

## **148-158 Avenue Road and 220-234 Davenport Road – Zoning Amendment Application – Preliminary Report**

**Date:** September 23, 2021

**To:** Toronto and East York Community Council

**From:** Director, Community Planning, Toronto and East York District

**Ward:** 11 - University-Rosedale

**Planning Application Number:** 21 178720 STE 11 OZ

**Related Applications:** 21 178726 STE 11 SA

**Notice of Complete Application Issued:** August 6, 2021

**Anticipated City Council Meeting Date:** October 14, 2021

**Current Uses on Site:** The site consists of five mixed-use buildings between 1-3 storeys in height, fronting onto both Avenue Road and Davenport Road. Non-residential uses include office, convenience store, restaurant, commercial, and the site contains 5 residential dwelling units, as well as surface parking.

### **SUMMARY**

---

This report provides information and identifies a preliminary set of issues regarding the rezoning application respecting 148-158 Avenue Road and 220-234 Davenport Road. The proposal consists of a 35-storey, mixed-use building containing 355 dwelling units and 375 square metres of grade-related retail space, along with a 140.5 square metre Privately Owned Publicly-Accessible Space (POPS) fronting onto Davenport Road. A four-storey below-grade parking garage containing 204 vehicle parking spaces is proposed.

The application has been circulated to all appropriate agencies and City divisions for comment. City Planning staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

### **RECOMMENDATIONS**

---

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 148-158 Avenue Road and 220-234 Davenport Road together with the Ward Councillor.

2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

## **FINANCIAL IMPACT**

---

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

## **THE APPLICATION**

---

### **Complete Application Submission Date**

July 5, 2021

### **Description**

This application proposes to amend the Zoning By-law to permit a 35-storey (107.46 metres, plus a 7.3 metre mechanical penthouse) mixed-use building containing 355 residential dwelling units, 375 square metres of non-residential retail space at grade, a 140.5 square metre privately owned publicly-accessible space (POPS), the in situ retention of a portion of 224 Davenport Road, and 1,143.5 square metres of amenity space. The total proposed gross floor area is 25,670 square metres, which represents a density of 13.1 times the area of the lot. A four-storey, below-grade parking garage is proposed containing 204 vehicular parking spaces.

See Attachments 2, 3, and 7 of this report for a three-dimensional representation of the project in context, a site plan of the proposal and the Application Data Sheet, respectively.

Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at:  
<http://app.toronto.ca/AIC/index.do?folderRsn=rudwz1kLVrkdMbJ8BDHaoQ%3D%3D>

### **Reason for the Application**

The Zoning By-law Amendment Application proposes to amend City of Toronto Zoning By-law 569-2013 to vary performance standards, including: building height; building setbacks; gross floor area; floor space index; provision of dwelling units; amenity space; and vehicular, loading and bicycle parking space requirements. Additional amendments to the Zoning By-law may be identified as part of the application review.

## **Site Plan Control**

The application is subject to Site Plan Control. A Site Plan Control application has been submitted.

## **POLICY CONSIDERATIONS/PLANNING FRAMEWORK**

---

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

Land use planning in the Province of Ontario is a policy-led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

### **Growth Plan for the Greater Golden Horseshoe (2020)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan") came into effect on August 28, 2020. The Growth Plan continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent

of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

### **Major Transit Station Areas**

The Growth Plan as amended contains policies pertaining to population and employment densities that should be planned for in major transit station areas ("MTSAs") along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs are planned for the prescribed densities.

### **Toronto Official Plan Policies**

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation.

The Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. The Official Plan also provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision of community benefits in the form of capital facilities and local improvements. In the event the applicant provides in-kind benefits pursuant to Section 37 of the Planning Act, the City's Fair Wage Policy and Labour Trades Contractual Obligations will apply to such work.

The site is located on lands shown as the Downtown and Central Waterfront area on Map 2 and is designated Mixed Use Areas on Land Use Map 17 of the Official Plan. There are lands designated Apartment Neighbourhoods adjacent to the west of the site. See Attachment 4 of this report for the Official Plan Land Use Map.

Toronto Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

### **Downtown Plan**

Official Plan Amendment 406 (the Downtown Plan) is now in force and effect. OPA 406 includes amendments to Section 2.2.1 and Map 6 of the Official Plan, as well as a new Downtown Secondary Plan. It applies to all applications deemed complete after June 5, 2019. The Plan – in conjunction with the associated infrastructure strategies that

address water, energy, mobility, parks and public realm, and community services and facilities – provides a comprehensive and integrated policy framework to shape growth in Toronto's fast-growing Downtown over the next 25 years. It provides the City with a blueprint to align growth management with the provision of infrastructure, sustain liveability, achieve complete communities and ensure there is space for the economy to grow. The Plan area is generally bounded by Lake Ontario to the south, Bathurst Street to the west, the mid-town rail corridor and Rosedale Valley Road to the north and the Don River to the east.

The site is designated Mixed Use Areas 3 on Mixed Use Areas Map 41-3. See Attachment 5 of this report for the Mixed Use Areas Map.

The Downtown Plan may be found here:

<https://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-135953.pdf>

### **Official Plan Amendment 352 - Downtown Tall Building Setback Area**

On May 28, 2021, the Ontario Land Tribunal partially approved modifications to OPA 352 and area-specific Zoning By-laws 1106-2016 and 1107-2016. The purpose of OPA 352 and the related Zoning By-laws is to establish the policy context and performance standards for tall building setbacks and separation distances between tower portions of tall buildings in the Downtown area. These policies and Zoning By-laws are in full force and effect for the property at 145 St. George Street.

The Official Plan Amendment and associated Zoning By-law Amendments can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE18.7>

### **Official Plan Amendment 479 and 480 - Public Realm and Built Form Official Plan Policies**

On September 21, 2020, the Ministry of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. OPA 479 (Public Realm) and OPA 480 (Built Form) as part of the Five-Year Official Plan Review. The OPAs replace Sections 3.1.1., 3.1.2 and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types, which respond to Council's direction to amend the urban design policies of the Official Plan.

The Official Plan Amendment can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH11.4>

### **Heritage**

While none of the buildings on the site are currently designated under the provisions of the Ontario Heritage Act or included on the City's Heritage Register, the property is directly adjacent to the East Annex Heritage Conservation District which is situated on the south side of Davenport Road. In addition, adjacent properties at 177, 179 and 181

Avenue Road are included on the City's Heritage Register. On July 14, 2021 Council agreed to issue a Notice of Intention to Designate for the property at 183 Avenue Road.

The property includes five buildings, descriptions of which are provided below:

- 152 Avenue Road: A commercial building constructed in 1987.
- 156/158 Avenue Road: A detached painted brick building which was built as a house c.1893 and later modified to include a storefront when a commercial use was introduced into the ground floor level.
- 220 Davenport Road: The building designed with a chamfered edge as it transitions from Davenport Road into Avenue Road. It was constructed c.1893 and used as a drug store for over 80-years with residential uses above. In the 1930s, a single-storey addition was added along Davenport Road which has operated continuously since then as the Avenue Diner.
- 224 Davenport Road: The building was constructed in 1930 as the head office of the Canada Bread Company and is now used as an antique store.
- 234 Davenport Road: The building has a deep set back from Davenport Road. Although built in the late nineteenth century and used for many years for industrial uses it has been substantially altered and is now used as an office.

### **Zoning By-laws**

The site is split zoned with the western half of the site being CR 2.5 (c1.5; r2.0) SS2 (x1778) and the eastern side being CR 2.5 (c1.5; r2.0) SS2 (x1893) by City of Toronto Zoning By-law 569-2013. These mixed-use zones allow for a wide range of residential, retail, and office uses. The maximum permitted height is 14 metres. The total maximum permitted density is 2.5 times the lot area, with a maximum of 2 times the lot area for commercial uses and 1.5 times the lot area for residential uses.

See Attachment 6 of this report for the Zoning By-law Map.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

### **Urban Forestry/Environment**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The arborist report submitted by the applicant indicates that there are no trees located on and within 6 metres of the property. Urban Forestry staff are reviewing the arborist report and associated plans.

### **Design Guidelines**

The following design guidelines will be used in the evaluation of this application:

- Bloor-Yorkville/North Midtown Urban Design Guidelines;

- Tall Buildings Design Guidelines;
- Downtown Tall Buildings Vision and Supplementary Design Guidelines;
- Retail Design Manual;
- Growing Up Guidelines Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings;
- Best Practices for Bird-Friendly Glass;
- Best Practices for Effective Lighting; and
- Toronto Accessibility Design Guidelines.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

### **Toronto Green Standard (Climate Mitigation and Resilience)**

Climate change mitigation and resilience are key concerns of the City. On October 2, 2019, City Council declared a Climate Emergency and set a new goal to achieve net zero greenhouse gas emissions by 2050 or sooner. In 2021, an updated TransformTO Net Zero Strategy will be presented to Council, outlining the necessary climate action to reach net zero GHG emissions community-wide. In June 2019, the Resilience Strategy was published, which set out that new development should be resilient to a changing climate.

The Toronto Green Standard (the "TGS") sets out the key sustainable performance measures new developments are required to meet to address climate mitigation and resilience. The TGS is a critical component of the City's efforts to achieve zero emissions buildings by 2030, to meet 2050 citywide greenhouse gas reduction targets, and to build a more resilient city. The TGS also supports other City-wide strategies related to environmental sustainability, including TransformTO, the Resilience Strategy, Ravine Strategy and Biodiversity Strategy.

Applications for zoning by-law amendments, draft plans of subdivision and site plan control are required to meet and demonstrate compliance with Tier 1 of the TGS. Tier 1 performance measures are secured on site plan drawings and through a site plan agreement or registered plan of subdivision. Tiers 2+ are voluntary higher levels of performance with financial incentives (post-construction development charge refunds) intended to facilitate the foregoing objectives. Applicants are strongly encouraged to pursue higher tiers of the TGS wherever possible.

Applications must use the documentation required for the version of the TGS in effect at the time of the initial site plan application. TGS Version 3.0 applies to new applications submitted on or after May 1, 2018. TGS Version 4.0 will apply to all new applications submitted on or after May 1, 2022.

Visit <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>.

## COMMENTS

---

### ISSUES TO BE RESOLVED

City Planning staff have identified a number of preliminary issues with the proposed development and will work with the applicant to address these concerns and achieve a proposal which is compatible with its surrounding context.

#### Provincial Policies

Staff will evaluate this application to determine its consistency with the PPS (2020) and conformity with the Growth Plan, including whether: the proposal makes efficient use of land and resources, infrastructure and public facilities; the proposal is directed at an appropriate location; appropriate development standards are promoted to facilitate compact form; and the proposal represents an appropriate type and scale of development and transition of built form to adjacent areas. Given the recognition in Provincial Policy of the importance of official plans and long term planning, consistency with the PPS and conformity with the Growth Plan will be informed by conformity with the City's Official Plan.

#### Official Plan

Staff will evaluate the applications to determine their conformity with the Official Plan.

#### Built Form, Planned and Built Context

Staff will assess the suitability and appropriateness of the proposed height, massing and other built form issues based on applicable Provincial policies; the City's Official Plan policies; the Downtown Plan; and the City's Design Guidelines.

The following preliminary issues have been identified:

- The proposed height and massing, including tower separation, setbacks proposed cantilevering of higher floors and step-backs in relation to the planned and existing built form context of the area;
- Compliance with the tall building performance standards and guidelines, such as tower setbacks, separation distances, maximum tower floor plate dimensions, transition in scale;
- The relationship of the design of the proposed tower with the existing tower to the north;
- Compatibility of the proposal on surrounding Neighbourhoods, including transition, scale, light and privacy impacts; and
- Adequate provision of indoor and outdoor amenity.

#### Public Realm and Open Space

- Appropriate design of the public realm, open spaces, and privately owned publicly-accessible space;



- Impacts of the proposal on Ramsden Park and Joseph Tough Park;
- Adequate provision of large-growing shade trees and other landscaping elements in suitable locations;
- Shadow impacts on the public realm; and
- Pedestrian level wind conditions along adjacent street frontages, the public laneway and surrounding properties.

### **Laneway Improvements**

- Appropriate widening of and improvements to the adjacent public lane to the north;
- Consideration for safe, accessible and comfortable pedestrian and cyclist movement through the adjacent public lane; and
- Appropriate vehicular access and circulation through the site.

### **Heritage Impact and Conservation**

A Heritage Impact Assessment was submitted with the application and is under review.

### **Toronto Green Standard**

City Planning staff will review the TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures. Staff will encourage the applicant to pursue Tier 2, 3, or 4.

### **Additional Issues**

The application has been circulated to City divisions and public agencies for comment. Additional issues may be identified through the review of the application, agency comments and the community consultation process.

### **NEXT STEPS**

City Planning staff will host a Community Consultation Meeting.

City staff will work with the applicant to resolve the preliminary issues discussed in this report and any additional issues that may be identified by staff and the public. City Planning staff will report back at the appropriate time in the review of the application. If a Final Report is prepared, the report will proceed to the Toronto and East York

Community Council meeting which will serve as the Statutory Public Meeting as required by the Planning Act, before being considered by City Council for a decision.

## **CONTACT**

---

Corinna Prior, Planner  
Tel. No. 416-392-5651  
E-mail: [Corinna.Prior@toronto.ca](mailto:Corinna.Prior@toronto.ca)

## **SIGNATURE**

---

Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA  
Director Community Planning  
Toronto and East York District

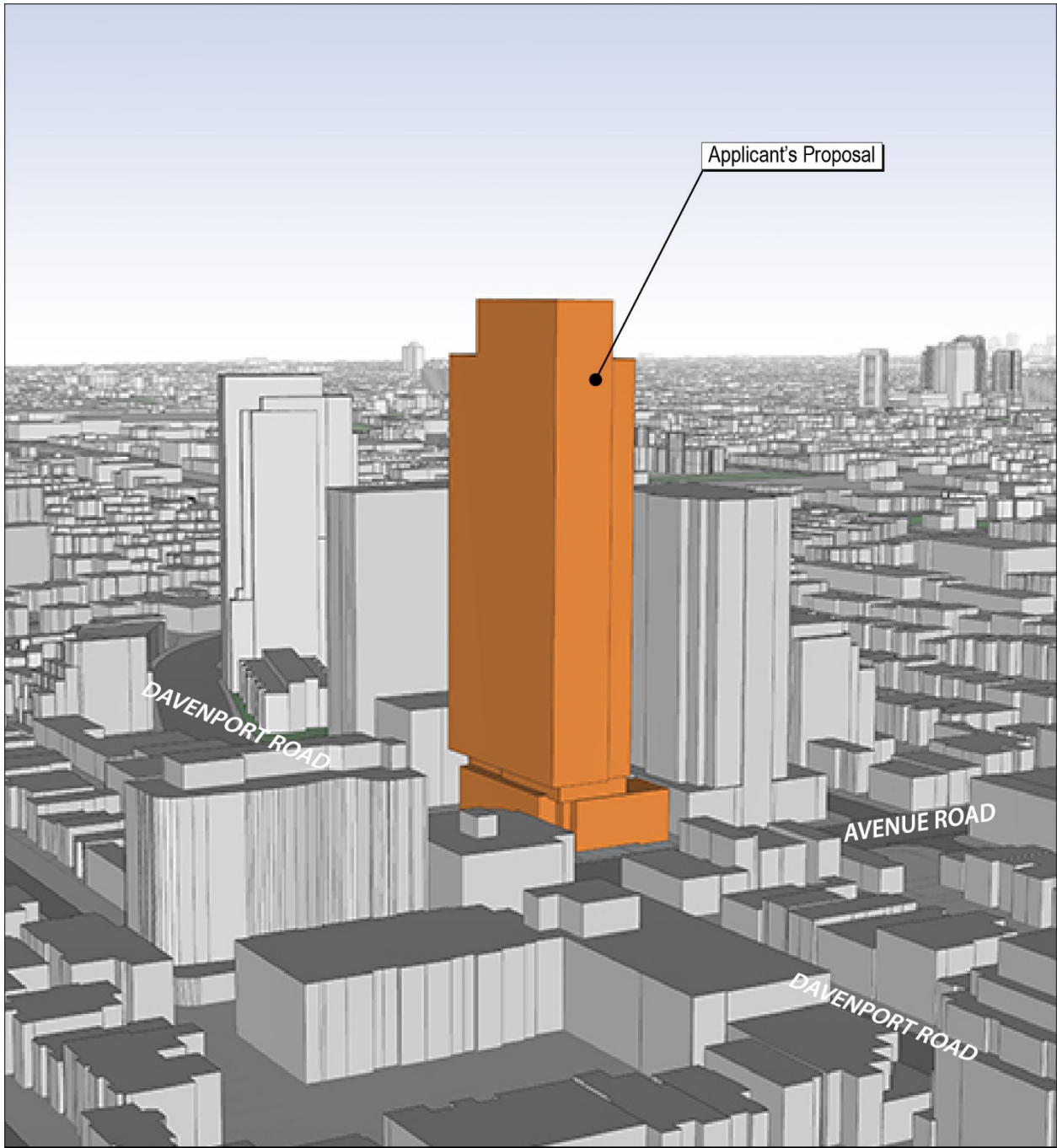
## **ATTACHMENTS**

Attachment 1: Location Map  
Attachment 2: 3D Model of Proposal in Context  
Attachment 3: Site Plan  
Attachment 4: Official Plan Map  
Attachment 5: Downtown Plan, Mixed Use Areas Map  
Attachment 6: Zoning By-law Map  
Attachment 7: Application Data Sheet

Attachment 1: Location Map



Attachment 2: 3D Model of Proposal in Context

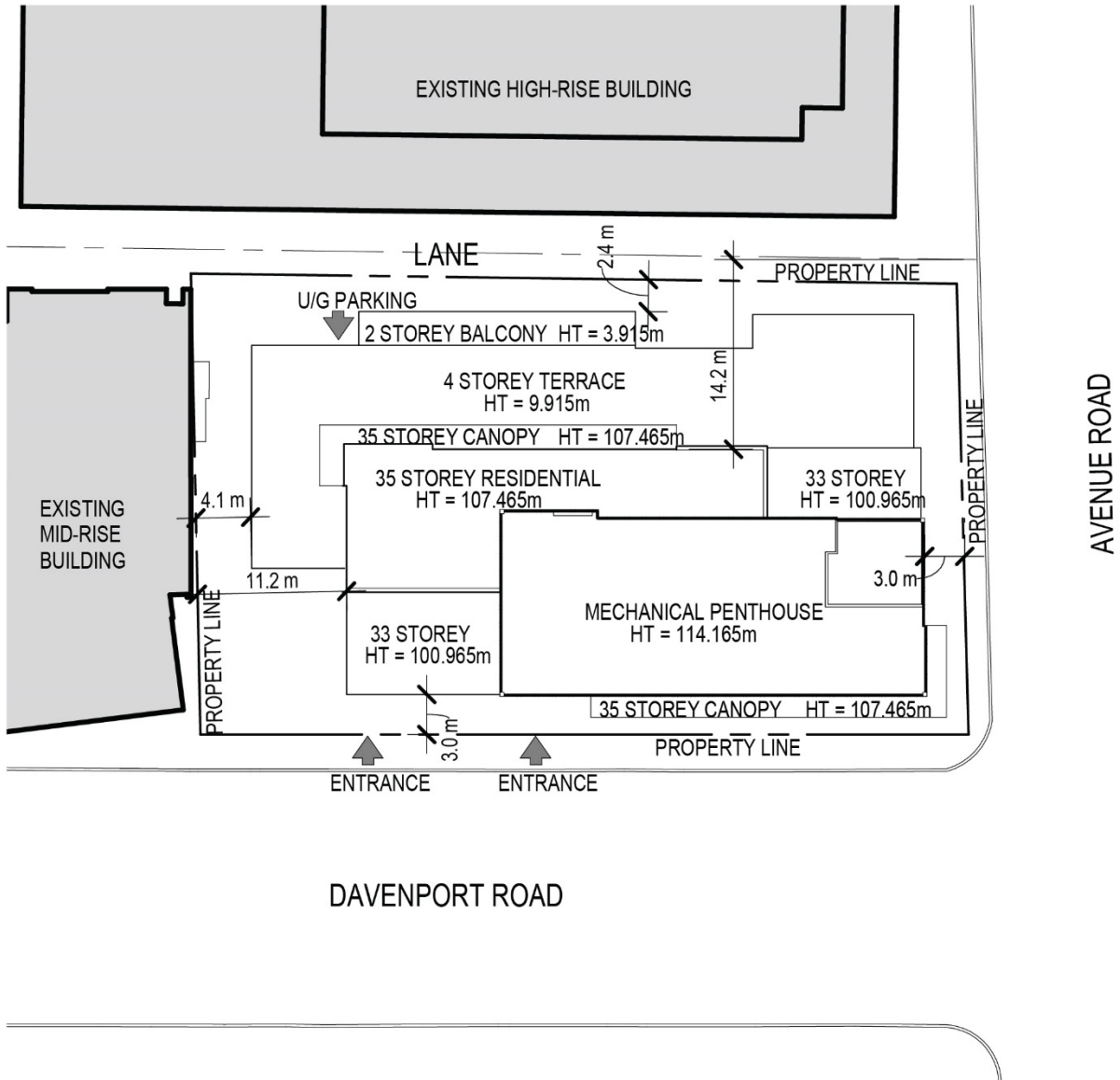


**View of Applicant's Proposal Looking Northwest**



09/07/2021

Attachment 3: Site Plan



Site Plan



Attachment 4: Official Plan Map




148-158 Avenue Road & 220-234 Davenport Road

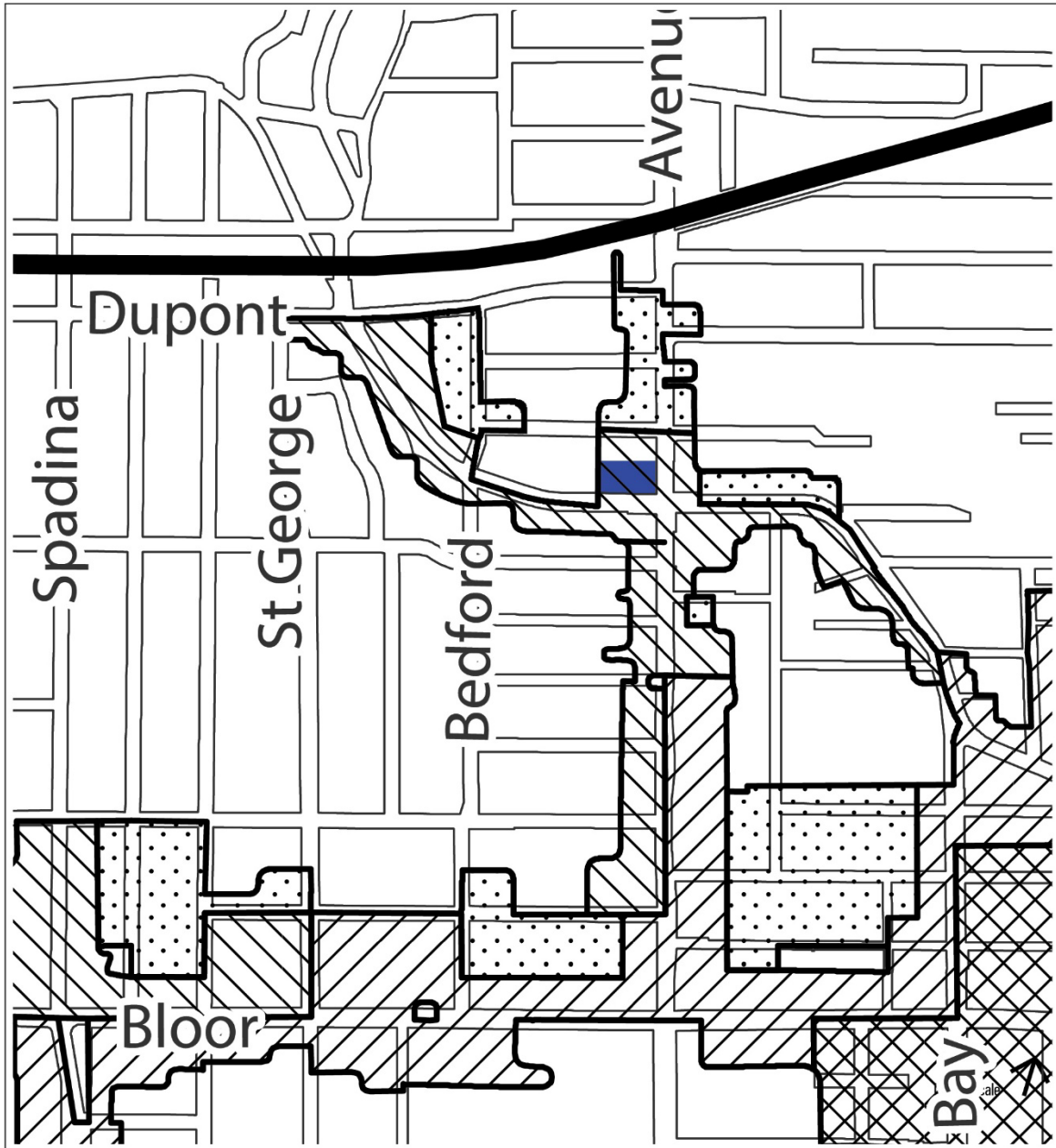
Official Plan Land Use Map #11

File # 21 178720 STE 11 OZ

-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Parks

  
 Not to Scale  
 Extracted: 09/07/2021

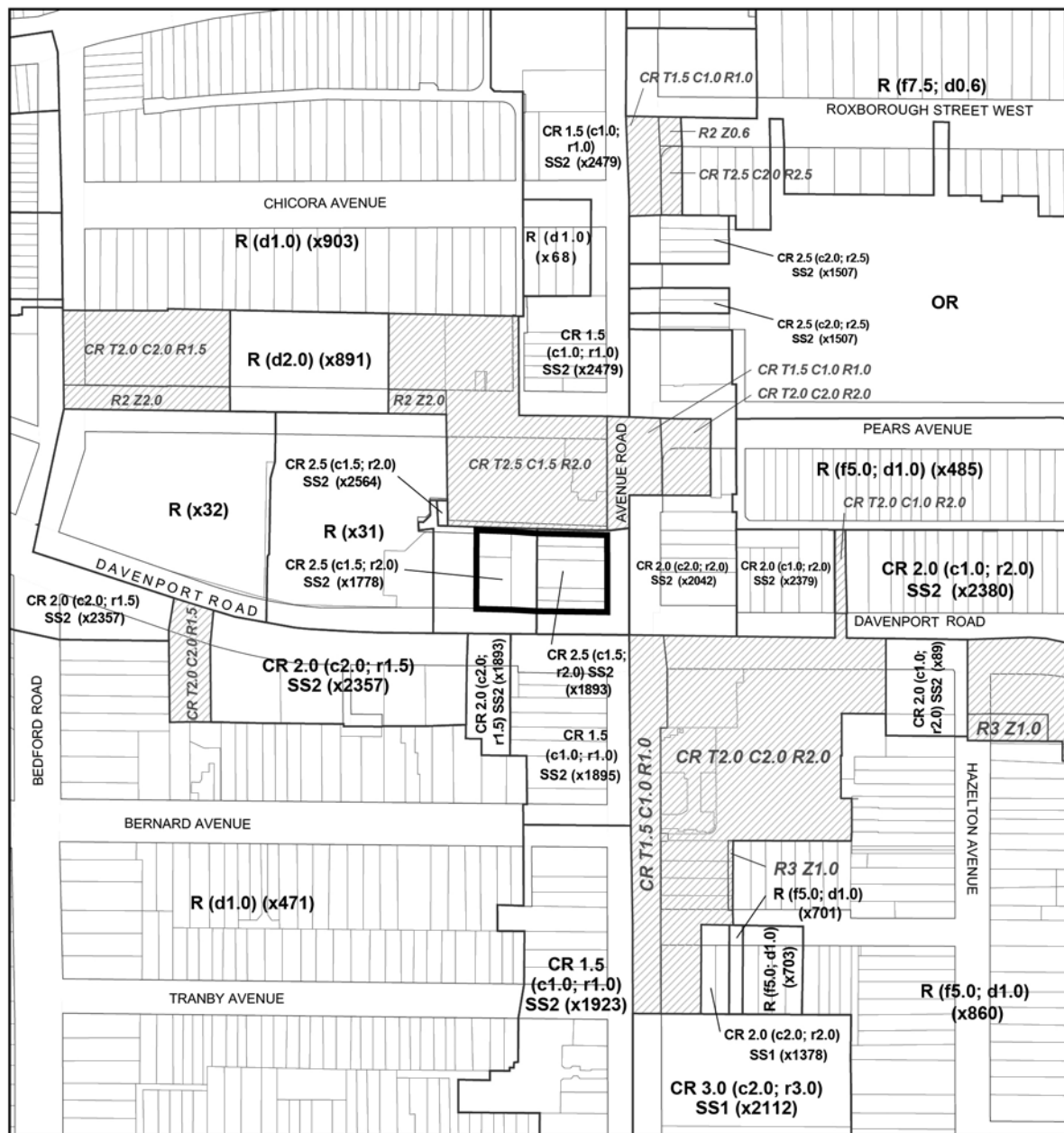
Attachment 5: Downtown Plan, Mixed Use Area Map 41-3



**Downtown Plan**  
**MAP 41-3 Mixed Use Areas**

-  Site - 148-158 Avenue Road & 220-234 Davenport Road
-  Mixed Use Areas 1 - Growth
-  Mixed Use Areas 2 - Intermediate
-  Mixed Use Areas 3 - Main Street
-  Mixed Use Areas 4 - Local

# Attachment 6: Zoning By-law Map



148-158 Avenue Road & 220-234 Davenport Road

Zoning By-law 569-2013

File # 21 178720 STE 11 0Z

-  Location of Application
- R Residential
- CR Commercial Residential
- OR Open Space Recreation
- UT Utility and Transportation

-  See Former City of Toronto By-law No. 438-86
- R3 Residential District
- CR Mixed-Use District



Not to Scale  
Extracted: 09/07/2021



Attachment 7: Application Data Sheet

**Municipal Address:** 148-158 Avenue Road and 220-234 Davenport Road

**Date Received:** July 5, 2021

**Application Number:** 21 178720 STE 11 OZ

**Application Type:** Rezoning

**Project Description:** 35-storey, mixed-use building containing 355 dwelling units and 375 square metres of grade-related retail space.

**Applicant**

Gouled Osman  
(Tribute)

**Architect**

Chris Dikeakos  
Architects Inc.

**Owner**

Tribute (Av & Dav)  
Limited

**EXISTING PLANNING CONTROLS**

**Official Plan Designation:** *Mixed Use Areas*

**Zoning:** CR 2.5 (c1.5; r2.0) SS2 (x1778);  
CR 2.5 (c1.5; r2.0) SS2 (x1893)

**Height Limit (m):** 14

**Site Plan Control Area:** Y

**PROJECT INFORMATION**

**Site Area (sq m):** 1960.80      **Frontage (m):** 33.79      **Depth (m):** 57.5

<b>Building Data</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
<b>Ground Floor Area (sq m):</b>	1,227.6		1,132.7	1132.7
<b>Residential GFA (sq m):</b>	597.9		25,295.1	25,295.1
<b>Non-Residential GFA (sq m):</b>	3,247.3		374.9	374.9
<b>Total GFA (sq m):</b>	3,845.2		25,670	25,670
<b>Height - Storeys:</b>	3		35	35
<b>Height - Metres:</b>	10		107.46	107.46

**Lot Coverage Ratio (%):** 60%

**Floor Space Index:** 13.1

<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
<b>Residential GFA:</b>	25,295.1	56.4
<b>Retail GFA:</b>	374.9	19.3
<b>Office GFA:</b>		
<b>Industrial GFA:</b>		
<b>Institutional/Other GFA:</b>		

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
<b>Rental:</b>	2			
<b>Freehold:</b>	3			
<b>Condominium:</b>			355	355
<b>Other</b>				
<b>Total Units:</b>			355	355

**Total Residential Units by Size**

	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
<b>Retained:</b>					
<b>Proposed:</b>			166	154	35
<b>Total Units:</b>			166	154	35

**Parking and Loading**

**Parking Spaces:** 204    **Bicycle Parking Spaces:** 356    **Loading Docks:** 1

**CONTACT:**

Corinna Prior, Planner  
416-392-5651  
Corinna.Prior@toronto.ca