



## SAHRA 1912-1914 Avenue Road Summary Feb, 2016

The original proposal at this site at the north-west corner of Avenue Road and Brooke Avenue was submitted in Oct, 2014. The application was for a 5-storey mixed-use commercial building, retail on the first floor and office space elsewhere. The Owner applied to the Committee of Adjustment (CofA) for 15 variances in Proposal #2. The building height was 19.2 metres plus another 4 metres for mechanical with no step-back on the side street.

SAHRA decided to oppose Proposal #2 as it was then configured in order to uphold the Avenue Road Avenue Study and its associated by-laws, which were approved by City Council in 2009 after significant consultation between city planners, SAHRA, area residents and a Local Advisory Committee.

SAHRA, the Old Orchard Grove Residents' Association (OOGRA) and community members opposed the proposal at the CofA and the CofA refused the application on Aug 6, 2015. Following this, the developer submitted an appeal to the Ontario Municipal Board (OMB) and a hearing date was set for February 24, 2016.

Councillor Carmichael Greb hosted a Community Meeting on Jan 20, 2016 at which it became clear that the revised Proposal #3 was not acceptable.

SAHRA retained a planner and a lawyer to prepare for the OMB, and arranged Without Prejudice discussions with the owner's team. These discussions have led to a Settlement between the owner and SAHRA.

Based on the opinions of our lawyer and planner, we concluded certain items could not be successfully argued given the specific context of the proposal and the position taken by the City. Some matters require review of the By-laws and we will devote resources in the coming months to achieve long term resolutions. Given the changes we have been able to accomplish, it is unlikely a better result would occur if the matter was fought at the OMB. Therefore, SAHRA will appear in support of the Settlement. We hope you will see the logic in our decision and support SAHRA in this Settlement.

## Accomplishments by the Community:

- The Committee of Adjustment refused the Proposal #2 after presentations by SAHRA, OOGRA and concerned community members.
- Step-back incorporated at the third storey on Avenue Road, at SAHRA's request.
- Maximum building height reduced by 2.9m, now meeting the by-law of 16.5 metres (5 storeys reduced to 4) in Proposal #3.
- Community meeting outcomes - the Councillor committed to:
  - submit a motion to request that any payment-in-lieu monies to make up for lack of parking supplied in this proposal or any other on the Upper Avenue (Lawrence to Wilson) be designated for parking solutions within that area. She also stated that the City would undertake reviews to define and then implement parking solutions for Avenue Road.
  - support the rewording of an ambiguous by-law paragraph to ensure that step-backs be required on side streets as well as on Avenue Road.
- Settlement outcomes:
  - In Proposal #4, although the mechanical penthouse is still higher than the by-law limit, it has been set back from the edge of the building, making it less visible from the ground.
  - In Proposal #4, the design of the building facing Brooke Avenue has been improved. The 'tower' has been removed. A small step-back was created at the top of the first floor and materials have been chosen to better fit with the design facing Avenue Road, also reducing the massive look of the building.
  - In Proposal #4, the rear of the building is now terraced with balconies on the second and fourth floors, to provide for better angular plane alignment. The railing on the terrace on the fourth floor was changed to an opaque, glass-like material to give a 'break' to the grey cladding wall finish
  - The owner agreed to pay cash-in-lieu to the city in return for not providing parking. The owner also committed to support SAHRA's request that the parking cash-in-lieu be used to upgrade the Green P lot immediately adjacent to the site.
  - The owner agreed to consider further reducing the height of the mechanical penthouse, if practicable.
  - The owner agreed to consider the colour of material and/or finishes of the mechanical penthouse to reduce its visual prominence.
  - The owner agreed to consider the colour of material and/or finishes on the third and fourth floors to reduce the visual intensity of these floors.
  - The owner agreed to consider Introducing opaque or translucent panels on the second floor balcony at the rear as per the treatment of the fourth floor balcony.

SAHRA believes that we have gained substantial improvements in the built-form/design of this building; that we ensured the allocation of funds to be applied to parking solutions on Avenue Road and that we will get By-law amendments in place to clarify intentions for future projects.



The Revised Plans (Proposal #4) can be viewed on the website <http://sahratoronto.com/planning/>

### **What has this cost SAHRA?**

SAHRA retained a planner and a lawyer to prepare for the OMB hearing and to negotiate the Settlement with the owner. The costs are expected to be \$14,000 in total. A fundraising campaign was initiated back in early November. The Board would like to thank all those who contributed both financially and with their time. To date, \$6,750 has been raised, contributions by 77 individuals.

As you can see, SAHRA's expenses are well more than the monies received. Please consider donating to SAHRA by sending a cheque or online – please go to <http://sahratoronto.com/membership/> to download and the Membership Form to accompany your cheque or to click on the Membership button if you wish to contribute via PayPal or a credit/debit card.

The SAHRA Board feels that we have received good value for the services provided and that the money has been well-used in protecting the recommendations and intentions of the Avenue Road Avenue Study and the associated by-laws for this first precedent-setting development.

***Many thanks for your continuing support to SAHRA as we strive to ensure adherence to the Avenue Road Avenue Study guidelines for developments on Avenue Road!***