

SAHRA



South Armour Heights Residents' Association

Website - sahratoronto.com

Email - sahratoronto@rogers.com

Mar 8, 2107

Committee of Adjustment

Sai-Man Lam (slam@toronto.ca)

Al Rezoski, Planning (arezosk@toronto.ca)

Adam Pressick, Planning (apressick@toronto.ca)

Councillor C. Carmichael Greb (councillor_carmichaelgreb@toronto.ca)

File Number: A0613/16NY; Property Address: 1560 Avenue Road on Mar 9, 2017

The South Armour Heights Residents' Association ("SAHRA") is an incorporated non-profit association founded in 1988 that represents 850 households in the area from the 401 down to Brooke/Yonge Blvd over to Avenue Road. Our residents are directly impacted by developments on Upper Avenue.

SAHRA is writing to advise of concerns with this application, asking that it once again be **Deferred**.

SAHRA supported the Staff Report (August 16, 2016) recommendation that the Committee DEFER the application heard on August 25, 2015 to allow an opportunity for the applicant to submit a Site Plan Application. There were many not yet discussed/not yet answered questions. The Decision was to Defer. Since that time, a number of versions of plans have been under review.

We understand that there are a number of challenges associated with this application, which has been ongoing since 2010, as summarized below:

- original CofA Decision on July 6, 2010
- Building Permit issued in 2013
- By-law 569-2013 amendments as per the Avenue Road Avenue Study guidelines
- demolition in 2015
- developer submitted a new application to the CofA on Aug 25, 2016 and
- CofA application being heard on Mar 9, 2017

In particular we are very concerned over the 'changes' in the proposed development that have occurred between 2010 to now. The building keeps increasing in size!

	2010 values	June, 2016 values	Current values
Building Height	32.19' (9.81m)	32.17' (9.81m)	46.16' (14.02m)
First floor height	9.74' (2.97m)	10'6"	14'8"
Second floor height	Not known	9'8"	11'2"
Third floor height	Not known	8'6"	19'
Building Length	50.08' (15.26m)	61.00'	72.57' (22.12m)
Gross Floor Area	Not defined in Decision	4576 S.F.	5736.78 S.F.* (532.96m ²) An increase of 1160 S.F.

- The Site Statistics in plans submitted in Dec, 2016 are incorrectly stated as 5284.55 S.F.

This development originally was described in the CofA Notice of Decision dated July 6, 2010 to be a 3-storey renovation/addition with Retail on the ground floor with the second and third floors being Residential.

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The CofA Application for the Aug 25, 2016 hearing states that it is a 3-storey semi commercial and residential building (Retail on Ground, Office on Second and a Residential unit on the Third).

However drawings submitted since Dec, 2016 show what looks like a 4-storey building, which is now some 46' in height compared to the Plans submitted in June, 2016 which had a height of 32' (a 14' increase).

In the Real Estate ad picture, there appears to be a step-back (a balcony area) along the front (along Avenue) and along the full length of the side facing Douglas Avenue. In the June, 2016 picture, the step-back along the full length of Douglas has been removed but now there appears to be some sort of balcony arrangement running the full length of the 3rd floor unit along the south side. In the drawings of Dec, 2016, there is no step-back at the third floor on either the north or south sides.

The original drawings always included a 2m step-back abutting Avenue Road. But the drawings as of Dec, 2016 have **ADDED** 2m to the rear with a cantilever approach on the second and third floors over the parking spaces at the ground level. There is an increase in Length of 11.57' between June and Dec, 2016.

The increased length of the building in turn causes problems with the parking and vehicle entrance and exit requirements, as detailed in the letter from the Old Orchard Grove Residents' Association (attached). We understand the developer is now proposing to eliminate the retaining wall, which is on their property. This will involve somehow re-engineering/rebuilding the retaining wall; possibly eliminating the row of mature trees which divide the commercial buildings and the residences to the west; as well as re-installing fencing.

If the Building Length was reduced on all floors by 2m (6.56') this would eliminate the logistical parking problems and the need for variances for the minimum vehicle entrance and exit width; parking space set back from a lot line and set-back from a lot in the Residential Zone property. It would also help the building meet the 45 degree angular plane requirement at the rear of the building using a proper ground level. We would ask that the CofA DEFER this application to allow more discussions between Planning and the developer for length reduction and resolution of the access of ROW issue.

Pictures will help explain the changes / exponential growth of this proposal.

Real Estate picture of the premises:



1560 Avenue Rd, Toronto, ON

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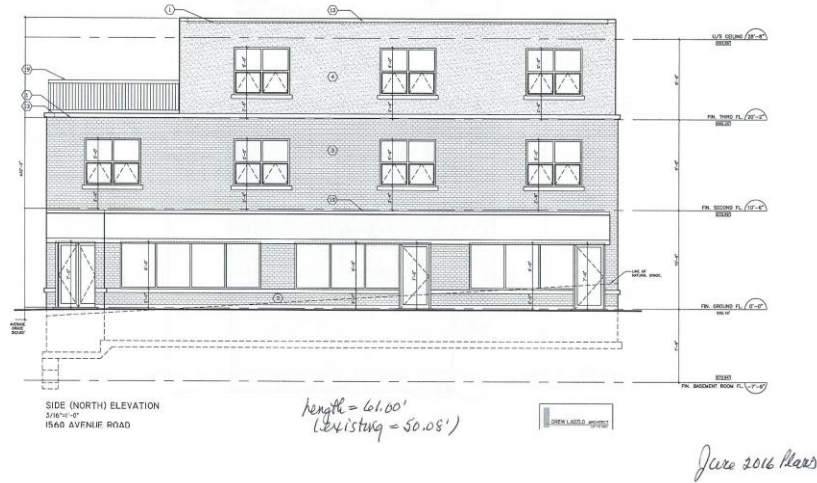


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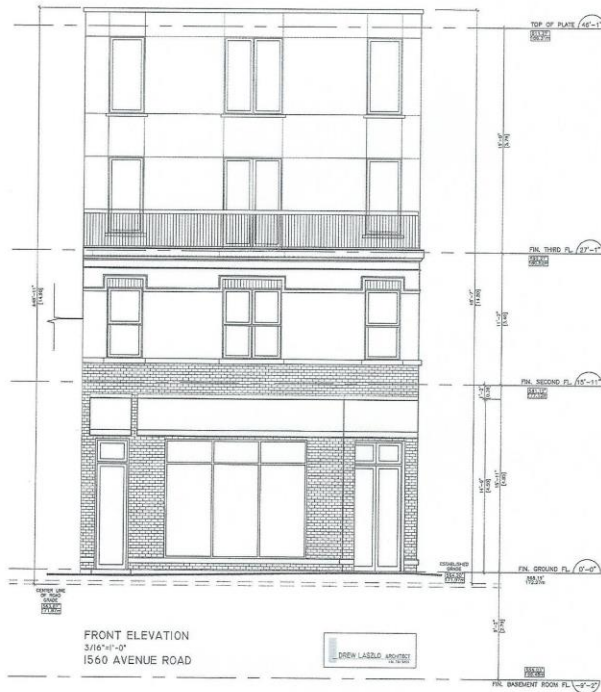
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June, 2016 Plans:



Current Plans:



The developer states that this is a 3-storey building but the external appearance of the third storey having two levels of windows as well as an exceptional height of 19' makes one question what the intentions are for this floor. While the overall height of 14.02m is within the maximum allowed of 5 storeys and/or 16.5m permitted under By-law 569-2013 (the by-law does not specify individual floor heights other than for the first floor), we feel that the 19' height has to be questioned. We understand that Planning has issued the applicant a comment in the site plan application to maintain similar 3-storey streetscaping as the building reads as a 4-storey structure. We would ask that the CofA DEFER the application pending resolution of this issue.

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Mechanical penthouse and elevator – it is interesting to note that no mechanical penthouse or elevator is shown on any of the drawings. It is our understanding that Ontario's accessibility laws require an elevator in all new developments of 4 storeys or more. Given the current nature of the third storey, any future retrofit to introduce a fourth storey would also require the addition of an elevator. It seems sort-sighted not to include an elevator/mechanicals for a building of this size and use. We would like to see this clarified.

The Avenue Road Avenue Study and the associated by-laws call for a 45 degree angular plane to be maintained from the rear property lot line, which usually requires step-backs to the floors at the rear of the building. As this is now proposed as a 3 or 4-storey building, we believe that step-backs would be required to maintain the angular plane. The drawings however show the angular plane being calculated from the top of the cement retaining wall. Planning has stated that in this instance, the ground level at the rear is significantly higher than at the front of the property. If the building length is reduced, this would help with meeting the rear angular plane requirements. We would ask that the CofA DEFER the application pending resolution of this issue.

The Behar Group Realty Inc. stated "Ground Level With Patio – Suitable for Restaurant, Coffee Shop". There is a by-law related to outdoor patio (ground floor) requirements which states: "*An outdoor patio must be at least 30.0 metres, measured horizontally, from a lot in the Residential Zone category.*" The rear property lot line is adjacent to a residential home on Douglas Avenue. It would not meet the 30.0m requirement. The developer needs to confirm that they understand that their tenant cannot have an outdoor café on the boulevard area abutting Douglas.

Green finger...we feel that this is an opportunity for a Green Finger. In its earlier life, green area existed on the north side of the building. We would ask Planning to explore this possibility as the area is very deficient in soft landscaped areas.

Due to these unanswered questions and concerns, we would ask the Committee to **Defer** this Application allowing the opportunity for more reviews/discussions between Planning and the developer.

We would appreciate receiving a copy of the Decision/Deferral Notice.

Yours truly

Sheila Dunlop, Secretary

Email: Jennifer Keesmaat, Chief Planner & Executive Director, City of Toronto
Diane DiMaino, Director, Deputy Chief Building Official, North York
A. Borooah, Will Johnston (Building, City of Toronto)
Joe Nanos (Planning, City of Toronto)
J. White (Transportation Services, City of Toronto)
Dan Antonacci (Committee of Adjustment)
Ron Johnson, Bob Williams, Jim Sadler (SAHRA)
France Rochette, Pam Main, Debra Satok (OOGRA)
G. T. Ronan, William Dolan, James LeNoury, Heather Crawford, Gary Langdon