

110-116 Avenue Road – Zoning By-law Amendment Application – Preliminary Report

Date: November 1, 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 207592 STE 11 OZ

Heritage Buildings on Site: The entire site is designated under Part V of the Ontario Heritage Act is part of the East Annex Heritage Conservation District (By-law 1994-0520).

Current Uses on Site: A pair of 2.5-storey semi-detached buildings are located at 110 and 112 Avenue Road with non-residential uses at grade. The property at 114 Avenue Road has been partially demolished with only portions of the foundation remaining. The property at 116 Avenue Road was fully demolished in 2015 and is now vacant.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the Zoning By-law Amendment application at 110-116 Avenue Road. The application seeks to permit a 9-storey mixed-use building containing 44 dwelling units, including two south facing townhouses fronting onto Tranby Avenue, and 215.3 square metres of non-residential gross floor area. A portion of the heritage structures at 110-112 Avenue Road are proposed to be conserved. A total of 64 vehicular parking spaces are proposed within a 2-level underground parking stacker system, accessed by Tranby Avenue, and a total of 45 internal bicycle parking spaces are 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, in consultation with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Planning staff schedule a Community Consultation Meeting for the development application pertaining to 110-116 Avenue Road, together with the Ward Councillor.
2. Notice for the Community Consultation Meeting be given to landowners and residents within 120 metres of the 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: October 29, 2021

Description

This application proposes to amend the Zoning By-law to permit a 9-storey (29.4 metres, plus a 5 metre mechanical penthouse) mixed-use building, containing 44 dwelling units and a total of 215.3 square metres of grade-related non-residential gross floor area with frontage on Avenue Road. The proposal includes the partial conservation of the heritage structures at 110-112 Avenue Road. The total proposed gross floor area is 5,124.6 square metres, which represents a density of 3.67 times the area of the lot. The proposed residential unit mix includes 13 one-bedroom (30%), 11 two-bedroom (25%), 18 three-bedroom (41%), and 2 townhouse units (5%).

Vehicular access is proposed to be taken from Tranby Avenue between the two south-facing townhouse units. A two-storey below-grade parking garage containing 64 vehicular parking spaces and a total of 45 bicycle parking spaces are also proposed.

See Attachments 2, 3 and 6 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=bu3tqLak9d2Vp7Bz2mPfrg%3D%3D>

Reason for the Application

The Zoning By-law Amendment proposes to amend City-wide Zoning By-law 569-2013 to vary performance standards, including: maximum building height; maximum building setbacks; maximum gross floor area; permitted encroachments and projections; angular plane penetration; minimum indoor and outdoor amenity space; maximum number of dwelling units; soft landscaping requirements; and vehicular parking space and loading space requirements. Additional amendments to the Zoning By-law may be identified as part of the application review.

Site Plan Control

The development is subject to Site Plan Control. A Site Plan Control application has not been submitted to date.

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) ("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) ("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 Greater Golden Horseshoe 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, 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 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*. The PPS recognizes the Official Plan as the most important document for its implementation.

The Official Plan contains policies related to building complete communities, including heritage preservation and environmental stewardship. The Official Plan also provides for the use of Section 37 of the Planning Act to pass by-law 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 of the Official Plan and is designated *Mixed Use Areas* on Land Use Map 17. Official Plan Policy 4.5.1 describes *Mixed Use Areas* as being made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities.

Directly west of the subject site is designated *Neighbourhoods*. According to Official Plan Policy 4.5.2 development in *Mixed Use Areas* will locate and mass new buildings to provide a transition between areas of different development intensity and scale, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*.

Avenue Road is defined as a Major Street with a planned right-of-way width of 23 metres and over.

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

The Downtown 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 Area 3 on Mixed Use Areas Map 41-3.

The Downtown Plan may be found here:

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

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

The site is designated under Part V of the *Heritage Act* and located within the East Annex Heritage Conservation District. At the time the District study was undertaken, the structures included on the proposed development site were identified as structures which retain much of their original character and are a vital reminder of a community's past. Descriptions of the buildings on the site are provided below:

- 110-112 Avenue Road: A pair of two-and-a-half-storey semi-detached house-form buildings constructed in the early 1890s, with a later storefront addition.
- 114 Avenue Road: A partially demolished two-and-a-half-storey house-form building constructed in the early 1890s, with only the foundation including the exterior entry stair remaining in situ. The partial demolition occurred in the latter half of 2021. Staff are continuing to evaluate the possibility of incorporating salvaged materials into the redevelopment of the site.
- 116 Avenue Road: A vacant lot which originally contained a two-and-a-half-storey house-form building that was demolished as a result of structural damage due to a fire in 2015.

Zoning By-laws

The site is zoned CR 1.5 (c1.0; r1.0) SS2 (x1923) by City of Toronto Zoning By-law 569-2013, which permits a maximum density of 1.5 times the area of the lot and a maximum height of 12.0 metres.

See Attachment 5 of this report for the existing 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/>

Tree Preservation

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).

Design Guidelines

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

- Bloor-Yorkville/North Midtown Urban Design Guidelines;
- Mid-Rise Building Performance Standards;
- 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 can 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 ("GHG") 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 ("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 City-wide 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 agreements or registered plans 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 Control 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.

Information about the TGS can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>

Rental Housing Demolition and Conversion By-law

Based on the materials submitted with the application, a Rental Housing Demolition Application is not required at this time. Staff are currently working with the Applicant to undertake a site visit to confirm the number and type of units that exist on-site.

Should Staff determine that the lands subject to the application contain six or more residential units, of which at least one is rental, an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the existing rental housing units would be required.

COMMENTS

The west side of Avenue Road north of Elgin Avenue and south of Davenport Road is defined by its low-rise heritage character, shallow lot pattern, and close relationship to adjacent Neighbourhoods. Redevelopment along this portion of the corridor must respond to this context through the conservation of the remaining heritage structures on the property and the appropriate transition to Neighbourhoods. This proposal would be the first development of a mid-rise built form on the west side of the corridor north of Elgin Avenue.

ISSUES TO BE RESOLVED

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

Provincial Policy Statement and Provincial Plans

Staff will evaluate this application to determine its consistency with the PPS (2020) and conformity with the Growth Plan.

Official Plan

City Planning staff will evaluate the application's conformity with the Official Plan.

Rental Housing Issues

City Planning staff are reviewing whether a Rental Housing Demolition application is required for this site.

Heritage Impact and Conservation

Heritage Planning staff will review the Heritage Impact Assessment that was submitted with the application and assess the impacts of the proposed development on the heritage structures on the site and adjacent properties as well as compatibility with the East Annex Heritage Conservation District.

Built Form, Planned and Built Context

City Planning 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 setbacks, step-backs in relation to the planned and existing built form context of the area;
- Consistency with the Mid-Rise Building Performance Standards, including angular planes, building setbacks from the property lines and step backs of upper floors;
- Compatibility of the proposal with surrounding Neighbourhoods, including transition, scale, density, light and privacy impacts;
- Suitability of the proposal of 3.5-metre cantilever over half of the Avenue Road frontage and proposed balcony encroachments;
- Shadow and wind impacts on adjacent properties and the public realm; and
- Appropriate provision of amenities, including the need for a pet relief area and on-site pet facilities.

Public Realm

- Adequate improvements to the public realm, including but not limited to the provision of unencumbered sidewalks, adequate provision of street furniture and bicycle parking;
- The provision of adequate soft landscaping and large shade tree planting;
- Shadow impacts on the public realm; and
- Pedestrian level wind conditions along adjacent street frontages and in outdoor amenity areas. A Pedestrian Level Wind Study was submitted and is currently under review by City Planning staff.

Site Access, Circulation, and Parking

- Appropriateness of site access from Tranby Avenue;
- Location and alignment of the private driveway in relation to the public laneway connecting to Bernard Avenue;
- Vehicular and pedestrian circulation through the site; and
- Appropriate provision of vehicular parking spaces.

Trees

The arborist report submitted by the applicant indicates that there are 4 trees located on and within 6 metres of the property. The removal of 2 trees is proposed to accommodate the proposed development, both of which are located on the property itself. Urban Forestry staff will be reviewing the appropriateness of the proposed tree removal, preservation, and replanting plans.

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

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E-mail: Corinna.Prior@toronto.ca

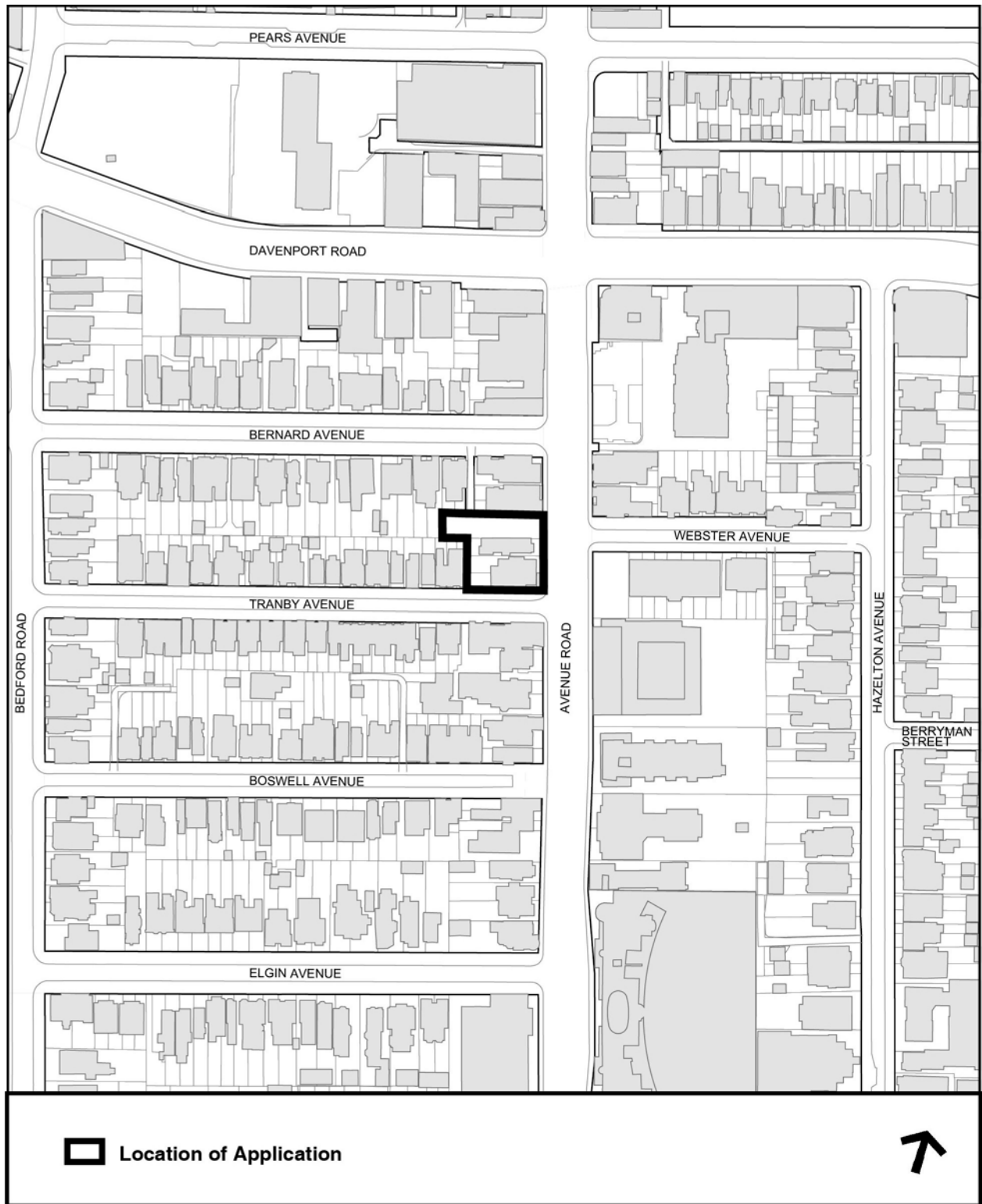
SIGNATURE

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

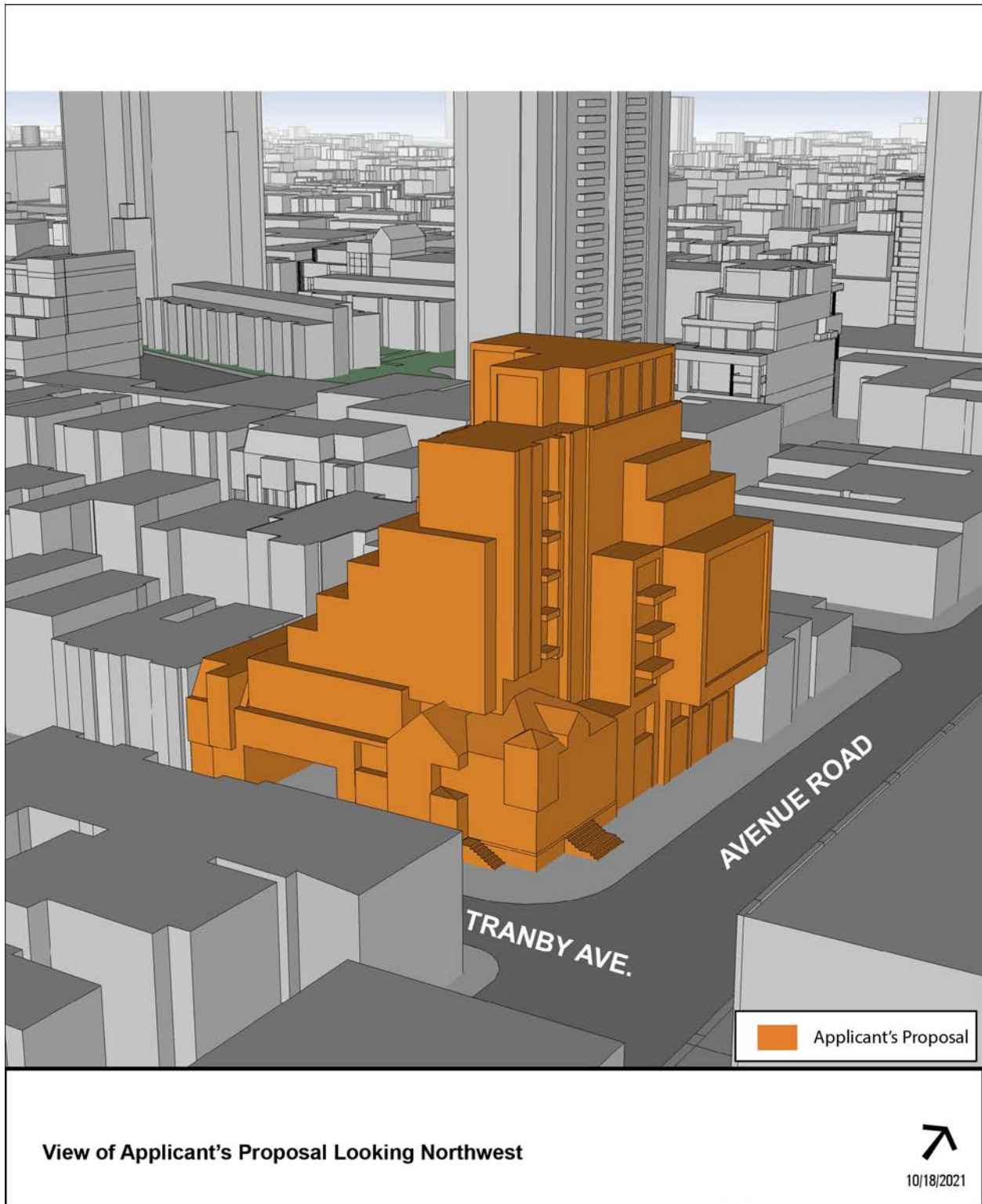
ATTACHMENTS

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

Attachment 1: Location Map



Attachment 2: 3D Model of Proposal in Context



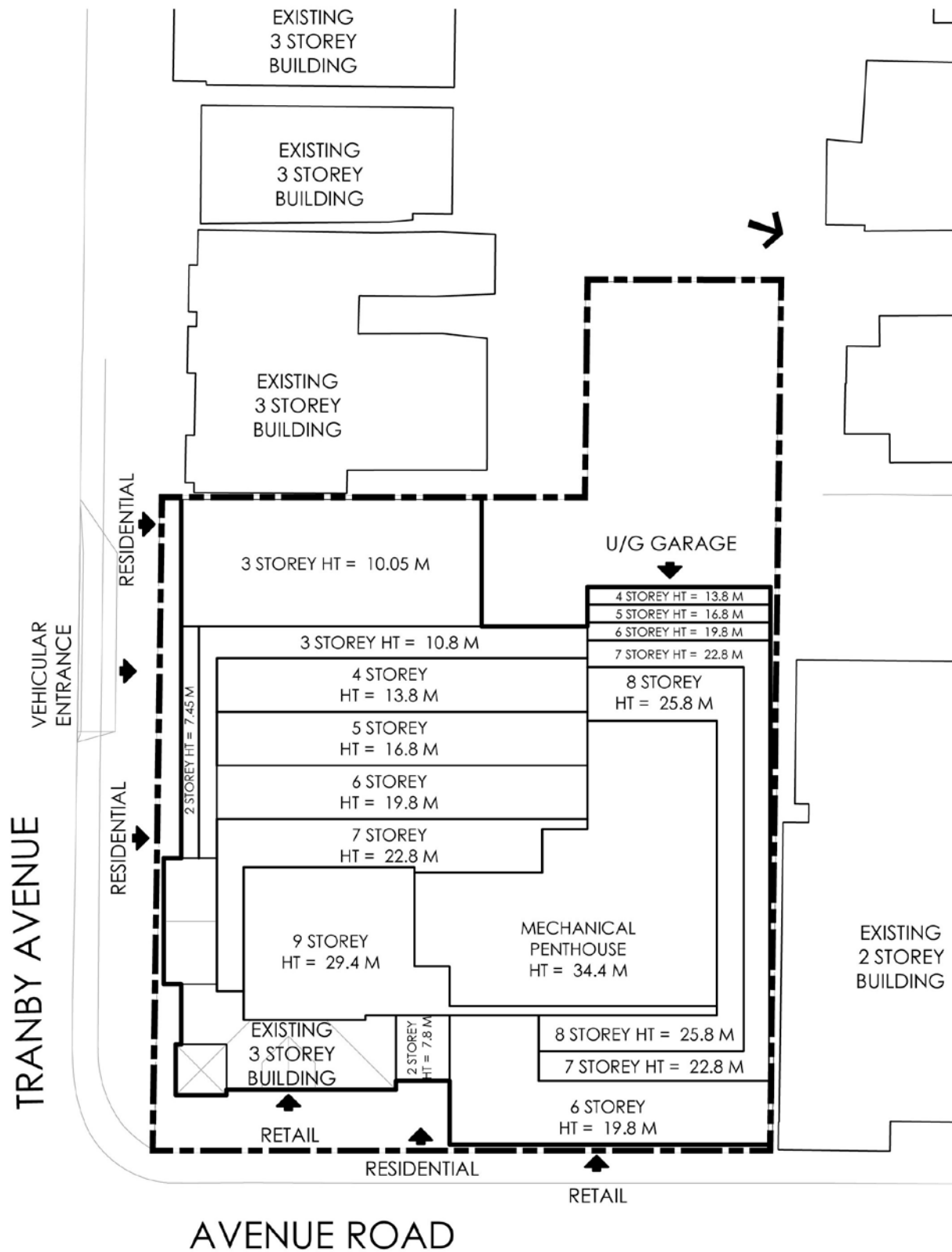


View of Applicant's Proposal Looking Southeast

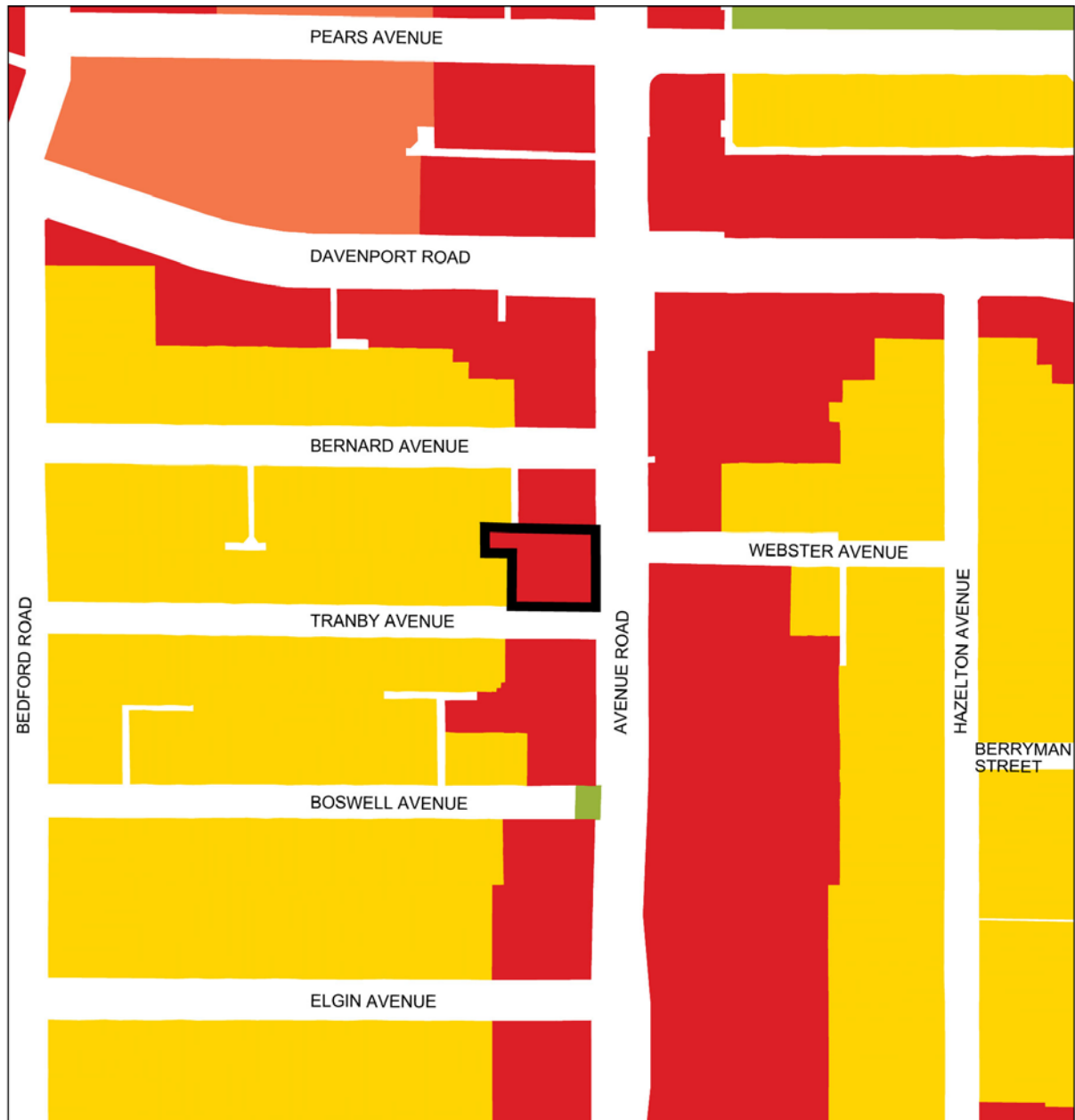


10/18/2021

Attachment 3: Site Plan



Attachment 4: Official Plan Map



Official Plan Land Use Map #17

110-116 Avenue Road

File # 21 207592 STE 11 02



Not to Scale
Extracted: 09/08/2021

The map displays a grid of streets and lots. Key streets include Davenport Road, Bernard Avenue, Webster Avenue, Bedford Road, Avenue Road, Boswell Avenue, Elgin Avenue, and Hazelton Avenue. Zoning codes and lot numbers are labeled throughout the map. For example, along Davenport Road, there are lots zoned R (x32), R (x31), CR T2.5 C1.5 R2.0 (x2564), CR 2.5 (c1.5; r2.0) SS2 (x1778), CR 2.5 (c1.5; r2.0) SS2 (x1893), CR 2.0 (c2.0; r2.0) SS2 (x2042), CR 2.0 (c1.0; r2.0) SS2 (x2379), and CR 2.0 (c1.0; r2.0) SS2 (x2380). Along Bernard Avenue, there are lots zoned CR 2.0 (c2.0; r1.5) SS2 (x2357), R (d1.0) (x471), and CR 1.5 (c1.0; r1.0) SS2 (x1895). Along Webster Avenue, there are lots zoned CR 2.0 (c1.0; r2.0) SS2 (x89), R (f5.0; d1.0) (x860), R (f5.0; d1.0) (x701), CR 2.0 (c2.0; r2.0) SS1 (x1378), CR 3.0 (c2.0; r3.0) SS1 (x2112), CR 3.0 (c2.0; r3.0) SS1 (x1638), and R (f5.0; d1.0) (x860). Along Bedford Road, there are lots zoned CR 2.0 (c2.0; r1.5) SS2 (x2367), CR 2.0 (c2.0; r1.5) SS2 (x1893), and CR 2.0 (c2.0; r1.5) SS2 (x1923). Along Avenue Road, there are lots zoned CR 1.5 (c1.0; r1.0) SS2 (x1923), CR 1.5 (d1.0; r1.0) SS2 (x1923), CR 3.0 (c3.0; r1.0) SS2 (x2469), and CR 3.0 (c3.0; r1.0) SS2 (x2469). Along Boswell Avenue, there are lots zoned R (d1.0) (x471) and R (d1.0) (x471). Along Elgin Avenue, there are lots zoned R (d1.0) (x471) and R (d1.0) (x471). Along Hazelton Avenue, there are lots zoned R (f5.0; d1.0) (x485), R (f5.0; d1.0) (x860), and R (f5.0; d1.0) (x860).



File # 21 207592 STE 11 0Z



Attachment 6: Application Data Sheet

Municipal Address: 110-116 AVENUE RD **Date Received:** September 2, 2021

Application Number: 21 207592 STE 11 OZ

Application Type: Zoning By-law Amendment

Project Description: A 9-storey mixed-use building containing 44 residential dwelling units and 215.3 square metres of non-residential gross floor area.

Applicant

Walker Nott
Dragicevic Associates
Ltd.

Architect

Richard Wengle
Architect Inc.

Owner

2809222 Ontario
Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation:	<i>Mixed Use Areas</i>	Site Specific Provision:	N/A
Zoning:	CR 1.5 (c1.0; r1.0) SS2 (x1923)	Heritage Designation:	Y
Height Limit (m):	12	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 1,398 Frontage (m): 35 Depth (m): 49

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			764	764
Residential GFA (sq m):			4,909	4,909
Non-Residential GFA (sq m):			215	215
Total GFA (sq m):			5,125	5,125
Height - Storeys:	3		9	9
Height - Metres:			29	29

Lot Coverage Ratio (%): 54.67 Floor Space Index: 3.67

Floor Area Breakdown	Above Grade (sq. m)	Below Grade (sq. m)
Residential GFA:	4,909	

Retail GFA: 215
 Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	3			
Freehold:				
Condominium:			44	44
Other:				
Total Units:	3		44	44

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			13	11	18
Total Units:			13	11	20

Parking and Loading

Parking Spaces: 64 Bicycle Parking Spaces: 45 Loading Docks: 1

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