk; with the design and flexibility of the retail space; and shadow impact to the north
- questions about what the community benefits will be from the development
- wind mitigation strategy? – roof over square – podium step back
- tower takes away from the charm of Yorkville
- the base should have a more traditional look
- the tower should not be as tall or taller than 21 Avenue Road

- the height should descend along Avenue Road
- Avenue Road façade of base building appears to be given second consideration to Yorkville Avenue
- separation distances – specifically from existing kitchen windows to the north
- retail is poorly thought out; best to have retail on ground floor only. (retail was proposed on floor 1-3 in the iteration shown at the community meeting).
- request to have a separate meeting with the condominium to the north (55A Avenue Road).
- restrict noise from square during events

### **Working Group Meetings**

The Ward Councillor formed a working group, in consultation with City Planning comprised of local stakeholders, including neighbouring landowners, and business and resident associations. The working group met three times.

#### ***Meeting No. 1 (May 13, 2015): Built Form Podium, Transportation***

Following an overview of the working group objectives, the applicant's architect presented the proposal identifying the relocation of the square with two options. Option 1 provided a glass wall on the east façade of the heritage building which requires removing 1.2 metres from the existing building and increasing the size of the square. Option 2 maintained existing façade, making the square 1.2 metres smaller and shifted the walkway. Commercial and retail uses would frame the square with a canopy structure with skylights above. The applicant stated that the views of the Ontario Legislative Assembly Building would be preserved.

Many working group members liked proposed changes to the square to allow for programming and usability, but there were disagreements regarding whether the square should be open and active, or remain tranquil and private.

There were mixed views regarding having a heritage façade versus glass façade for the west square wall and questions about the proposed size and location in comparison to the existing courtyard. There was a suggestion to carry forward circles as a motif throughout public areas of the development.

Concerns were raised regarding easements and walkways to the benefit of the land owners to the north. The matter regarding the easement rights was to be discussed privately between the owners rather than at the working group meeting.

Most members preferred Avenue Road as the point of access for the proposal, with one preferring Yorkville Avenue. A concern was raised over the design and size of the vehicular portal to the site.

Requests were made by the working group to study the Avenue Road turning movements and overall traffic impact, because residents find the existing condition to be problematic.

***Meeting No. 2 (May 27, 2015): Built Form Tower***

The meeting began with the applicant's architect presenting a number of options for buildings framing the square which included the conservation of the east wall of the corner heritage building, with varying façade treatments.

Planning staff followed with a brief presentation of the potential composition of three distinct buildings which could frame the square with an additional walkway through the site to the east.

A brief discussion followed to introduce traffic flow concerns along Avenue Road and provide some direction to the applicant's transportation consultant to provide additional analysis to the following working group meeting. Some matters discussed included the sidewalk widths and curb lines along Avenue Road between Bloor Street West and Davenport Road and turning movements.

Concerns were raised by the majority of working group members over the height of the project and non-compliance with the policy to transition down from Bloor Street. One member suggested the height should be no taller than 94 metres.

***Meeting No. 3 (June 17, 2015): Transportation, Heritage***

The meeting began with the applicant's heritage consultant providing a history of the evolution of Avenue Road, as requested by City Planning staff. Avenue Road was developed in segments connected in the last 60 years into one street.

The working group was provided with an update from the condominium to the immediate north and its discussion with the applicant regarding the nature of easements between the two properties. There was some conflicting understanding about a potential connection at the second storey retail level between the proposal and Yorkville Village to the north. Both parties were encouraged to clarify the connection outside of the working group process.

The applicant's transportation consultant presented the results of further review, data collection and mapping based on the discussion at the previous working group meeting. The analysis and presentation: included an assessment of service levels at key intersections; identified pinch points and queuing distances; measured pedestrian activity levels (higher on east side); mapped all driveways, identified wait times for outbound and inbound turns, opportunities to increase sidewalk space; and signal coordination might improve vehicular and pedestrian flows. The review found that the plan to place the driveway at the north end of the site off Avenue Road is the appropriate location.

City staff identified the potential, in the future, to address these improvements (eg. wider sidewalks) along Avenue Road in consultation with the Ward Councillors from both sides of Avenue Road.

The applicant's architect then presented a revised design for the square with a glass box window projecting at the second storey on the east façade of the corner heritage buildings

over the square. The proposed square was shown to be framed by glass walls on all three sides. The applicant did not respond to the comments from Staff at the previous working group meeting to design three distinct buildings framing the square.

Concerns were raised over the number of heritage attributes that would be removed and the loss of the courtyard with four walls. Other members suggested there needed to be a balance of community interest regarding heritage and useful open space to improve their quality of life.

Heritage Preservation Staff appreciated the plan to retain the entire east wall of the corner building, but identified that more work had to be done.

At the conclusion of the working group, there was a consensus among the majority of the participants that the driveway location was acceptable at the north end at Avenue Road and the height of the tower should transition down from the existing 100 metre building at 21 Avenue Road.

### **Design Review Panel**

The project was presented to the City of Toronto design review panel on May 26, 2015. As the application was appealed to the OMB, the typical second review by the Design Review Panel was not scheduled. Some members of the working group and the public attended the first Design Review Panel meeting. The Ward Councillor and Planning staff invited local stakeholders to participate in a discussion following the first Design Review Panel meeting, which included other development proposals in the Yorkville area.

City staff outlined the area context, history and area policy and sought advice on the following issues: the height of the proposed building within the existing context; the integration of the built form and the proposed public realm; and the integration of heritage buildings.

The Panel described the project as incredibly ambitious, and thought the design was moving in a positive direction. They described the base as elegantly articulated, the design of the tower as strong, and were encouraged by the attention given to the public realm.

Panel members were somewhat divided on the proposed approach of incorporating the heritage buildings. Some were supportive of the proposed layering of contemporary architecture, while others described the heritage and contemporary structures as being in competition with one another.

The Panel liked the strong focus on the design and programming of the plaza. They were pleased that the idea of public realm is at the heart of this project, and thought it has potential to be a great public space. Their enthusiasm for the proposed scale and character of the space was mixed. Several Panel members described the unique tradition and character of the open spaces in Yorkville as small and intimate, and recognized the character of these midblock connections as an important defining feature of Yorkville.



## **COMMENTS**

This proposal has been under review for nearly 5 years, including the time the application was on hold and recently under appeal. Over that time, the proposal has evolved from the proposed demolition of the entire site with virtually no open space to including a partial retention of the corner building and a new POPS central to the development fronting on Yorkville Avenue.

At the onset of the review, the site was not on the Heritage Register, but following the Zoning Amendment submission a nomination was made to add the property to the Register. City Council ultimately designated the York Square property, and through that initiative, the applicant began to incorporate more of the heritage fabric (and attributes) into the proposal.

During the early parts of the review, the applicant requested that Staff pause the review and not hold a community meeting. Following the pause and heritage designation, the applicant increased the size of the site to include one additional property to the east (136-138 Yorkville Avenue). Shortly thereafter, the newly added property site was removed from the application.

There was a tension between the direction endorsed by the local community which advocated for a new programmed public square visible from Yorkville Avenue and the position of heritage advocates who wanted the existing complex conserved. At the heart of that discussion was whether the "intimate" and "quiet" courtyard framed by the heritage buildings should be re-imagined into a new more visible and open square.

Over the review, there was considerable attention on finding the appropriate balance between heritage conservation; the creation of a new square; and, the design and scale of the base buildings. Progress was being made, but the process was paused as the applicant appealed the application to the Ontario Municipal Board.

No progress was made in the reduction of the tower's height, even though concerns were raised by City Staff and stakeholders during community consultations.

The Plans currently before Staff and City Council do not comply with the Official Plan with respect to, but not limited to, the heritage, urban structure and built form policies. For this reason, Planning staff recommend that City Legal attend the Ontario Municipal Board hearing to oppose the Zoning By-law Amendment and Site Plan Control applications as proposed.

### **Provincial Policy Statement and Provincial Plans**

The proposed development does not have regard to Section 2 (d) of the *Planning Act* which provides that the: "conservation of features of significant architectural, cultural, historical, archaeological or scientific interest" is a matter of provincial interest.

The proposal is not consistent with the PPS. The PPS states that "Planning Authorities shall not permit development and site alteration on adjacent lands to protected heritage

property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved". Furthermore, the PPS states that the Official Plan is the most appropriate vehicle for implementing the PPS. Policies identified in the Official Plan require transition down in height to lower built form as does Site and Area Specific Policy 211. The proposed built form does not adequately conserve the heritage attributes on the site and does not meet the policies of the Official Plan and therefore is not consistent with the policies of the PPS.

The proposed development does not conform the Growth Plan for the Greater Golden Horseshoe, which states that (Policy 2.2.3 7. f) of all intensification areas will be planned and designed to achieve an appropriate transition of built form to adjacent areas, nor does it conform with Policy 4.2.4 (e) which provides that municipalities will develop and implement Official Plan policies and other strategies in support of cultural heritage conservation, including conservation of cultural heritage resources where feasible. The City has developed heritage policies through its Official Plan in support of cultural heritage conservation that this development fails to meet.

## **Land Use**

Planning staff are satisfied that the proposed residential and non-residential uses are acceptable. These uses are permitted within the *Mixed Use Areas* of the Official Plan as well as the CR district in the Zoning By-laws. The development will create a balance of high quality commercial, residential and open space uses that reduces automobile dependency and meets the needs of the local community as anticipated in the Official Plan for *Mixed Use Areas*.

## **Density, Height, Massing**

This proposed tower is too tall. With a height of 127.6 metres, the tower does not contribute to and reinforce the overall City structure and does not fit with its existing and/or planned context. The proposed height does not conform to the Official Plan, which calls for descending height and density northward from Bloor Street.

The overall intent of the Official Plan Site and Area Specific Policy 211 is to transition down height and density in the Height Ridge from the taller buildings in the Height Peak to the generally lower and mid-rise context that surrounds the Bloor-Yorkville/North Midtown Area. This approach mitigates impacts and maintains the gradual change from the Yonge Street and Bloor Street Height Peak to the parks, open spaces, school yard, low-rise commercial and residential neighbourhoods and the mid-rise character of the north part of the Bloor-Yorkville/North Midtown Area. This serves the overall goal of allowing for intensification in a manner that balances change and growth with preserving the character of the area.

Tall buildings recently approved and under construction along Avenue Road have been massed to fit within the transition policies in the Official Plan. These towers have been reviewed to mitigate impacts and provide a downward transition north. The height of the

proposed tower transitions up rather than down, contrary to the existing downward transition north from Bloor Street West along Avenue Road.

**Table 1:** Built Form of Towers in the Height Ridge on the east side of Avenue Road from South to North.

	<i>150 Bloor St W (Existing)</i>	<i>21 Avenue Rd South Tower</i>	<i>21 Avenue Road North Tower (Existing)</i>	<i>33 Avenue Rd Subject Site</i>	<i>89 Avenue Road</i>
Height	86 metres	125 metres	100 metres	<b>127.6 metres</b>	76.5 metres

The proposed base building is to consist of the retained corner heritage building and a 2 storey base stepped back to a third floor. The two storey streetwall scale is appropriate for the site. Further development of the base should have a more three dimensional expression of the heritage building at the corner of Avenue Road and Yorkville Avenue, as well as revisions to the materiality of the base building's glass façade on the east side of the POPS and its Yorkville Avenue façade.

The appropriateness of the proposed density (9.75 FSI) is a function of resolving the complex interface between the heritage, public realm and built form objectives. As well, the tower height of 127.6 metres and floor plate of 830 square metres is not massed and sited to mitigate impacts on adjacent properties and neighbourhoods. A key performance measure in the Tall Building Guidelines is tower setbacks. Appropriate tower setbacks provide opportunities to, among other things: enhance the public realm; provide access to sunlight on surrounding neighbourhoods, parks and open spaces; provide privacy; and, provide pedestrian-level views of the sky between tall buildings.

## Heritage

Heritage Preservation Services (HPS) has reviewed the application in conjunction with the revised Heritage Impact Assessment (HIA) prepared by ERA Architects Inc., dated January 27, 2015. HPS does not support the three conservation options presented in the HIA, and it is unclear which conservation strategy approach is being proposed.

The HIA concludes that "revisions to this report may be required at the conclusion of the Working Group process once the design for the development proposal is finalized." To date, HPS has not received an updated HIA following the working group process.

The HIA provides a preferred option (Option 2) that would utilize the conservation treatment of rehabilitation for the property. Rehabilitation, per the Standards and Guidelines for the Conservation of Historic Places in Canada, involves "the sensitive adaption of an historic place for a continuing or compatible contemporary use, while protecting its heritage value."

The conservation strategy presented per Option 2 would remove most of the buildings on the site, including, but not limited to the following attributes (as included in the designation by-law), the central open courtyard, the two 1960s infill building enclosing the square and the rear facades of the historic buildings. Moreover, most of the circa 1900 row houses structure at the corner of Avenue Road and Yorkville Avenue would be removed, including the rear facades of the historic buildings.

A cantilevered fourth storey terrace is proposed to be suspended over the circa 1900 row houses and would visually cap the remaining heritage buildings. This terrace, coupled with removal of much of the heritage building form, alters the property's sense of scale, mass and form as seen from the Avenue Road and Yorkville Avenue street frontages.

The conservation strategy presented per Option 2 appears to contravene the central heritage value of York Square – the adaptive reuse, rehabilitation and full retention of the circa 1900 row of heritage structures complete with intact façade walls.

The significant and cumulative impact to the heritage value and attributes of the property as a result of the proposed tower proposal warrants a mitigation plan consisting of a robust and sensitive conservation strategy for the remainder of the site, specifically the existing historic circa 1900 row houses including their rear and side façades.

## **Sun, Shadow**

The shadow study indicates new incremental shadow on the Annex neighbourhood to the west in the morning hours, on the amenity space terraces of the residential condominiums to the north in the early afternoon, and on the Hazelton-Scollard area of special identity later in the afternoon on September 21.

The Official Plan states that development in *Mixed Use Areas* will locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes.

The Tall Buildings Design Guidelines state that every effort will be made to design and orient tall buildings to minimize their shadow impact on all publicly accessible parks, open spaces, natural areas and other shadow sensitive areas. The Bloor-Yorkville / North Midtown Urban Design Guidelines identify Shadow Sensitive Areas. The subject site is within the Shadow Sensitive Area, as are the areas to its west, north and east.

Planning staff have assessed the proposed development in terms of the incremental impact resulting from the 127.6 metre tower and find that it does not adequately limit shadow on the *Neighbourhoods* and shadow sensitive areas.

## **Wind**

The applicant submitted a Pedestrian Level Wind Study report (January 13, 2016) with the Site Plan Application, prepared by Gradient Wind Engineering, based on a computer three-dimensional (3D) model test and not a wind tunnel test.

The report concludes that all grade-level pedestrian areas within and surrounding the development site will be acceptable for the intended pedestrian uses. Within the context of typical weather patterns, which exclude anomalous localized storm events, no areas over the study site were found to experience conditions too windy for walking, or that are considered unsafe.

Planning staff would like to see the study repeated using a wind tunnel test.

### **Sidewalk Widening**

The Tall Building Design Guidelines include the criteria for a minimum 6.0 metre sidewalk zone for tall buildings, to provide adequate space between the front of the building and adjacent street curbs to safely and comfortably accommodate pedestrian movement, streetscape elements, and activities related to uses at grade.

The existing sidewalk is 1.5 metres wide along Avenue Road and 4.0 metres wide along Yorkville Avenue. The proposal provides ground floor setbacks to widen the sidewalk to approximately 4.5 metres along Avenue Road adjacent to the altered heritage building and to 5.7 metres north of the heritage building. Along Yorkville Avenue the sidewalk remains at 4.0 metres adjacent to the heritage building but widens to 6.0 metres east of the proposed POPS.

Given the existing narrow sidewalk along Avenue Road, a minimum 2.1 metre wide pedestrian clearway must be provided, a portion of which will be located on private property. A public pedestrian easement must be conveyed to the City for the full extent of the pedestrian clearway that is to be located on private property.

### **Traffic Impact Assessment**

The project is estimated to generate approximately 15 to 20 two-way trips during the AM and PM peak hours, respectively. Transportation Services agrees with the findings in the Transportation Study (December 21, 2015) by BA Group which concludes that the projected site traffic will have minimal impacts on area intersections and can be accommodated on the adjacent road network.

### **Driveway Access and Site Circulation**

The vehicular access to the underground parking garage and loading space is proposed from a 6.0 metre wide private driveway off Avenue Road at the north end of the site. Transportation Services finds the proposed access location to be acceptable.

### **Parking**

The application proposes a total of 183 vehicular parking spaces (172 resident, 11 residential visitors and 11 valet spaces). The vehicular parking spaces will be located in a 5-level underground parking garage. A total of 102 bicycle spaces (13 short-term and 89 long-term) are proposed. The proposed parking supply complies with the minimum standards with 74 residential units proposed. Overall, the proposed parking configuration and supply is acceptable.

## **Loading**

The provision of 1 Type 'G' loading space is acceptable. The loading is to be located internal to the building. The manoeuvring diagrams submitted with the application demonstrate that there are no conflicts. Transportation Services finds the proposed loading configuration acceptable.

## **Servicing**

A Functional Servicing and Stormwater Management Report, prepared by SCS Consulting Group, has been submitted to provide justification of the proposed servicing. The Functional Servicing and Stormwater Management Report has not been accepted by Development Engineering and further information is required to determine (as per a letter dated May 18, 2016 provided to SCS Consulting Group Ltd.) whether the proposal can be appropriately serviced.

## **Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Official Plan shows local parkland provisions across the City. The subject site is in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people, the second highest quintile of current provision of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The application proposes 74 residential units with 1,999 square metres of non-residential gross floor area. At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 1,426.67 square metres or 69.8 percent of the site area. However, for sites that are less than 1 hectare in size, a cap of 10 percent of the development site is applied to the residential use while the non-residential use is subject to a 2 percent parkland dedication. In total, the parkland dedication requirement is 206 square metres. If calculated based on the 107 residential units as shown on the Site Plan Application, the estimated parkland dedication requirement would increase to 208 square metres.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as a dedication of 206 square metres is not of a suitable size to develop a programmable park within the existing context of this development site. As well, the site does not abut an existing park network which could be expanded through this dedication. The site is approximately 470 metres away from Jesse Ketchum Park and 418 metres away from Village of Yorkville Park.

The amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

## **POPS**

The proposed Privately Owned Publicly-Accessible Open Space (POPS) along Yorkville Avenue will provide a 253 square metre public amenity and expand the public realm. As

currently proposed, the space will be programmed with a variety of uses including recreational seating. The POPS is visible and accessible from Yorkville Avenue and provides a mid-block connection through to Avenue Road. The POPS is partially covered by the third floor terrace which will provide weather protection.

The POPS is proposed to be framed by animated uses such as a community space and retail uses. City Planning, including Heritage Preservation Services, finds that the buildings framing the POPS are not in keeping with the conservation policies in the Official Plan.

### **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits for increases in height and/or density pursuant to Section 37 of the *Planning Act*. The proposed development exceeds the height and density limits of the Zoning By-law.

In the event that Ontario Municipal Board allows the appeals in whole or in part, this report recommends that the City Solicitor request that the Ontario Municipal Board withhold its final Order to approve the Zoning By-law amendment until such time as community benefits and other matters in support of the development, as are determined appropriate, are secured in a Section 37 Agreement executed by the owner to the satisfaction of the Director Community Planning, Toronto and East York District and the City Solicitor.

### **CONTACT**

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E-mail: otamir@toronto.ca

### **SIGNATURE**

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

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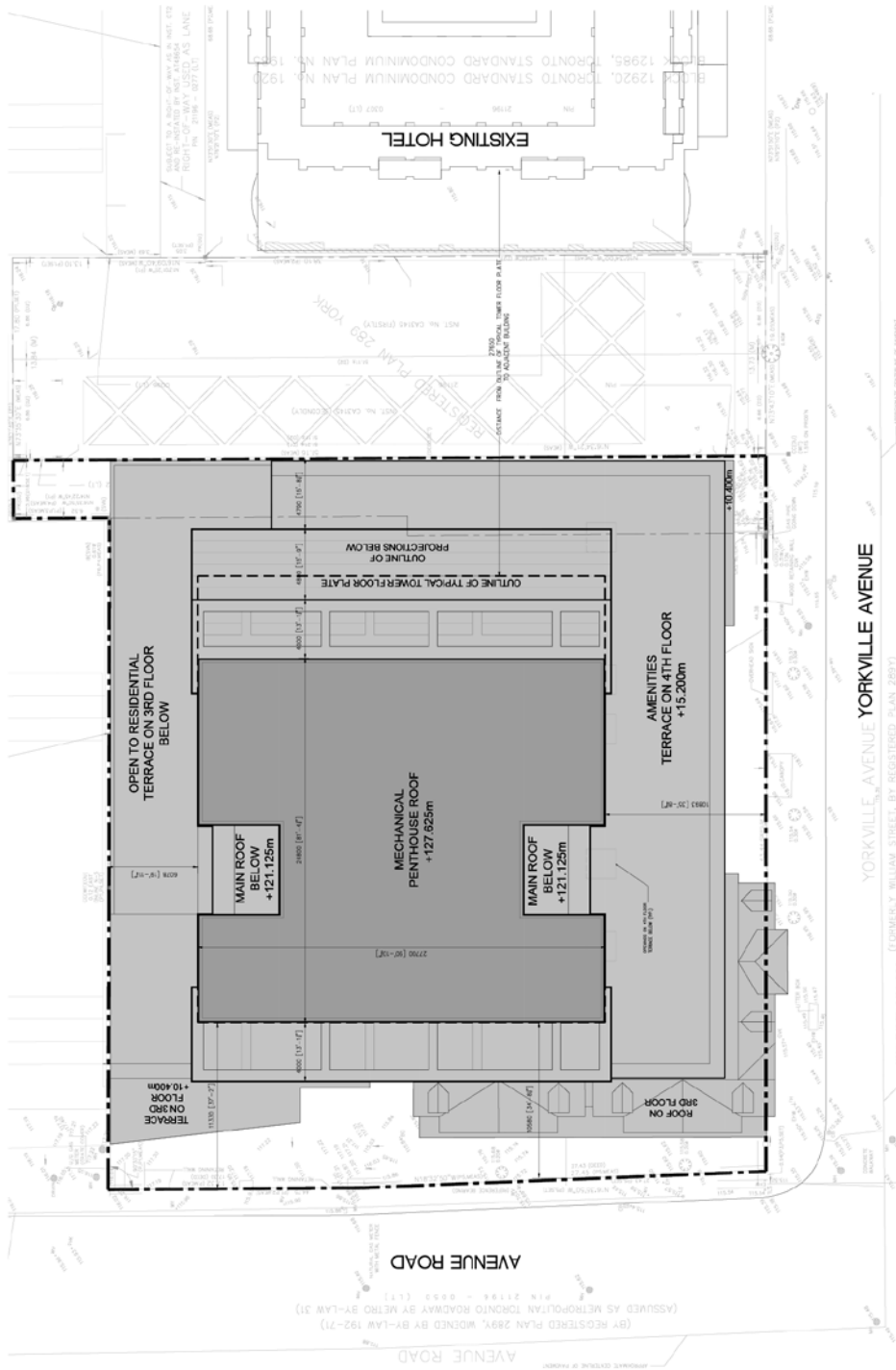
### **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Ground Floor Plan  
Attachment 3: South Elevation  
Attachment 4: West Elevation  
Attachment 5: North Elevation  
Attachment 6: East Elevation

Attachment 7: Perspective of Base Building (Avenue Road)  
Attachment 8: Perspective of Base Building (Yorkville Avenue)  
Attachment 9: Zoning Map - By-law 438-86  
Attachment 10: Site and Area Specific Policy 211 (Map 1)  
Attachment 11: Application Data Sheet



# Attachment 1: Site Plan



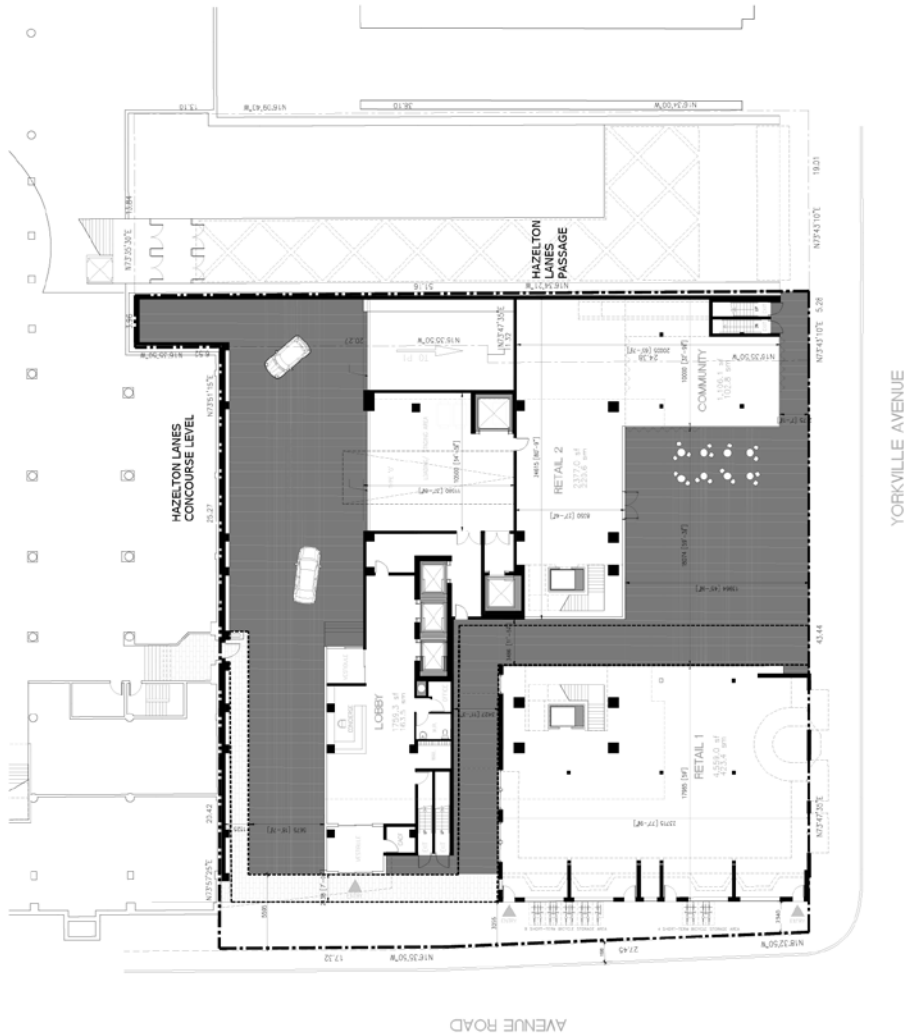
**Site Plan**

Applicant's Submitted Drawing

Not to Scale  
09/22/2016

File # 12 113502 STE 27 0Z

## Attachment 2: Ground Floor Plan



### Ground Floor Plan

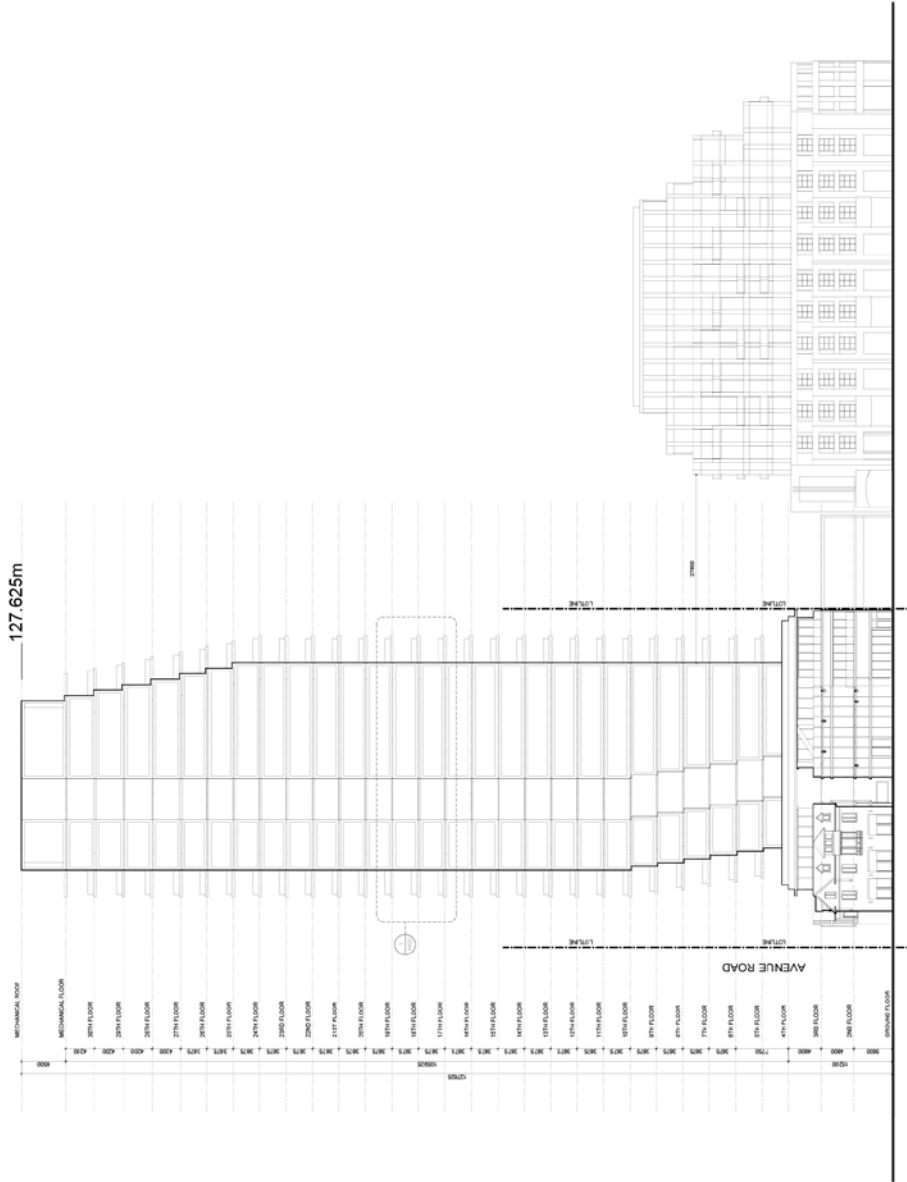
Applicant's Submitted Drawing

Not to Scale  
09/22/2016

File # 12 113502 STE 27 0Z

33-45 Avenue Road and 140-148 Yorkville Avenue

# Attachment 3: South Elevation



33-45 Avenue Road and 140-148 Yorkville Avenue

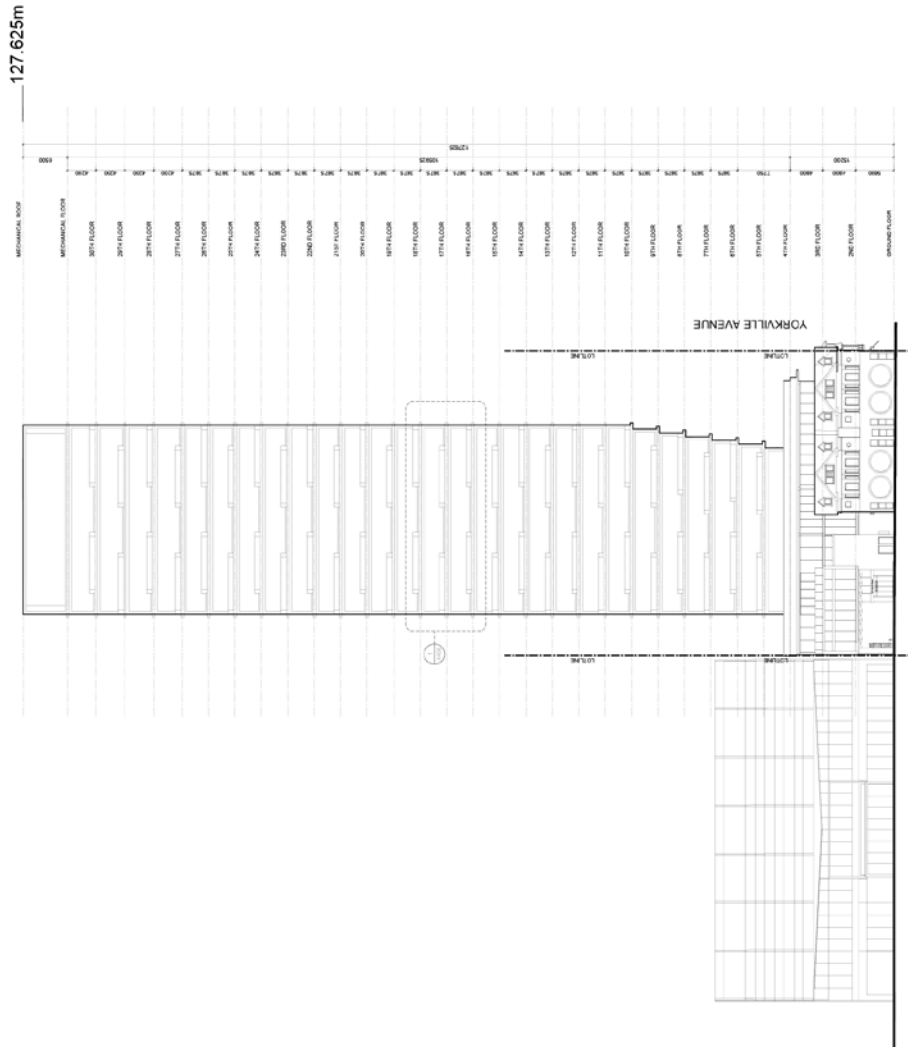
South Elevation

Applicant's Submitted Drawing

Not to Scale  
09/22/2016

File # 12 113502 STE 27 0Z

**Attachment 4: West Elevation**



**West Elevation**

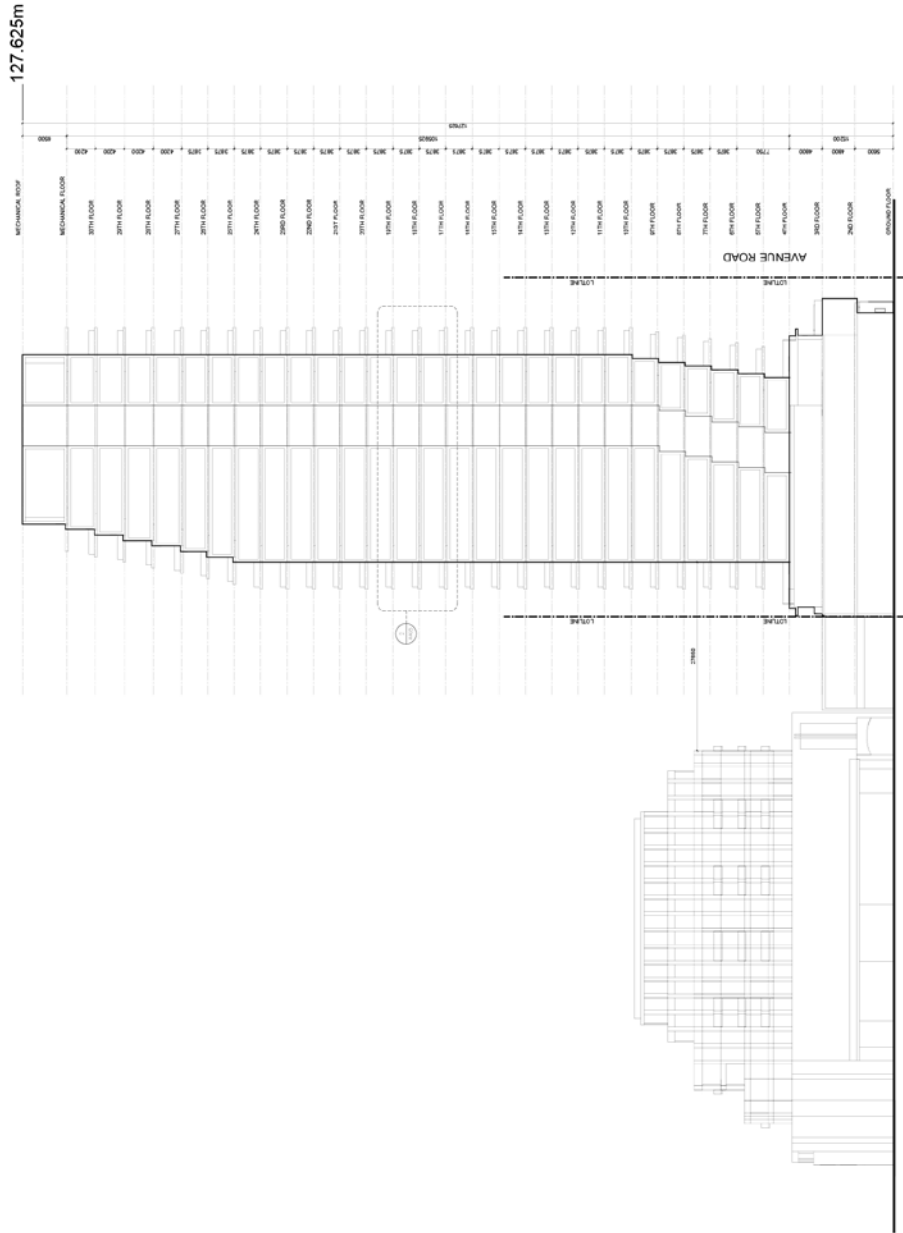
Applicant's Submitted Drawing

Not to Scale  
09/22/2016

**33-45 Avenue Road and 140-148 Yorkville Avenue**

File # 12 113502 STE 27 0Z

**Attachment 5: North Elevation**

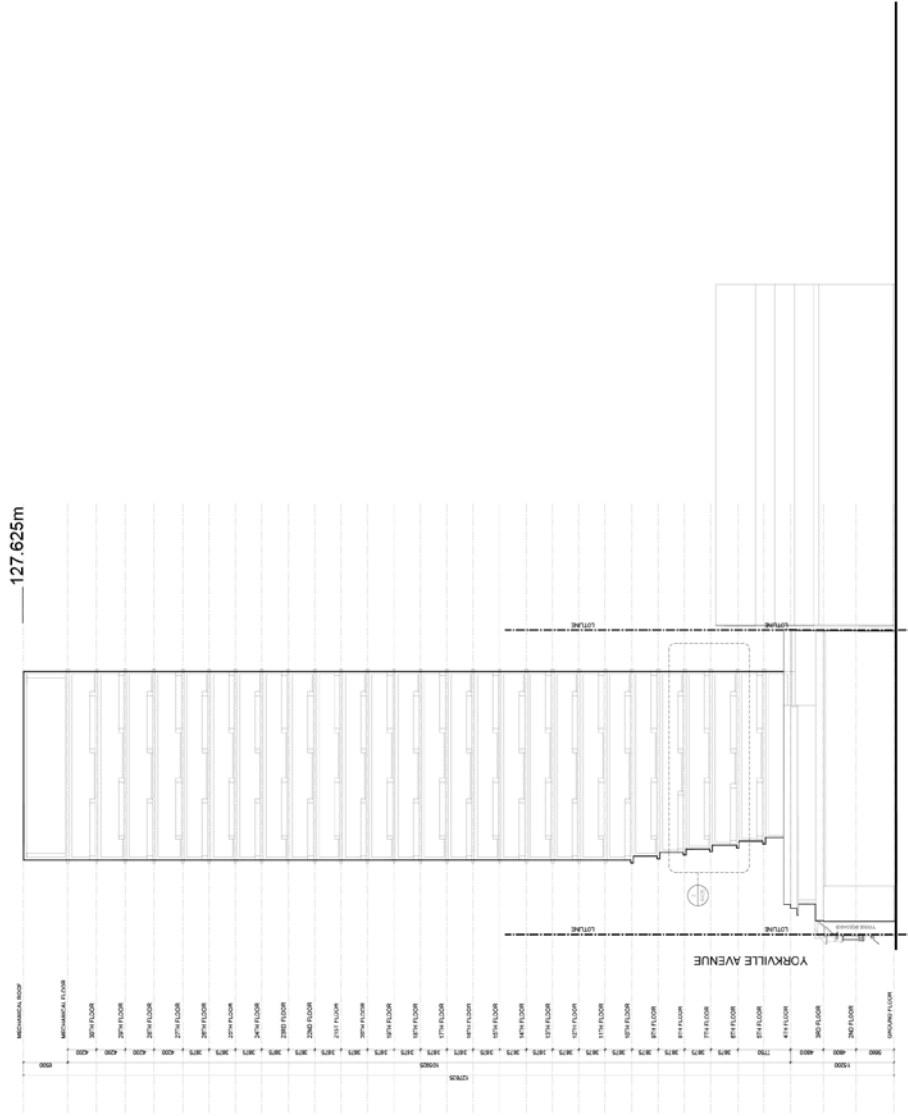


**33-45 Avenue Road and 140-148 Yorkville Avenue**

**North Elevation**  
 Applicant's Submitted Drawing  
 Not to Scale  
 09/22/2016

File # 12 113502 STE 27 0Z

**Attachment 6: East Elevation**



**33-45 Avenue Road and 140-148 Yorkville Avenue**

**East Elevation**  
 Applicant's Submitted Drawing  
 Not to Scale  
 09/22/2016

File # 12 113502 STE 27 0Z

**Attachment 7: Perspective of Base Building (Avenue Road)**



**Perspective**

Applicant's Submitted Drawing

Not to Scale  
09/22/2016

**33-45 Avenue Road and 140-148 Yorkville Avenue**

File # 12 113502 STE 27 0Z

**Attachment8: Perspective of Base Building (Yorkville Avenue)**



**Perspective**

Applicant's Submitted Drawing

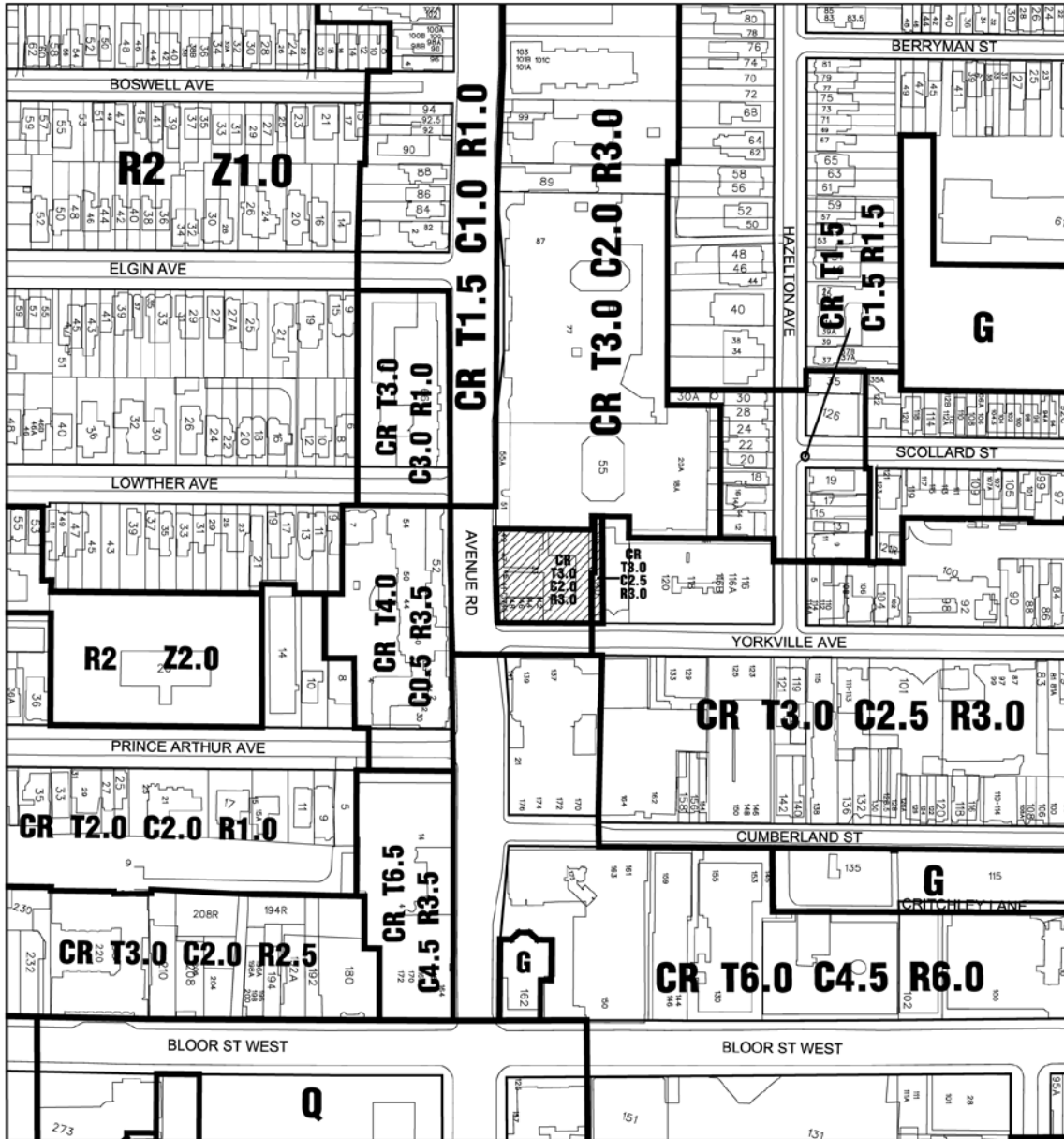
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**33-45 Avenue Road and 140-148 Yorkville Avenue**

File # 12 113502 STE 27 0Z



**Attachment 9: Zoning Map - By-law 438-86**



**TORONTO** City Planning  
Zoning

**33-45 Avenue Road and 140-144 Yorkville Avenue**

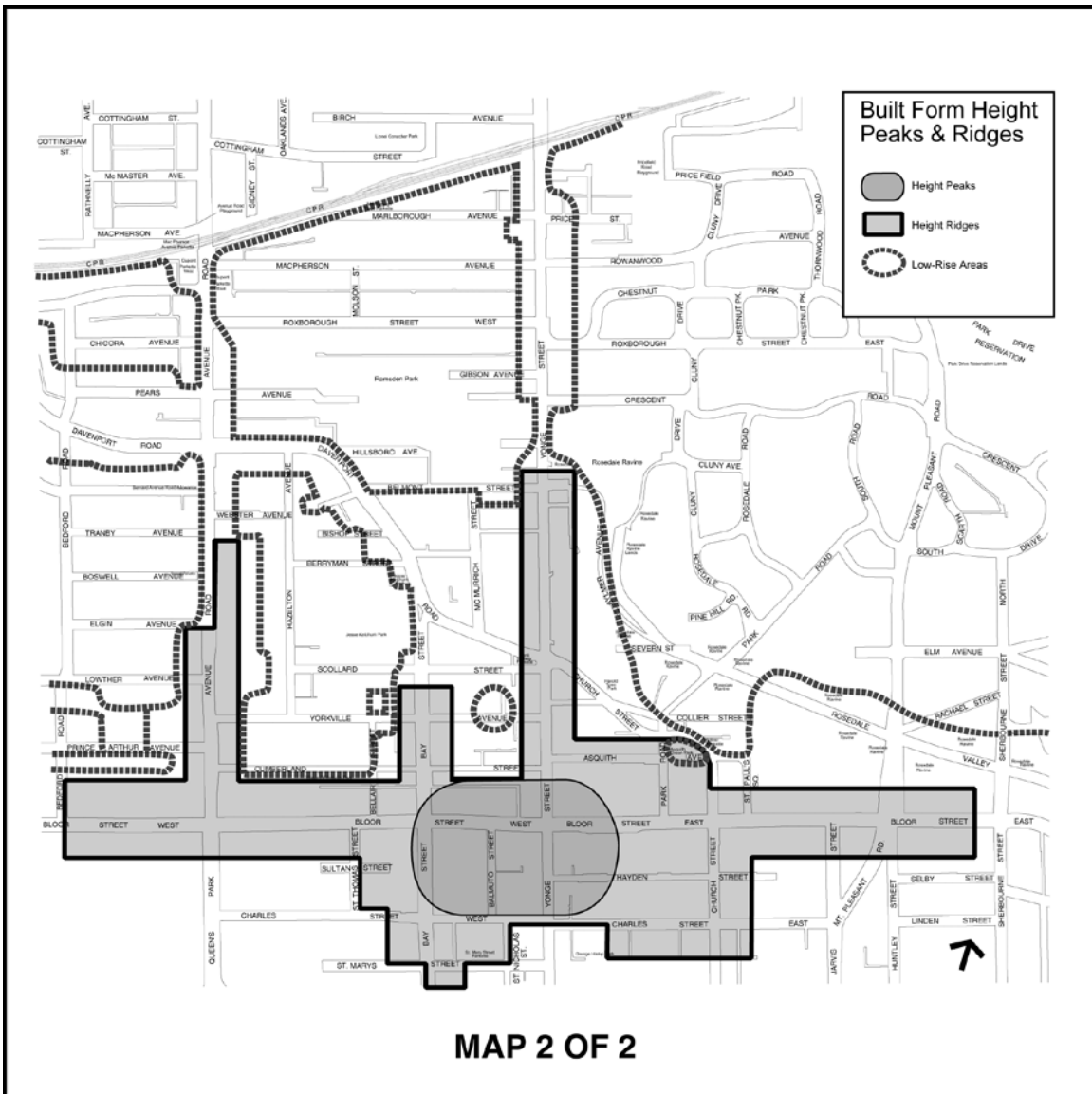
File # 12 113502 0Z

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



Not to Scale  
Zoning By-law 438-86 (as amended)  
Extracted 02/29/2012

## Attachment 10: Site and Area Specific Policy 211 (Map 1)



## Attachment 11: Application Data Sheet

Application Type	Rezoning	Application Number:	12 113502 STE 27 OZ
		Application Date:	January 27, 2012
Municipal Address:	33-45 Avenue Road and 140-148 Yorkville Avenue		
Location Description:	PLAN 289 PT LOTS 1 & 2 **GRID S2703		
Project Description:	A 30-storey mixed-use building with retail uses on the ground and second floors and residential uses above. The application proposes to alter the designated heritage buildings on the site, commonly known as York Square.		
<b>Applicant/Agent:</b>	<b>Architect: (1 of 2)</b>	<b>Architect: (2 of 2)</b>	<b>Owner:</b>
Hunter & Associates Ltd.	Zeidler Partnership Architects	E.I. Richmond Architects	Empire Communities (Yorkville) Ltd.

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	OP 211, 225
Zoning:	CR T3.0 C2.0 R3.0, CR T3.0 C2.5 R3.0	Historical Status:	Designated "York Square"
Height Limit (m):	30, 18	Site Plan Control Area:	Yes

### PROJECT INFORMATION

Site Area (sq. m):	2,237.8	Height:	Storeys:	30
Frontage (m):	44.7		Metres:	127.6 (incl. mech)
Depth (m):	48.7			
Total Residential GFA (sq. m):	19,767.28			Total
Total Non-Residential GFA (sq. m):	1,999.0		Vehicle Spaces:	179
Total GFA (sq. m):	21,766.28		Bicycle Spaces	102
Floor Space Index:	9.75		Loading Docks	1

### DWELLING UNITS

Tenure Type:	Condo
1 Bedroom:	7
2 Bedroom:	3
3 Bedroom:	60
4+ Bedroom:	4
Total Units:	74

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	19,767.28	0
Retail GFA (sq. m):	1,999.0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Other GFA (sq. m):	0	0

**CONTACT:** Oren Tamir, Senior Planner  
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