

SAHRA Information – June 21, 2016

Update on 1780 Avenue Road (SW corner at Melrose – Canada Post)

Councillor Carmichael-Greb arranged a meeting on May 20, 2016 between a representative of Cresford Developments, City Planning staff with SAHRA and OOGRA representatives. Cresford advised that after the Deferral of the Committee of Adjustment (CofA) hearing on April 21, 2016 (which was done under Waiver) that they had gone through the PPR process and subsequently the list of variances has been modified.

A comparison between the April 29 (17 variance requests) and June 9 (14 variance requests) documents shows that 5 variances were removed. We felt that the variance requiring that “a restaurant that has a gross floor area larger than 1000m² must be no closer than 300m from an R or RM zone” should not have been deleted. The drawings we were given show the interior and exterior restaurant areas to be greater than 1000m² therefore this variance should remain. However, revised plans were submitted to the CofA showing a revised interior floor area for the restaurant of 820m². Accordingly, the variance request was deleted.

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Five new variances were added. The new variances relates to the length and size of the loading spaces, to the fact that zero step-back is provided at from the brise soleil the top of the second storey both abutting Avenue and Melrose, a requirement that an outdoor patio must be set back at least 30m from a lot in the Residential Zone and that an outdoor patio located above the first storey of the building must be at least 40m from the Residential Zone. All very significant Major variances!

No structural/design changes were proposed by Cresford at the May 20th meeting. They were focused on working around the variance requests and/or receiving approval for the project as proposed.

A Transportation Services Staff Report was published on June 7, 2016 reviewing 6 of the variance requests. The report recommended refusal of the request for no accessible parking space; that trucks must access the loading space in a backward motion; and they recommended that the City's Payment-in-Lieu of Parking be applied.

1780 Avenue Road Transportation Services Report

SAHRA submitted a second letter opposing this application on June 8, 2016 focused on four MAJOR (not Minor) variance requests:

- 1. The outdoor patio not set back at least 30m from the Residential Zone.**
- 2. The outdoor patio above the first storey of the building not set back at least 40m from the Residential Zone.**
- 3. A *missing* variance “An eating establishment with an interior floor area greater than 1000m² must be at least 300m from a lot in the Residential Zone category.” This was deleted as revised plans now show the restaurant areas to total 820m².**
- 4. A 2m Step-back from the brise soleil at the top of the second storey is not provided abutting Avenue Road nor abutting Melrose Avenue.**

Parking for such a large restaurant operation was also listed as a very major concern for both local businesses and residents, in combination with other major developments on Avenue Road. If they cannot provide parking, Payment-in-Lieu of Parking should be applicable for the 7 deficient spaces. This could have a value of somewhere in the range of \$200K to \$300K. This should be made a Condition of any Approvals by the CofA.

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The Old Orchard Grove Residents' Association (OOGRA) submitted a supporting letter to SAHRA's letter also asking how sewage capacity requirements have been assessed as a 400 seat establishment will no doubt have a huge impact on already serious sewage capacity issues in our neighbourhood.

At the Committee of Adjustment hearing SAHRA spoke to appropriateness for the neighbourhood, parking and invasiveness/noise of the patios. The CofA members were curious why the building wasn't being completely redeveloped; raised arguments around the loading zone (delivery trucks will have to back in so there will be constant disruptive beeping); expressed concern that there isn't enough parking in the Avenue Road area to support the intensification that is occurring and were concerned about the patio. In the end they approved all the variances but #13 and #14 (related to #1 and #2 above). But they did NOT make Payment-in-Lieu of Parking a condition of the approvals.

We do not understand what impact the refusal of the ground floor patio and third storey patio will have on the project. Cresford Developments has until June 29th to submit an Appeal to the Ontario Municipal Board (OMB) or they could decide to submit Revised Plans to the Planning Department reworking the first floor plans to not have a patio and/or revise the third floor restaurant/terrace plans. We will have to wait and see which way they proceed.

We do not understand 'why' the CofA did NOT make Payment-in-Lieu of Parking a condition of the Approvals. We have therefore sent a letter to our Councillor and City officials asking 'why' and 'how' this can be corrected (perhaps by the North York Community Council or by City Council). This is an important issue as \$200K-\$300K would be a valuable addition to funding for parking solutions on Upper Avenue.

We will provide an update again on June 29th (the OMB Appeal deadline date).

If you are writing to a City official or organization...

If you are writing your Councillor or other members of the City government about an issue be aware that the correspondence is considered to be a '**private discussion**' between a member of the public and the City official. It will not be considered as '**on public record**' unless you submit a copy to the Secretariat of the appropriate Committee/Council. Many times it is important that all emails/letters be part of the public record so that all members of the City government are aware of concerns on a particular issue.

For example, if you send an email to your Councillor about an issue going forward to the North York Community Council (i.e. a re-zoning, fence, speed limit, encroachment requests) to be on public record it also has to be sent to the Secretariat for the North York Community Council.

Listed below are five key Councils/Committee along with Secretariat information:

City Council:

City Clerk Marilyn Toft
12th floor, West Tower, City Hall, 100 Queen Street West, Toronto, ON M5H 2N2
email: clerk@toronto.ca phone: 416-392-7032 fax: 416-392-2980

North York Community Council

Secretariat Contact Francine Adamo
North York Civic Centre Main floor, 5100 Yonge St. Toronto, ON M2N 5V7
email: nycc@toronto.ca phone: 416-395-0480 fax: 416-395-7337

Licensing and Standards Committee

Secretariat Contact Dela Ting
10th floor, West Tower, City Hall 100 Queen Street West Toronto, ON M5H 2N2
email: lsc@toronto.ca phone: 416-397-4592 fax: 416-392-1879

Planning and Growth Management Committee

Secretariat Contact Nancy Martins
10th floor, West Tower, City Hall, 100 Queen Street West Toronto, ON M5H 2N2
email: pgmc@toronto.ca phone: 416-397-4579 fax: 416-392-1879

Executive Committee

Secretariat Contact Jennifer Forkes
10th floor, West Tower, City Hall 100 Queen Street West Toronto, ON M5H 2N2
email: exc@toronto.ca phone: 416-392-4666 fax: 416-392-1879

Green-Finger proposal on Brooke Avenue at Avenue Road

One of the recommendations from the Avenue Road Avenue Study (2009) is the creation of “green-fingers” proposal to provide for landscaping and plantings at the entrances to our neighbourhoods wherever possible on branching streets east and west of Avenue Road.

An opportunity exists for the creation of a green-finger at the corner of Brooke Avenue and Avenue Road. Brooke Avenue has an irregularly wider road width at the west side of Avenue Road. A 4-storey mid-rise commercial development at 1912-1914 Avenue Road on the northwest corner of Brooke Avenue is presently under review for site plan approval. This is an opportune time for the City to prepare for reconstruction to correct the Brooke Avenue alignment and in the process provide for the first green finger on the west side of Avenue Road.

Councillor Carmichael Greb therefore submitted an urgent motion to North York Community Council on June 13, 2016:

City Council direct the General Manager, Transportation Services, in consultation with the

Public Realm Office, and Technical Services staff, to review and prepare a work plan to correct the Brooke Avenue alignment and provide for improvement to the pedestrian realm, including additional landscaping or tree plantings, and be prepared to implement such improvements in conjunction with the development at 1912-1914 Avenue Road.

The Motion was approved by the North York Community Council (NYCC); it will be considered by City Council on July 12, 2016.

Councillor Carmichael Greb's Request to NYCC is attached.

Good News!