

**183-189 Avenue Road and 109-111 Pears Avenue -
Zoning Amendment Application - Preliminary Report**

Date:	March 9, 2017
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 27 – Toronto Centre-Rosedale
Reference Number:	16 259549 STE 27 OZ

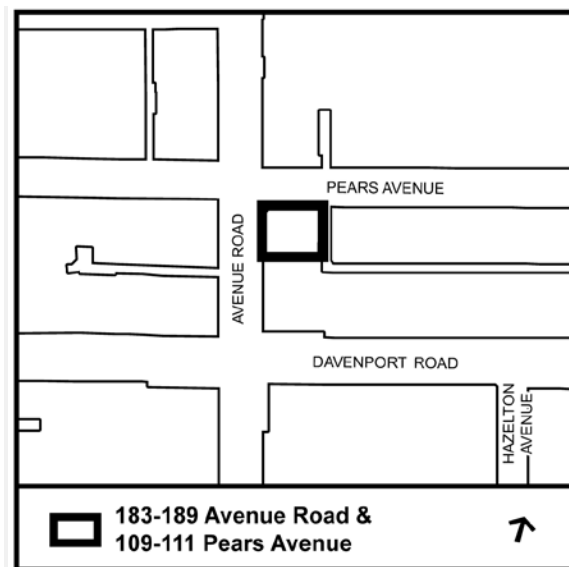
SUMMARY

This application proposes a 12-storey (42.3 metres, plus a 3.26 metre mechanical penthouse) mixed-use building at 183-189 Avenue Road and 109-111 Pears Avenue. The proposal includes 443 square metres of retail and 7,118 square metres of residential floor area resulting in a total density of 6.45 times the area of the lot. The proposal includes 23 dwelling units and 41 parking spaces within two levels of underground parking garage.

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

The next step is to hold a community consultation meeting where the community can review the application, provide comments, and ask questions. At the time of writing this report, it is anticipated that a Community Consultation meeting will be held on April 24, 2017.

Staff anticipate submitting a final report on the application to Community Council in the first quarter of 2018. This target date assumes that 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 183-189 Avenue Road and 109-111 Pears Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

Pre-Application Consultation

A pre-application consultation meeting was held on August 8, 2016 with the applicant to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

This application proposes a 12-storey mixed-use building with 7,118 square metres of residential gross floor area and 443 square metres of retail space, located at 183-189 Avenue Road and 109-111 Pears Avenue. The proposed density is 6.45 times the area of the lot.

The proposal contains 23 new dwelling units with the following breakdown:

Unit Type	Number of Units	Percentage
2-bedroom	12	52.2%
3-bedroom	9	93.1%
4-bedroom	2	8.7%

The overall height of the proposed building is 42.3 metres plus a 3.26 metre mechanical penthouse, totalling 45.56 metres. The number of storeys and building height is based on measurements taken from the grade at the southwest corner of the site which is approximately 3.9 metres higher in elevation than the site's lowest point at the northeast corner. The significant grade change equates to an additional 1½ storeys of height where the property meets the low-rise neighbourhood along Pears Avenue.

The site includes a listed heritage property at 183 Avenue Road. The application proposes to retain the front portion of the heritage building including the Avenue Road

frontage and portions of the north and south side walls. The retained portions will be incorporated into the proposed building and used as part of the retail space.

The 2-storey retail space extends along the Avenue Road frontage, is 6.2 metres in height, and has a front lot line setback ranging from 0 metres where the heritage building will be retained to 4.4 metres where the angled retail wall is furthest from the street. The entrance to the retail space is located in the north side wall of the retained heritage building perpendicular to Avenue Road. The residential lobby is located north of the retail space and is set further away from the street.

The proposal includes a two-level parking garage with two vehicle entrances off a public lane east of the property, 38 residential vehicle parking spaces, 3 visitor vehicle parking spaces, 21 residential bicycle parking spaces, and 2 visitor bicycle parking spaces. The proposal does not include an on-site loading space or any common indoor or outdoor amenity space.

The proposed 12-storey building has varying elevations. Along Avenue Road, the façade is highly articulated with a number of projections and recesses. Above the angled 2-storey retail space, floors 3 to 9 are generally setback 3.2 metres from the lot line, with a 0.4 metre step forward at floor 10, a 4.1 metre step back to floors 11 and 12, and a further step back to the mechanical penthouse.

Along Pears Avenue the perceived height of the streetwall ranges from 4-storeys at Avenue Road to 5½-storeys at the public lane to the east due to the change in grade. The wall is located 0.2 metres from the north lot line, with a 2.3 metre step back to floors 5 to 10, a 3.5 metre step back to floors 11 and 12, and a further step back to the mechanical penthouse level.

Along the rear public lane the building will be 0.67 metres from the lot line at the garage levels, with a 1.1 metre step back to floors 1 to 4, a 0.8 metre step back to floor 5, a 0.7 metre step back to floors 6 to 9, a 0.5 metre step back to floor 10, and a 2.8 metre step back to floors 11 and 12, and a further step back to the mechanical penthouse level.

The south façade is a 10-storey wall that is 1.0 metres from the property line between the subject site and the 3-storey building at 181 Avenue Road, with a 2.3 metre step back at floors 11 and 12, and a further step back at the mechanical penthouse level. The proposal includes windows in the south façade, starting at the third floor.

Each unit will have access to at least one balcony or terrace that projects beyond the main walls of the Avenue Road, Pears Avenue, and laneway elevations. The balconies and terraces are proposed to include large planters for tree planting known as an integrated modular planting and landscaping system (IMPALS).

Site and Surrounding Area

The subject site is located on the southeast corner of Avenue Road and Pears Avenue, just north of Davenport Road, and is part of the area known as Bloor-Yorkville / North Midtown.

The site is nearly square in shape with approximately 36.4 metres of frontage along Avenue Road, approximately 32.5 metres of frontage along Pears Avenue, and a curved corner at Avenue Road and Pears Avenue. The lot line along Avenue Road jogs slightly at the property municipally known as 183 Avenue Road which is a listed heritage property and contains a building constructed at the front lot line. The site has a lot area of 1,171 square metres (0.12 hectares).

The site slopes down significantly both from south to north and from west to east, with a grade differential of approximately 3.9 metres from the highest point at the southwest corner of the site to the lowest point at the northeast corner.

Immediately east of the site is the north-south portion of an L-shaped dead-end public lane with a width of 3.66 metres. The lane serves mixed-use properties along Avenue Road and Davenport Road as well as low-rise residential properties along Pears Avenue. A 1.67 metre laneway widening has already occurred at 185 Avenue Road. Further laneway widening will be required for the remainder of the subject site.

Surrounding uses include:

North: 2- and 3-storey commercial and residential buildings and places of worship along both sides of Avenue Road; and Ramsden Park on the north side of Pears Avenue east of Avenue Road. Further north, 2- and 3-storey low-rise residential buildings.

South: 1-, 2- and 3-storey mixed use buildings along both sides of Avenue Road up to the Davenport Road intersection; along the east side of Avenue Road south of Davenport Road to just south of Webster Avenue: a 6-storey mixed-use building (163 Avenue Road), a parking lot with approval for a 10-storey mixed-use building (143-159 Avenue Road), 2- and 3-storey commercial buildings (131 to 137 Avenue Road), and a vacant lot with approval for a 6-storey mixed-use building (121 Avenue Road); along the west side of Avenue Road south of Davenport Road to Elgin Avenue: 2- and 3-storey mixed-use buildings.

East: 2- and 3-storey low-rise residential buildings on the south side of Pears Avenue, a dead-end street whose elevation drops significantly heading east from Avenue Road. Along the north side of Davenport Road is Davenport Terrace, a series of 3-storey house form mixed-use buildings. Along the south side of the Davenport Road is a 5-storey mixed-use building (211-225 Davenport Road), a 3-storey commercial building with a recent approval for a 9-storey mixed-use building (126-128 Hazelton Avenue), and a 9-storey mixed-use building (133

Hazelton Avenue). Further east, are two 24-storey apartment buildings at 30 and 50 Hillsboro Avenue.

West: a 20-storey mixed-use building at the southwest corner of Avenue Road and Pears Avenue (164 Avenue Road); a 25-storey apartment slab building from the 1960s with a recent approval for a 28-storey infill apartment tower on a large site between Pears Avenue and Davenport Road (250 Davenport Road); and residential buildings ranging from 5 to 11 storeys along the north side of Pears Avenue, west of Avenue Road.

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. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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.

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 subject site is located within the *Downtown and Central Waterfront*, as shown on the Official Plan's Map 2 – "Urban Structure". **Section 2.2.1** – "*Downtown: the Heart of Toronto*" acknowledges that the *Downtown* area offers opportunities for substantial employment and residential growth, it also identifies that this growth is not anticipated to be uniform.

Map 3 – "Right-of-Way Widths Associated with Existing Major Streets" of the City's Official Plan identifies Avenue Road as a major street with a right-of-way width of 23 metres.

The site is designated *Mixed Use Areas* on Map 17 – "Land Use Plan" of the City's Official Plan. **Section 4.5** – "*Mixed Use Areas*" identifies that *Mixed Use Areas* are intended to combine a broad array of residential uses, offices, retail and services, institutions, entertainment, recreation and cultural activities, and parks and open spaces.

Policy 2 states that development in *Mixed Use Areas* will:

- create a balance of high quality commercial, residential, institutional, and open space uses that reduce automobile dependency and meet the needs of the local community;
- provide for new jobs and homes for Toronto's growing population;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this plan, through means such as providing 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;
- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks, and open spaces;
- provide an attractive, safe, and comfortable pedestrian environment;
- have access to schools, parks, community centres, libraries, and childcare;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- 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.

The site is adjacent to an area designated as *Neighbourhoods*, which are considered physically stable areas made up of residential uses in lower scale buildings. **Section 2.3.1** – "Healthy Neighbourhoods" states that at the boundary points between the neighbourhoods and the growth areas, development in the mixed use area will have to demonstrate a transition in height, scale and intensity as necessary to ensure that the stability and general amenity of the adjacent residential area are not adversely affected. Policy 2 requires development in *Mixed Use Areas* that are close or adjacent to *Neighbourhoods* to:

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

Policy 3 states that "intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact."

Chapter Three – "Building a Successful City" identifies that most of the City's future development will be infill and redevelopment and, as such, will need to fit in, respect and improve the character of the surrounding area. **Section 3.1.2 – "Built Form"** indicates that development will be located, organized and massed to fit harmoniously with the existing and/or planned context. Development will limit its impacts on neighbouring properties and the public realm by respecting street proportions, creating appropriate transitions in scale, providing for adequate light and privacy, limiting impacts of servicing and vehicular access on the property and neighbouring properties; and limiting shadow and wind impacts.

Section 3.1.5 – "Heritage Conservation" addresses the identification and evaluation of properties of cultural heritage value or interest. It also provides for conservation of heritage resources and includes policies that state that Heritage Impact Assessments will evaluate the impact of a proposed alteration to a property on the Heritage Register, and/or to properties adjacent to a property on the Heritage Register, to the satisfaction of the City.

Section 3.1.5, Policy 5 states that proposed alterations and/or development 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. Further, Policy 26 requires that "new construction on, or adjacent to, a property on the Heritage Register will be designed to conserve the cultural heritage values, attributes and character of that property and to mitigate visual and physical impacts on it." Policy 27 identifies that "where it is supported by the cultural heritage values and attributes of a property on the Heritage Register, the conservation of whole or substantial portions of buildings, structures, and landscapes on those properties is desirable and encouraged. The retention of facades alone is discouraged."

Section 5.6 – "Interpretation" provides guidance as to the understanding and interpretation of the Official Plan. Policy 1 indicates the Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. Further, **Section 1.5** – "How to Read the Plan" indicates the Official Plan is a comprehensive and cohesive whole. This proposal will be reviewed against the policies described above as well as the policies of the Official Plan as a whole.

The Official Plan can be accessed at:

www1.toronto.ca/static_files/CityPlanning/PDF/chapters1_5_dec2010.pdf

Area Specific Policy 211 – Bloor Yorkville / North Midtown Area

Site and Area Specific Policy (SASP) 211, in the City of Toronto's Official Plan, recognizes that the Bloor-Yorkville/North Midtown Area comprises a broad mix of districts with differing intensities, scales and heights in a diversity of building forms. The area forms the north edge of the *Downtown* and includes *Neighbourhoods*, *Apartment Neighbourhoods*, *Areas of Special Identity*, *Mixed Use Areas*, and open space provided by parks and ravines.

Map 2 of SASP 211 provides a height structure plan for the area, comprising of a 'Height Peak', 'Height Ridges', and Low-Rise Areas. The policy states that the tallest buildings in the Bloor-Yorkville/North Midtown area will be located in the 'Height Peak', generally located in the vicinity of the intersection of Yonge Street and Bloor Street, with height and density permissions generally diminishing further from Bloor Street. Further, development along the 'Height Ridges' will be at a lesser height and physical scale than the Bloor/Yonge 'Height Peak', and in a form compatible with adjacent areas.

The 'Height Ridges' extend from the 'Height Peak' east along Bloor Street East, west along Bloor Street West, and north along Yonge Street, a small portion of Bay Street, and Avenue Road. The Avenue Road 'Height Ridge' ends at the south side of Elgin Avenue on the west side of the Avenue Road and slightly south of Webster Avenue on the east side of the Avenue Road. The policy states that the northern portions of Avenue Road, Yonge Street and Davenport Road not shown as 'Height Ridges' are intended to have lower heights than areas within the 'Height Ridges'. The site is located north of the Avenue Road 'Height Ridge'.

SASP 211 also states that development in *Mixed Use Areas* adjacent to *Neighbourhoods* or portions of *Areas of Special Identity* shown as 'Low Rise Areas' on Map 2, should be of a lesser scale, and contextually appropriate and compatible with the adjacent low-rise areas. Development will be designed with sufficient setbacks and transitions in scale, through means such as angular planes and step-downs in height, to adequately limit shadow, wind and privacy impacts upon nearby residences and the public realm. The site is located in a *Mixed Use Area* adjacent to the low-rise *Neighbourhood* known as Ramsden Park.

Bloor-Yorkville/North Midtown Urban Design Guidelines

The Bloor-Yorkville/North Midtown Urban Design Guidelines 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 in the Avenue Road Corridor and abuts the low-rise residential Ramsden Park Precinct.

The Design Guidelines describe the east side of Avenue Road, north of Webster Avenue, as predominantly low-rise and state that special consideration should be given to the impact of development in *Mixed Use Areas* that are in close proximity to low-scale residential neighbourhoods. Specifically, development will:

- (1) locate and mass new buildings to provide a transition between areas of different development intensity and scale, particularly providing setbacks from and stepping down of heights towards lower scale *Neighbourhoods*;
- (2) locate and mass new buildings to minimize shadow impacts on adjacent *Neighbourhoods* during the spring and fall equinoxes;
- (3) locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- (4) provide good site access and circulation and an adequate supply of parking for residents and visitors.

The Design Guidelines also state that new development along the Avenue Road Corridor should reinforce the prominence of the street through excellence in design, a unified streetscape vocabulary, and increasing sidewalk widths by setting new buildings and additions back from the street line.

TOcore: Planning Downtown

TOcore: Planning Downtown is a three-year, inter-divisional study, led by City Planning. Building on Downtown's existing planning framework, TOcore's purpose is to ensure growth positively contributes to Toronto's Downtown as a great place to live, work, learn, play and invest by determining: a) how future growth will be accommodated and shaped, and b) what physical and social infrastructure will be needed, where it will go and how it will be secured.

The new Secondary Plan will update the Downtown planning framework to shape future growth and link growth to the provision of needed infrastructure investments to achieve the city-building vision and policies of Toronto's Official Plan. A series of infrastructure strategies for office, transportation, parks and public realm, community services and facilities, and energy are in development as part of this review, along with a water infrastructure assessment.

City Council adopted the TOcore Proposals Report on December 15, 2016. The Proposals Report provides a vision for Downtown to 2041, five guiding principles and 128 policy directions that will inform the development of the Downtown Secondary Plan. The accompanying staff report also provides updates on the Phase 2 public consultations, population growth projections for Downtown and the status of infrastructure strategies underway that will support the implementation of the new Downtown Secondary Plan. A draft Secondary Plan will be presented to City Council in the third quarter of 2017.

One of the Policy Directions identified in the Proposals Report is to establish three sub-categories in the *Mixed Use Areas* designation for the *Downtown*. The subject site is located in one of the areas identified as Mixed Use Area 3 which are described as having a "mainstreet" character where modest intensification is anticipated.

On October 5-7, 2016, City Council adopted Official Plan Amendment (OPA) 352 – Downtown Tall Building Setback Area (currently under appeal). The purpose of OPA 352 is to establish the policy context for tall building setbacks and separation distances between tower portions of tall buildings Downtown. At the same meeting, City Council adopted area specific Zoning By-laws 1106-2016 and 1107-2016 (also under appeal) which provide the detailed performance standards for portions of buildings above 24 metre in height.

The TOcore website is www.toronto.ca/tocore.

Bloor-Yorkville/North Midtown: Planning Framework & Implementation Strategy

The Bloor-Yorkville/North Midtown: Planning Framework & Implementation Strategy report (August 2015) was prepared by The Planning Partnership, Greenberg Consultants Inc., ERA Architects., and Michael Spaziani Architect Inc., on behalf of the Bloor-Yorkville Business Improvement Association, ABC Residents Association, Greater Yorkville Residents Association, and Yonge Bay Bloor Business Association.

The objective of this community-led Planning Framework and Implementation Strategy is to address concerns over tall buildings and intensification. It outlines where development should and should not occur, the types of uses and built form that are appropriate, how future development applications will be analyzed, and the future planning approval processes that are required.

The report has two parts: an overview of the history, and current policy and development context; and, a policy framework and implementation strategies, and separate pedestrian realm network plan. The report organizes the Bloor-Yorkville/North Midtown area into 3 districts: the primary development districts; the corridor districts; and, the stable neighbourhood districts. Each district contains precincts, some of which are broken down into segments. Targeted planning policies are proposed for each district, precinct, and segment.

On October 13, 2016 Toronto and East York Community Council requested Planning staff to consider the Bloor-Yorkville/North Midtown Framework's strategies during the evaluation of current and future development applications and City projects in the Bloor Yorkville/North Midtown planning area prior to completion of a Secondary Plan. Staff will consider the proposals in the Planning Framework as part of the review process.

Davenport Terrace Review

On July 8-10, 2014, City Council adopted a City-Initiated Zoning By-law Amendment for Davenport Terrace, a low-rise mixed-use area, located just east of the intersection of Avenue Road and Davenport Road, and identified as an Area of Special Identity in SASP 211. The purpose of the zoning amendment was to ensure an appropriate transition between the mixed-use properties within Davenport Terrace and the residential properties in the *Neighbourhood*, which are approximately 9 metres lower in elevation. The area-specific zoning by-law (currently under appeal) requires buildings within Davenport Terrace to not penetrate a 45 degree angular plane projected over the lot from along the entire rear lot line, starting at a height equal to the average elevation of the ground along the rear lot line. The subject site is located just outside of the Davenport Terrace area.

Avenues and Mid-Rise Buildings Guidelines

The Avenues and Mid-Rise Buildings Study provides design guidelines for new mid-rise buildings. The guidelines include various building performance standards including, but not limited to: angular planes; appropriate setbacks; sky-views; increased sunlight access onto the sidewalk; and appropriate location for servicing and loading uses.

The guidelines state that in situations where the rear of the property is at a different grade level than its frontage, the rear angular plane should always be taken from the lowest grade elevation of the adjacent property located along the rear of the mid-rise building's property line. Measuring from the lower elevation ensures that properties to the rear are not subject to additional shadow impacts resulting from changes in grade, or creating potential for taller buildings adjacent to these shared property lines.

At its meeting on June 7, 8 and 9, 2016, City Council adopted an addendum to the Mid-Rise Building Performance Standards dated April 20, 2016. The addendum states that the performance standards should apply to the evaluation of proposed development on sites fronting onto any major street identified on Map 3 of the Official Plan with a planned right-of-way at least 20 metres wide. The performance standards previously only applied to sites fronting onto streets shown as *Avenues* on Map 2 of the Plan. The subject site fronts onto the major street, Avenue Road, which has a planned right-of-way width of 23 metres.

The Mid-Rise Guidelines are available on the City's website at:
<http://www.toronto.ca/planning/midrisestudy.htm>

Tree Preservation

The Tree Protection Letter prepared by Central Tree Care Ltd., dated September 30, 2016 and submitted as part of the application and identifies that there are 2 trees on or within six metres of the subject site. Of the 2 trees, 1 tree meets the criteria for protection under the City of Toronto's Private Tree By-law, and 1 tree is a City owned street tree which is protected under the provisions of the City's Street Tree By-law. The applicant is proposing to remove the 1 tree protected under the provisions of the Private Tree By-law, and retain the City owned street tree. The applicant has determined that there is insufficient space on the site for any replacement trees, however, the proposal includes 4 new street trees along Pears Avenue. This is subject to review by Urban Forestry staff.

Applications to remove or injure trees may also need to be submitted to Urban Forestry prior to any approvals being issued.

Heritage Preservation

One of the properties that make up the subject site is listed on the City of Toronto Inventory of Heritage Properties. The property at 183 Avenue Road, known as the E.J. Woodley building, was listed by City Council on February 6, 1974.

Furthermore, the subject site is adjacent to a series of three properties listed on the City of Toronto Inventory of Heritage Properties at 177, 179 and 181 Avenue Road.

A Heritage Impact Assessment (HIA) prepared by ERA Architects Inc., dated November 28, 2016 addressing the conservation of the E.J. Woodley building, and the impact of the proposed development on all listed buildings on and adjacent to the site has been submitted and will be reviewed.

Parkland Dedication

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 Toronto Official Plan shows local parkland provisions across the City. The subject lands are in an area with 0.80 to 1.56 hectares of local parkland per 1,000 people, in the middle 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.

For sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement for the proposal is 112 square metres. Parks staff has advised that the applicant is required to satisfy the parkland dedication requirement through an on-site dedication.

Site Plan Control

The subject site is subject to Site Plan Control. An application has not yet been submitted.

Zoning

Under Zoning By-law 438-86, as amended, the property is zoned Commercial Residential (CR T2.0 C2.0 R2.0) which permits residential and commercial uses, including apartment buildings, retail, office, and other commercial uses. The maximum permitted density and height is 2.0 times the area of the lot and 14.0 metres, respectively.

On May 9, 2013, City Council enacted city-wide Zoning By-law 569-2013, which is currently under appeal at the Ontario Municipal Board. Therefore, both Zoning By-law 569-2013 and former City of Toronto General Zoning By-law 438-86 currently apply to the site.

Under Zoning By-law 569-2013, the properties at 183-185 Avenue Road and 109-111 Pears Avenue are zoned Commercial Residential (CR 2.0 (c2.0; r2.0) SS2 (x2042)). The uses, density and height permissions are the same as By-law 438-86. CR properties in the SS2 category are also subject to angular plane provisions from both streets and adjacent Residential Zones. The property at 189 Avenue Road is currently exempt from By-law 569-2013.

Reasons for the Application

The application has been submitted to amend both the former City of Toronto Zoning By-law 438-86 and City of Toronto Zoning By-law 569-2013. Both Zoning By-law 438-86 and Zoning By-law 569-2013 permit a maximum height of 14.0 metres. The proposed development exceeds the height permitted in the Zoning By-laws by approximately 31.56 metres, proposing a height of 45.56 metres (including mechanical penthouse), measured from the southwest corner of the site. Furthermore, Zoning By-law 438-86 and Zoning By-law 569-2013 permit a maximum density of 2.0 times the area of the lot. The proposed building has a density of 6.45 times the lot area. The proposed building does not comply with other Zoning By-law standards including building setbacks, angular planes, amenity space, number of vehicle accesses and parking. Other areas of non-compliance will be assessed as part of the review process.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale;
- Community Services and Facilities Study;
- Sun/Shadow Study;
- Pedestrian Level Wind Study;
- Heritage Impact Assessment;
- Phase 1 and 2 Environmental Assessment Reports;
- Tree Protection Letter;
- Urban Transportation Considerations Report;
- Functional Servicing Report;
- Stormwater Management Report;
- Geotechnical Investigation Report;
- Hydrogeological Investigation Report;
- Toronto Green Standard Checklist; and
- Public Consultation Strategy.

A Notification of Complete Application was issued on December 20, 2016

Issues to be Resolved

Several preliminary issues have been identified through the review of this application. Overall, the proposal raises concern about the lack of appropriate transition to the *Neighbourhood* to the east and a proposed height that is not compatible with the existing and planned context. The issues identified below are among the issues that will be considered through the review of this application:

- Consistency with the Provincial Policy Statement and conformity to the Growth Plan for the Greater Golden Horseshoe;
- Conformity with Official Plan, Site and Area Specific Policy 211, and emerging TOcore policies;
- Consistency with the performance standards identified in the Bloor-Yorkville/North Midtown Design Guidelines;
- Consistency with the performance standards identified in the Avenues and Mid-Rise Design Guidelines' performance standards, specifically with respect to angular streetwall heights and angular planes from the street and adjacent *Neighbourhood*;
- Consistency with the strategies identified in the Bloor-Yorkville/ North Midtown Planning Framework;

- The appropriateness and compatibility of the proposed building's height, density, and massing for the subject site and with the surrounding context;
- The adequacy and appropriateness of the proposed transition to the lower scale *Neighbourhood* to the east, especially in consideration of the topography of the site and area;
- The appropriateness of any shadow, privacy, and wind impacts associated with the proposed development;
- The adequacy of the proposed building's relationship to Avenue Road and Pears Avenue including setbacks from the street, sidewalk widths, landscaping, and other streetscape improvements;
- The suitability of strategies identified in the Heritage Impact Assessment to sufficiently address heritage concerns associated with the site and adjacent properties;
- The appropriateness of the proposed vehicular entrances, the potential traffic impacts on the laneway and Pears Avenue, and the lack of retail parking;
- The capacity of existing servicing to accommodate the proposed development;
- The appropriateness of the south façade located 0 metres from the lot line with multiple openings;
- The appropriateness of no common indoor or outdoor amenity space;
- The appropriateness of not having an on-site loading space;
- The appropriateness of the location of the retail and residential lobby entrances;
- The details of an on-site parkland dedication, including the location, configuration, design and construction of the park; and
- The details of a Section 37 Agreement, under the Planning Act, between the applicant and the City to be worked out, in consultation with the Ward Councillor, if the project is ultimately considered to be good planning and recommended for approval.

In advance of this preliminary report, staff has received a considerable amount of correspondence related to the application. Many of the issues identified by staff have also been raised by the community. Additional issues may be identified through the review of the application, agency comments and the community consultation process.

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SIGNATURE

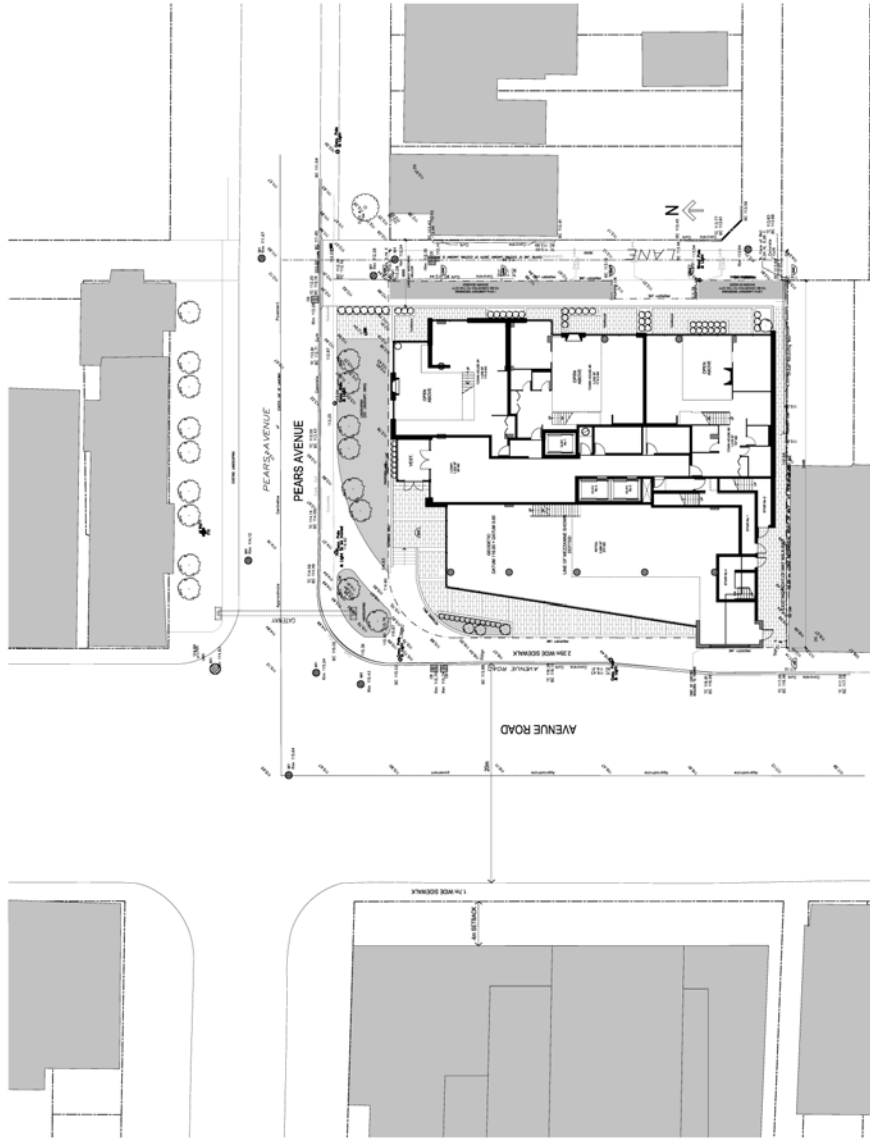
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Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachments 2A-B: Elevations
Attachment 3: Zoning
Attachment 4: Official Plan
Attachment 5: Application Data Sheet

Attachment 1: Site Plan

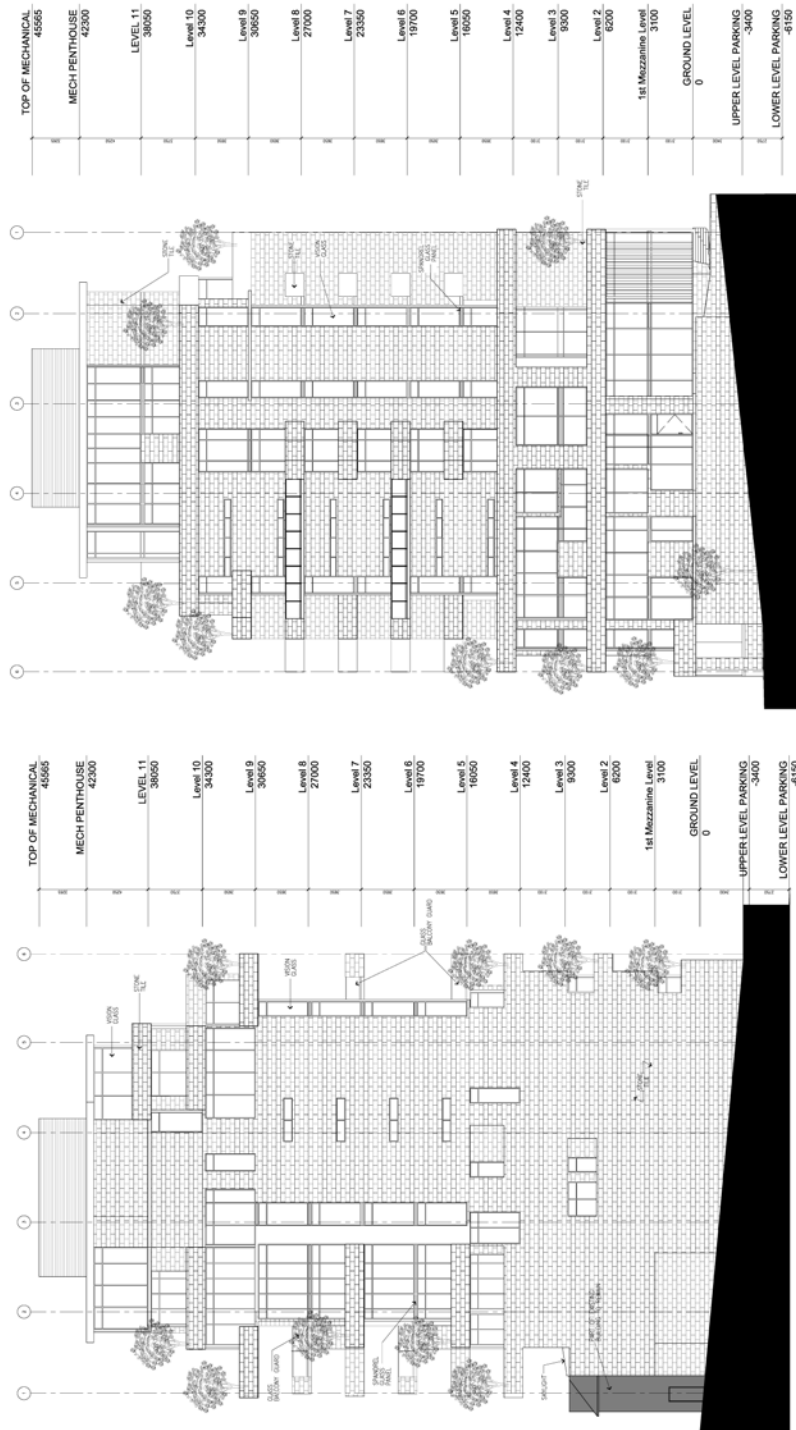


183-189 Avenue Road & 109-111 Pears Avenue

Site Plan
Applicant's Submitted Drawing
Not to Scale
02/13/2017

File # 16 259549 STE 27

Attachment 2A: North and South Elevations



North Elevation

South Elevation

183-189 Avenue Road & 109-111 Pears Avenue

Elevations

Applicant's Submitted Drawing

Not to Scale
02/13/2017

File # 16 259549 STE 27

Attachment 2B: East and West Elevations



West Elevation

East Elevation

183-189 Avenue Road & 109-111 Pears Avenue

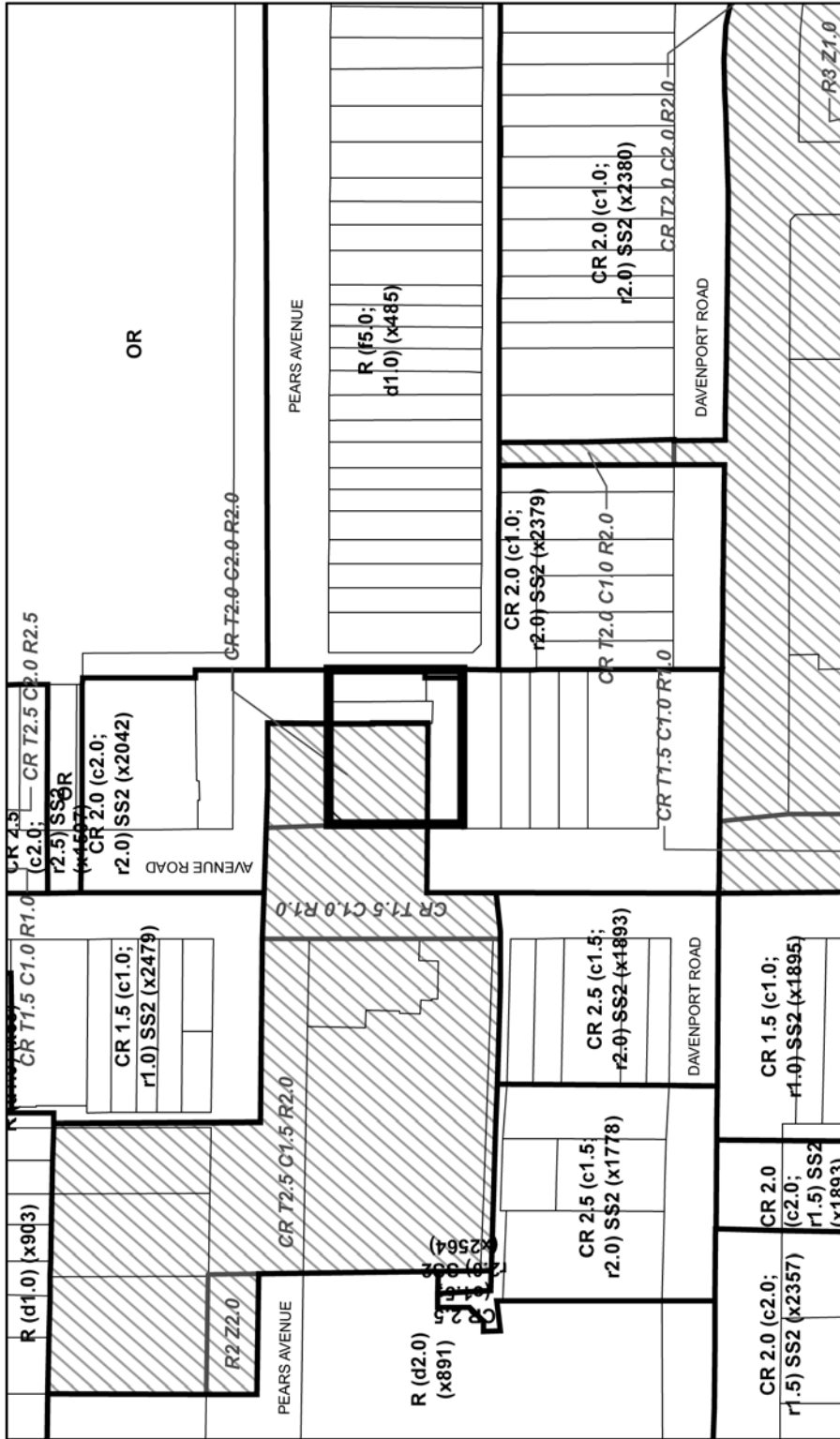
Elevations

Applicant's Submitted Drawing

Not to Scale
02/13/2017

File # 16 259549 STE 27

Attachment 3: Zoning



Zoning By-Law No. 569-2013

183-189 Avenue Road & 109-111 Pears Avenue

File # 16 259549 STE 27 0Z



Location of Application



Residential District



Mixed-Use District

See Former City of Toronto By-Law No. 438-86

R Residential

CR Commercial Residential

OR Open Space Recreation

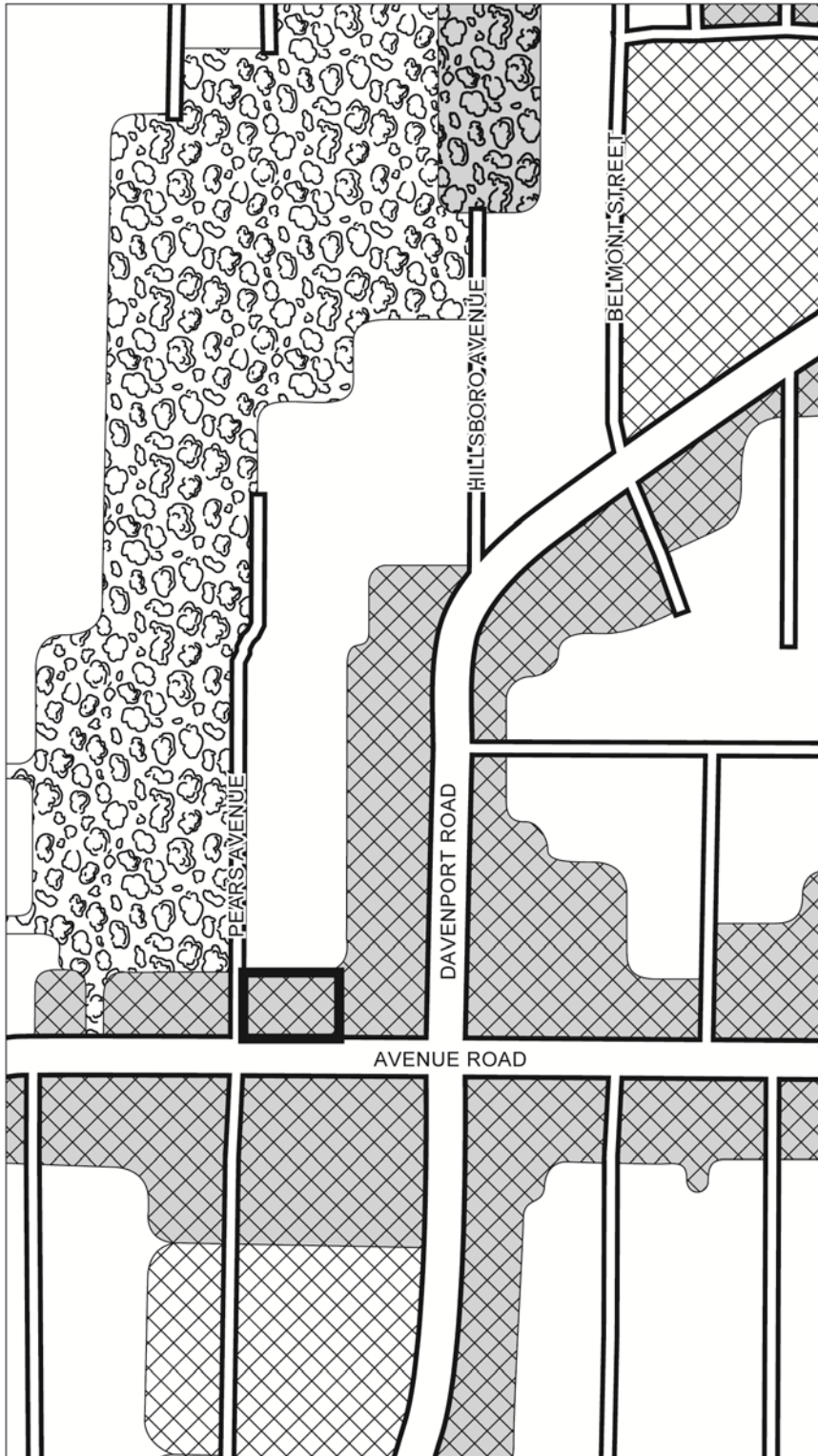
CR Residential District

CR Mixed-Use District



Not to Scale
Extracted: 02/27/2017

Attachment 4: Official Plan



183-189 Avenue Road & 109-111 Pears Avenue

TORONTO
Extract from Official Plan

File # 16 259549 STE 27

- Site Location
- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- Parks & Open Space Areas
- Parks
- Other Open Space Areas

↑
Not to Scale
02/13/2017

Attachment 5: Application Data Sheet

Application Type	Rezoning	Application Number:	16 259549 STE 27 OZ
Details	Rezoning, Standard	Application Date:	December 2, 2016

Municipal Address: 1831-189 AVENUE RD AND 109-111 PEARS AVE
 Location Description: PLAN E10 PT LOT 23 PLAN E168 PT LOT 5 **GRID S2703
 Project Description: An application to amend the zoning by-law to permit a 12-storey mixed-use building with 443 m² of at-grade retail and 23 dwelling units.

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC.	PETER SMITH	BBB ARCHITECTS	DAVENPORT PEARS DEVELOPMENT PROJECT GP INC

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	No
Zoning:	CR (c2.0; r2.0) SS2 (x2042)	Historical Status:	Listed
Height Limit (m):	14	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	1,171	Height:	Storeys:	12
Frontage (m):	36.4		Metres:	42.3
Depth (m):	32.5			
Total Ground Floor Area (sq. m):	979			Total
Total Residential GFA (sq. m):	7,118		Parking Spaces:	41
Total Non-Residential GFA (sq. m):	443		Loading Docks	0
Total GFA (sq. m):	7,561			
Lot Coverage Ratio (%):	83.6			
Floor Space Index:	6.45			

DWELLING UNITS

Tenure Type:	Condo
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	12
3 + Bedroom:	11
Total Units:	23

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Retail GFA (sq. m):	443	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

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