

TORONTO STAFF REPORT

August 25, 2006

To: North York Community Council

From: Director, Community Planning, North York District

Subject: Final Report
Zoning Amendment and Draft Plan of Subdivision Applications
TB ZBL 2000 0001 & TB SUB 2001 0002
Applicant: Urban Strategies Inc.
Architects: Stone McQuire Vogt & Page +Steele
1100 Sheppard Ave W
Ward 08 - York West

Purpose:

This report reviews and recommends approval of applications to amend the Zoning By-law and approve a Draft Plan of Subdivision to permit a mixed commercial residential development and to establish a public road and a centrally-located park on lands at the northwest corner of Sheppard Avenue West and Allan Road.

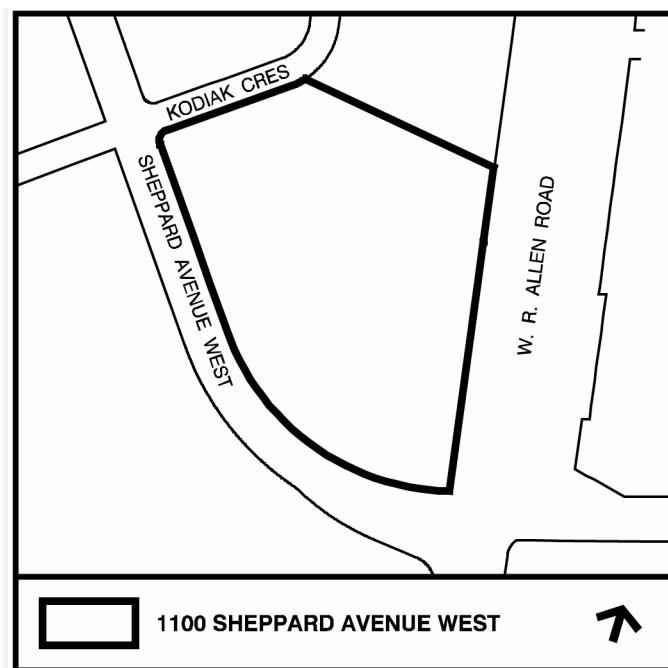
Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that City Council:

- (1) amend the former City of North York Zoning By-law 7625 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9.
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law as may be required.



- (3) approve the Draft Plan of Subdivision subject to the conditions set out in Attachment 11 to this report.

Background:

Proposal

The applicant proposes to amend the Zoning By-law for the subject site in order to permit the development of the lands for mixed commercial and residential uses to a maximum of 131,718 m² or 3.0 FSI.

A Draft Plan of Subdivision is also proposed in order to establish an east/west public road through the site connecting Sheppard Avenue West to Allen Road, and provide a centrally-located public park. The road effectively divides the site into two blocks for development purposes and driveways off the new road to the north and south will provide access to the proposed new buildings.

The south block is to be predominantly residential and is proposed to have a total of 82,726 m² in four condominium buildings containing 1,100 residential units. These buildings will range in height from 14 to 17 storeys. Approximately 2,300 m² of commercial space will be incorporated into the ground floors of the buildings, particularly those which are closest to the Sheppard Avenue West/Allen Road intersection. The buildings will be located around the perimeter of the site leaving a significant outdoor amenity space in the centre.

The north parcel is proposed to have a total gross floor area of 46,965 m² including 13,000 – 18,000 m² of new and existing commercial space and 30,000 – 34,000 m² of residential space. The current proposal comprises two new residential buildings of 13 and 16 storeys containing approximately 400 units.

Site History

In 1988, North York City Council adopted a site specific Zoning By-law for this site to permit the construction of an office/retail/warehouse complex to a maximum gross floor area of 48,308 m². A three storey retail/office building along the north property line has been constructed which has a gross floor area of approximately 17,465 m² and presently contains a number of offices and retail uses, including the Idomo furniture store.

In December 1999, 584952 Ontario Limited, the owner of the subject lands, submitted an Official Plan Amendment application to permit a mixed commercial residential project with an FSI of 4.5. In February 2000, the application was appealed to the Ontario Municipal Board (OMB). On November 17, 2000, the OMB approved a redesignation of the lands to Mixed Use (MU) providing for a mixed commercial residential development at a density of 3.0 FSI, with a further permission for a maximum of 3.4 FSI upon the provision of specific community benefits.

In May 2000, the Allen/Sheppard Urban Design and Development Framework Study was completed resulting in a development framework for the Allen Road and Sheppard Avenue West intersection consisting of built form, public realm and streetscape guidelines. City Council adopted the Study at their meeting of June 7, 8, and 9, 2000 and directed that it be used in evaluating development applications in this area. The OMB approved Official Plan Amendment for the subject land reflects the guidelines of the Development Framework Study.

Site and Surrounding Area

The subject site is 4.39 hectares (10.85 acres) in size and municipally known as 1100 Sheppard Avenue West. The site is located at the northwest corner of Allen Road and Sheppard Avenue West and, as noted above, currently contains a three-storey commercial building on the north portion of the site; the south portion of the site is vacant. The site has grade changes throughout and inclines slightly from the south toward the north with a high point on the site which exceeds the abutting street elevations and provides an excellent southerly view.

To the north and west of the site are a number of single storey industrial-commercial buildings. Southwest of the site are the Parc Downsview Park lands and west of the intersection, at Kodiak Drive are additional federally-owned lands and facilities. At the southeast corner of Allen Road and Sheppard Avenue West are significant lands which are undeveloped with the exception of the Downsview Subway Station entrance and TTC bus terminal and Banting Park. At the northeast corner of the intersection is the north pedestrian access to the Downsview Subway Station and a number of commercial and residential properties.

New Toronto Official Plan

On July 6, 2006 the Ontario Municipal Board issued Order No. 1928 bringing the majority of the new Toronto Official Plan into force and effect. The Order also repealed most of the policies of the North York Official Plan that were previously in effect. The Order did not bring into force the new Plan policies related to Section 37, Housing and floodplain 'Special Policy Areas'.

The site is designated *Mixed Use Areas*. This is one of four designations identified in the Official Plan as providing opportunities for increased jobs and/or population. Underutilized lots within *Mixed Use Areas* have the potential to absorb much of the new housing growth expected in Toronto over the coming decades. The policies for *Mixed Use Areas* require new development to provide a transition between areas of different development intensity and scale.

The Official Plan establishes criteria for development in *Mixed Use Areas* that are intended to contribute to the quality of life by requiring buildings to be located, planned and massed to:

- provide a transition between areas of different development intensity, providing setbacks from and stepping-down of building heights towards existing lower scale development; and

- locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

The intersection of Sheppard Avenue West and Allen Road is also identified as an *Avenue* on Map 2 of the new Official Plan. *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing opportunities among other uses.

Further, the site is identified in the Site and Area Specific Policies of the new Toronto Official Plan for special consideration. Subsection 55 contains unique conditions for approval that must be applied where they differ from the general policies of the Plan. These special conditions specify required development criteria for the site, including:

- a maximum density of 3.0 times the area of the lot, with the ability to increase density to 3.4 times the area of the lot upon the provision of specific community benefits;
- building heights up to 45 metres which are to step down in height away from the Sheppard Avenue West and Allen Road intersection;
- the provision of public art in publicly accessible locations;
- the provision of a centrally located park;
- a requirement for resident parking to be located below grade;
- servicing details; and
- how the site development is to be implemented.

Zoning

The lands are currently zoned “MC56(H)”, Mixed Industrial Commercial Zone, by the former City of North York Zoning By-law 7625, as amended. This zoning permits industrial and retail warehouse uses and business and professional offices to a total maximum gross floor area of 48,308 m² (520,000 ft²). Office uses are limited to a maximum gross floor area of 18,580 m² (200,000 ft²), and retail stores and personal service shops are limited to a maximum gross floor area of 26,924 m² (289,817 ft²). Parking requirements are one space per 190 m² of gross floor area for retail warehouses uses, to a maximum of 655 parking spaces on the site.

Site Plan Control

The development of this multi-building project will be phased and each individual building will be subject to Site Plan Control Approval. Applications in this regard have not been filed.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. According to the Arborist Report submitted by the applicant, there are several trees on the site having a diameter equal to or greater than 30 cm (12 in.). All are in poor to fair condition. There are a number of trees located on City boulevards surrounding the site; these trees are mostly in fair to good condition. The applicant will be required to undertake

appropriate retention and protective measures as determined through the review of the individual Site Plan Control applications.

Reasons for the Applications

An amendment to the Zoning By-law is required as the current “MC56(H)” zone does not permit residential uses or the range of commercial uses contemplated by the proposal. A Plan of Subdivision is required to secure the public road and public park and address servicing matters.

Community Consultation

The proposal was originally presented to the community at a meeting held on December 21, 2000. The applicant and the applicant’s solicitor, planning consultant and architect were in attendance, as were representatives from two local Councillor’s offices, City Planning staff as well as 8 members of the public.

Most recently, community consultation meetings were held on March 7, 2006 at the Grandravine Community Centre and on April 18, 2006 at William Lyon MacKenzie Collegiate Institute. The meetings were attended by 30 and 40 members of the public, respectively. Also in attendance at both meetings were the applicants, the applicant’s solicitors, planning consultants and transportation consultants, the area Councillors and their assistants and City Planning staff.

The issues raised at the Community Consultation Meetings include the following:

- concern that the size of the park would be too small for the number of people accommodated in the development;
- the new road would be a short cut around the intersection of Sheppard Avenue West and Allen Road;
- the development appears to be out of context in this location;
- concern regarding school capacity for the proposed population;
- concern about the adequacy of the servicing;
- concern that the lack of a grocery store in the area would be a problem for residents;
- concern about the volume of traffic on Allen Road and the difficulty for pedestrians to cross;
- the provision of an underground connection to the subway should be a priority; and
- concern about additional traffic infiltration in the surrounding neighbourhoods.

Agency Circulation

The applications were circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in the evaluation of the applications and to formulate appropriate By-law standards.

Comments:

The proposed applications to permit a range of residential and commercial uses on the subject lands, as well as the development of a public road and public park, raise a number of planning considerations which are discussed herein.

Land Use

The Official Plan establishes that *Mixed Use Areas* be developed for a broad array of residential uses, offices, retail and services, institutions, entertainment, recreation and cultural activities, and parks and open spaces. The objective is to provide land uses that support the establishment of an intensive mixed use transit oriented centre in the vicinity of the Downsview Subway Station. The Site Specific Policies of the Plan specify that the site be developed primarily with residential uses, and that non-residential uses such as retail and small offices are encouraged at grade.

Consistent with these policy objectives, the proposed Zoning By-law includes a mix of residential and non-residential uses for the site. The proposed residential buildings in the vicinity of the Sheppard Avenue West/Allen Road intersection will have approximately 2,300m² of commercial space required by the proposed Zoning By-law. The proposed land use mix and the location of these uses, represent appropriate development for this significant site and implement the policies of the Official Plan.

Density

The Official Plan provides for a development density of 3.0 FSI and up to 3.4 FSI with the provision of specific community benefits. It is the applicant's intention to develop the lands at a 3.0 FSI and the concept plan illustrates this build-out over the entire site.

Parkland Dedication

The applicant proposes to convey to the City 929 m² (0.23 acres) of parkland on the south side of the new public road. The parkland dedication represents the balance of the required parkland dedication under the *Planning Act*, a previous dedication having been made at the time of development of the Idomo retail store. The park block will be contiguous to lands developed by the applicant as outdoor amenity space resulting in a centrally-located open space of 0.43 hectares (1.07 acres). The applicant will be providing public access to the privately owned space to enable the private and public space to function as a singular open space. The condominium corporation will be responsible for maintaining the proposed public park in concert with the privately owned publicly accessible open space.

This proposed parkland dedication and its design and operation is acceptable to the Policy and Development Division of Economic Development, Culture & Tourism. Provisions with respect to parkland dedication will be secured through the Subdivision Agreement.

Massing, Built Form and Site Layout

The Official Plan establishes built form policies for the site to achieve an active streetscape and a harmonious relationship to the planned built form context of the Allen Road and Sheppard Avenue West intersection. The recommended Zoning By-law implements the policies of the Official Plan as follows:

- Buildings will step down in height (from 17 to 13 storeys) away from the Allen/Sheppard intersection towards the north and west of the site in order to provide higher densities adjacent to the Downsview Subway Station;
- Building setbacks from the public streets will range from a minimum of 0.0 metres to a maximum of 5.0 metres on the south portion of the site, to account for the curvature of Sheppard Avenue West and to establish a safe and comfortable space between the curb and buildings to accommodate pedestrians, landscaping and weather protection;
- Buildings will have a base height of approximately 10-12 metres with additional setbacks above to provide articulation for the face of the building and assist in addressing sun, shadow and wind concerns for the site, particularly for the central open space. The base of the buildings will give the buildings a pedestrian scale, and supported by appropriate ground floor uses and landscaping, will promote the safe, comfortable use of the sidewalks;
- A minimum building separation of approximately 15 metres will achieve visual and physical connections to surrounding streets, blocks and adjacent lands, in particular the Parc Downsview Park lands and Allen Road. As well, two public walkways will be required in the south portion of the site to provide pedestrian connections to Allen Road and Sheppard Avenue West, respectively; and
- Continuous pedestrian weather protection is to be provided for commercial ground floor uses and at all building entrances.

Buildings at the south end of the site will have entrances onto the internal private road as well as Allen Road and Sheppard Avenue West providing physical and visual connections through the site. The detailed arrangement and organization of these uses and building entrances will be addressed through the review of individual Site Plan Control applications.

Sun and Shadow Impacts

An analysis completed by the applicant and City staff indicates that afternoon shadows produced by the proposed buildings will fall onto the applicant's property year round, including some portion of the central open space. Building setbacks and the stepping back of the upper floors will mitigate impacts on the open space and will result in acceptable shadow impacts.

Wind Analysis

The applicant submitted a Microclimate Analysis for the development which assessed pedestrian level wind velocities relative to comfort and safety. The existing pedestrian level wind and gust velocities measured across the site are within the safety criteria and most are within the comfort criteria described within the report. The proposed development will not exacerbate the existing situation.

Urban Design Guidelines

To assist in implementing the Official Plan vision and Zoning By-Law for these lands, a condition of the approval of the Draft Plan of Subdivision requires the owner to prepare Urban Design Guidelines which will be incorporated into the Subdivision Agreement. The Urban Design Guidelines will include a master concept plan for the site and written guidelines with accompanying graphics that illustrate how incremental development may take place in accordance with the Official Plan and Zoning By-Law.

The purpose of the guidelines is to create an attractive, healthy and vibrant community at Sheppard Avenue West and Allen Road. The guidelines will articulate the quality and the character of the private and public realm including the design of streets, open spaces, walkways, buildings, public art and the phasing of development. The applicant has prepared draft Urban Design Guidelines which are being reviewed by staff.

Transportation

A Traffic Impact Study was submitted in support of the Zoning By-law Amendment and Draft Plan of Subdivision applications. The study focuses on assessing required road network modifications and the provision of on-site parking. To this end, the study addresses travel demand, operation of the road system and parking associated with mixed use commercial and residential development options. The submission assumes several changes to the road network, including the introduction of the new public road, a new signalized intersection where the new road meets Allen Road, modifications to Sheppard Avenue West and signal timing changes at the Sheppard Avenue West and Allen Road intersection, which will be included in the Subdivision Agreement.

Consistent with the transportation study completed as part of the previous Official Plan Amendment, this study centered on the relationship between land use and transportation with respect to transportation demand management.

New Public Road

The transportation network presented in the Traffic Impact Study can accommodate the travel demand associated with the proposed mixed commercial residential development. The proximity of the Downsview Subway Station, together with the modifications to the local road network, will satisfactorily serve the travel needs of those living, working and visiting the site. The proposed road network includes a new east-west public road through the site (20 metre right-of-way) connecting Allen Road to Sheppard Avenue West. The new road will have a signalized intersection at Allen Road and a right-in/right-out intersection with Sheppard Avenue West.

Parking

Residential:

Residential parking is proposed to range from a minimum of 1.1 spaces per unit, of which 0.2 is to be allocated for visitor parking, to a maximum of 1.5 spaces per unit of which 0.25 is to be allocated for visitor parking. This provision is based on a comparative review of parking standards at other locations in the City, including those near rapid transit stations. This recommended residential parking standard varies from the standard requirement of 1.5 spaces per residential unit contained in Zoning By-law 7625 in recognition of the site's close proximity to the Downsview Subway Station.

Non-Residential:

The existing zoning for these lands contains a reduced parking rate for warehouse uses. In recognition that the Idomo store will remain, it is recommended this standard remain in the proposed Zoning By-Law.

The proposed By-Law also provides for a wide range of other non-residential uses in support of the Official Plan policies for this site. The applicant is seeking a reduction in the parking rate to be applied to all non-residential uses in recognition of the site's proximity to the Downsview Subway Station, and also in recognition of the potential for the sharing of these parking spaces by uses which experience different periods of peak demand.

To date, however, the applicant has yet to fully articulate the expected mix of uses on the site and detail the nature of the shared parking arrangement between these uses. As such, staff from City Planning and Transportation Services cannot recommend a reduced parking requirement at this time. It is therefore recommended that the general parking requirements of Zoning By-Law 7625 apply to these uses.

Staff will continue to work with the applicant to resolve this issue prior to Council's consideration of the Zoning By-law Amendment. If the issue is resolved by that time, a further report in this regard may be prepared.

Servicing

A Servicing Study was completed for this proposal addressing water and sanitary capacity and infrastructure requirements, as well as stormwater management. The report indicates that appropriate engineering measures will be taken to adequately accommodate the proposed development and Technical Services accepts the findings and conclusions of the study.

Affordable Housing

Part C.4 (Housing) of the North York Official Plan, which is still in force and effect, requires at least 25% of new dwellings units in multiple unit residential buildings with 20 or more units to be affordable housing. Accordingly, the implementing Zoning By-law will specify that a minimum of 25% of the units must be any combination of: bachelor units of a maximum size of 55m²; 1-bedroom units of a maximum size of 70m²; 2-bedroom units of a maximum size of 80m²; and 3-bedroom units of a maximum size of 120m².

Increases in Density

The Official Plan provides for an increase in density on the site, up to 13.5% of the total permitted gross floor area, resulting in a maximum permitted density of 3.4 times the lot area subject to the following:

1. Upon conveyance to the City of parkland, satisfactory to the City, as part of an approved plan of subdivision, in excess of the requirements of Section 42 and Section 51 of the *Planning Act*, the subsurface of which is to be maintained by the sub-strata owner for the development of underground parking to service the site; and;
2. Upon the provision of an underground pedestrian link from the site to the Downsview Subway Station or, upon the owner providing a financial contribution to the City beyond what is normally secured through the rezoning and site plan process, for improvements to the pedestrian realm between the development and the Downsview Subway Station.

At this time, the applicant is not proposing to develop the site to the maximum density permitted under the bonusing provisions of the Official Plan.

Public Art

The Official Plan requires the applicant to provide one percent of the gross building construction costs for significant public art in all developments exceeding 20,000 m² of total gross floor area. Such contribution, the selection criteria and process, and the art benefit maintenance are to be reported on and finalized prior to the issuance of Building Permits. Provisions for the public art contribution are incorporated into the conditions of the Draft Plan of Subdivision.

Development Charges

To date, the applicant has yet to fully articulate the expected unit sizes in the proposed buildings. As such, the anticipated development charges arising from this development cannot be estimated. Actual Development Charges are assessed and collected upon issuance of Building Permits.

Conclusions:

This report recommends approval, subject to conditions, of the Zoning By-law Amendment and Draft Plan of Subdivision applications to permit mixed commercial residential development on the subject lands. The proposed development meets the policies and objectives of the Official Plan for the lands and is consistent with the objectives of the Allen/Sheppard Urban Design Development Framework Study with respect to land use and the relationship of the site to the Allen Road and Sheppard Avenue West intersection. The municipal objectives for road connections, a public park and appropriate built form as detailed in the Site Specific Policies of the Official Plan will be fulfilled.

Road infrastructure and intersection improvements, the public park and the provision of public art will be secured through a Subdivision Agreement.

Contact:

Cathie Ferguson, Planner
Ph: (416) 395-7117
Fax:
Email: cfergus@toronto.ca

Thomas C. Keefe
Director, Community Planning, North York District

List of Attachments:

- Attachment 1: Site Plan
- Attachment 2: Elevation Building 'A'
- Attachment 3: Elevation Building 'B'
- Attachment 4: Elevation Building 'C'
- Attachment 5: Elevation Building 'D'
- Attachment 6: Official Plan
- Attachment 7: Zoning
- Attachment 8: Application Data Sheet
- Attachment 9: Draft Plan of Subdivision
- Attachment 10: Draft Zoning By-law Amendment
- Attachment 11: Draft Plan of Subdivision Conditions

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

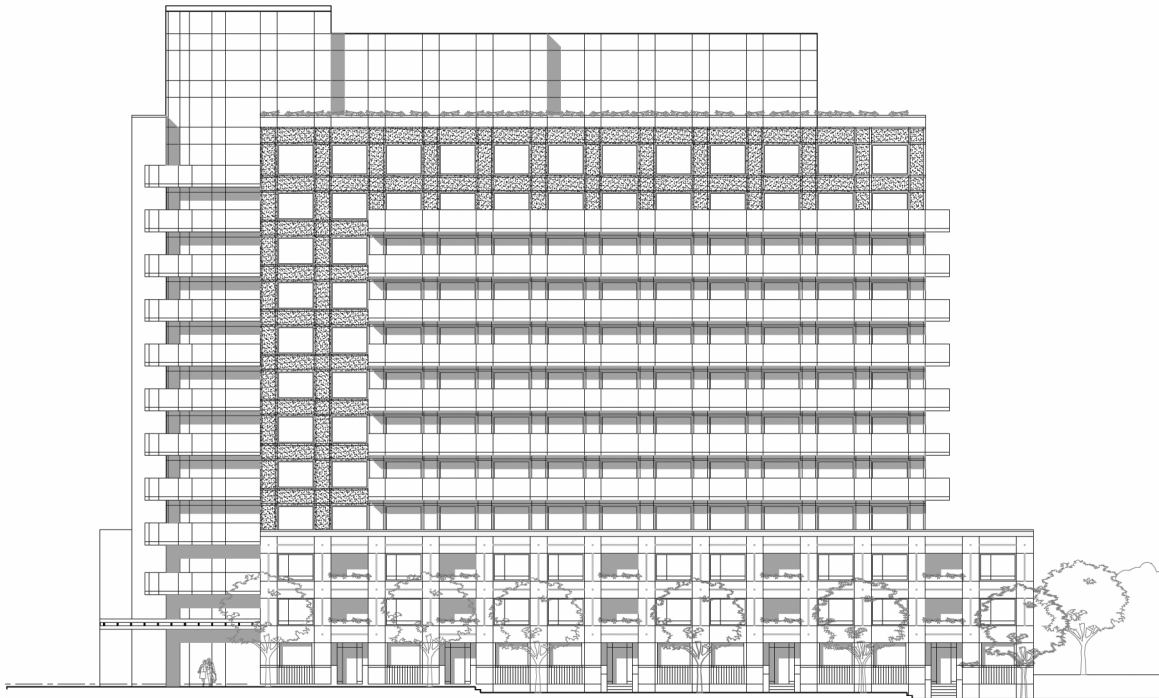
Not to Scale
08/24/06



1100 Sheppard Avenue West

File # 99_036260

Attachment 2: Elevation for Building 'A'



Building A

Elevations

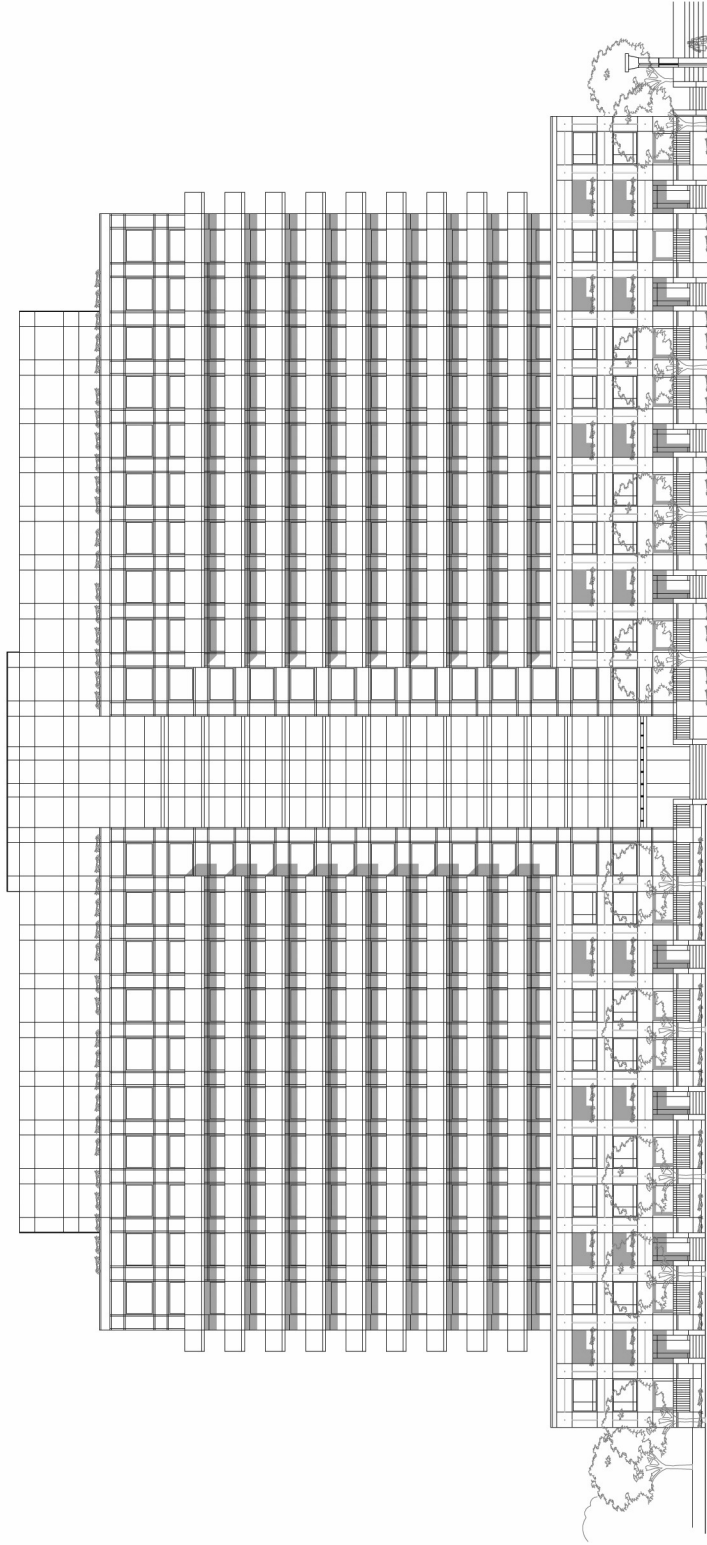
Applicant's Submitted Drawing

Not to Scale
08/24/06

1100 Sheppard Avenue West

File # 99_036260

Attachment 3: Elevation for Building 'B'



Building B

Elevations

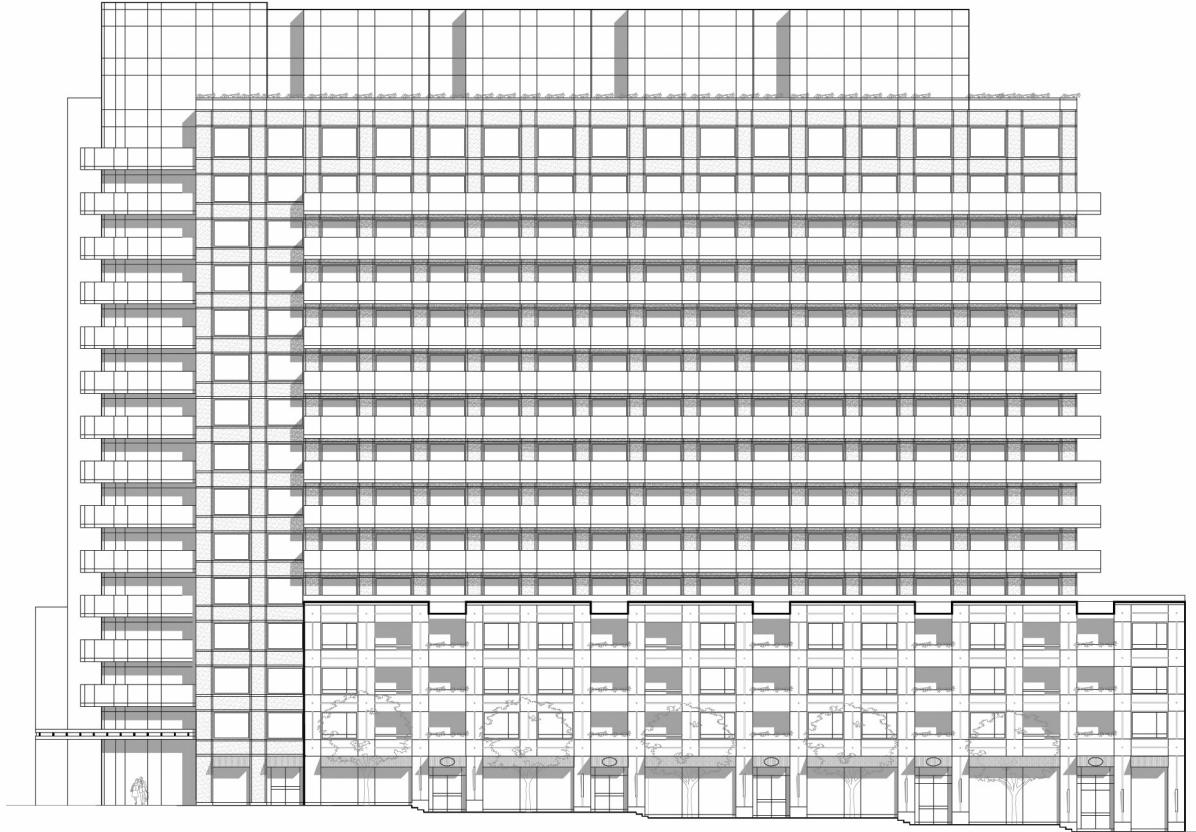
Applicant's Submitted Drawing

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1100 Sheppard Avenue West

File # 99_036260

Attachment 4: Elevation for Building 'C'



Building C

Elevations

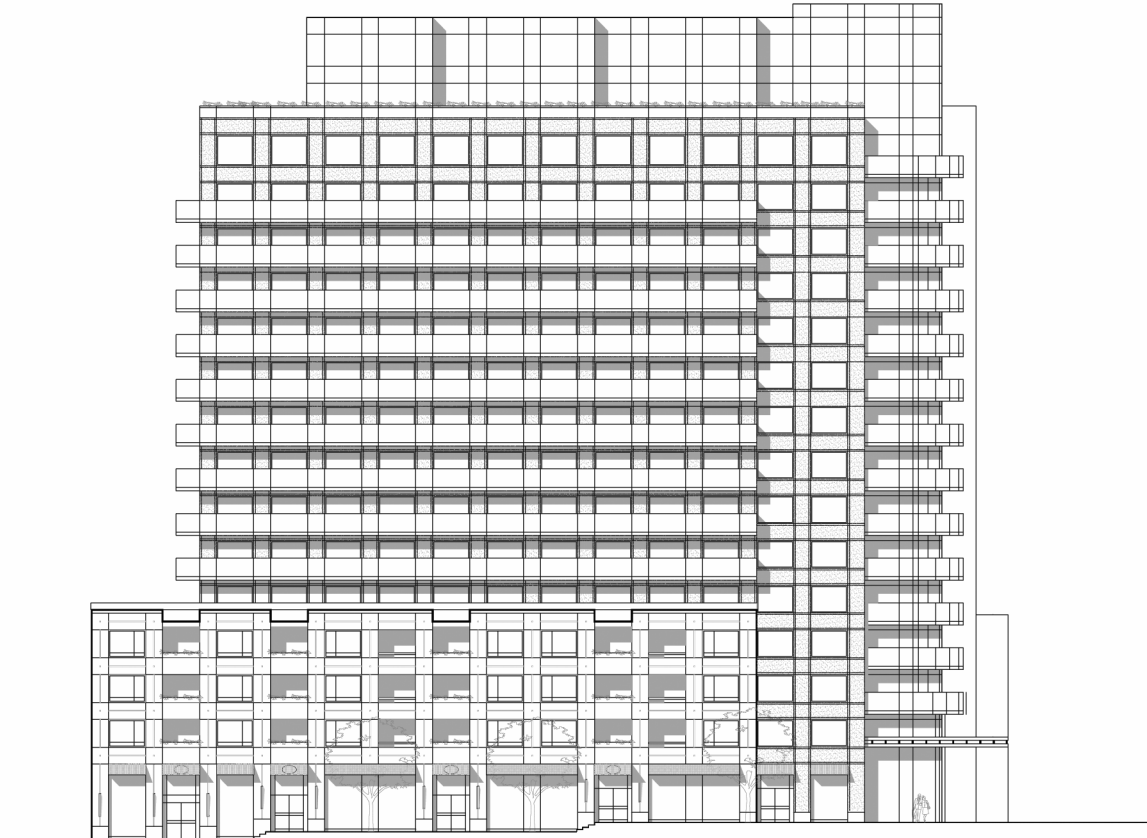
Applicant's Submitted Drawing

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1100 Sheppard Avenue West

File # 99_036260

Attachment 5: Elevation for Building 'D'



Building D

Elevations

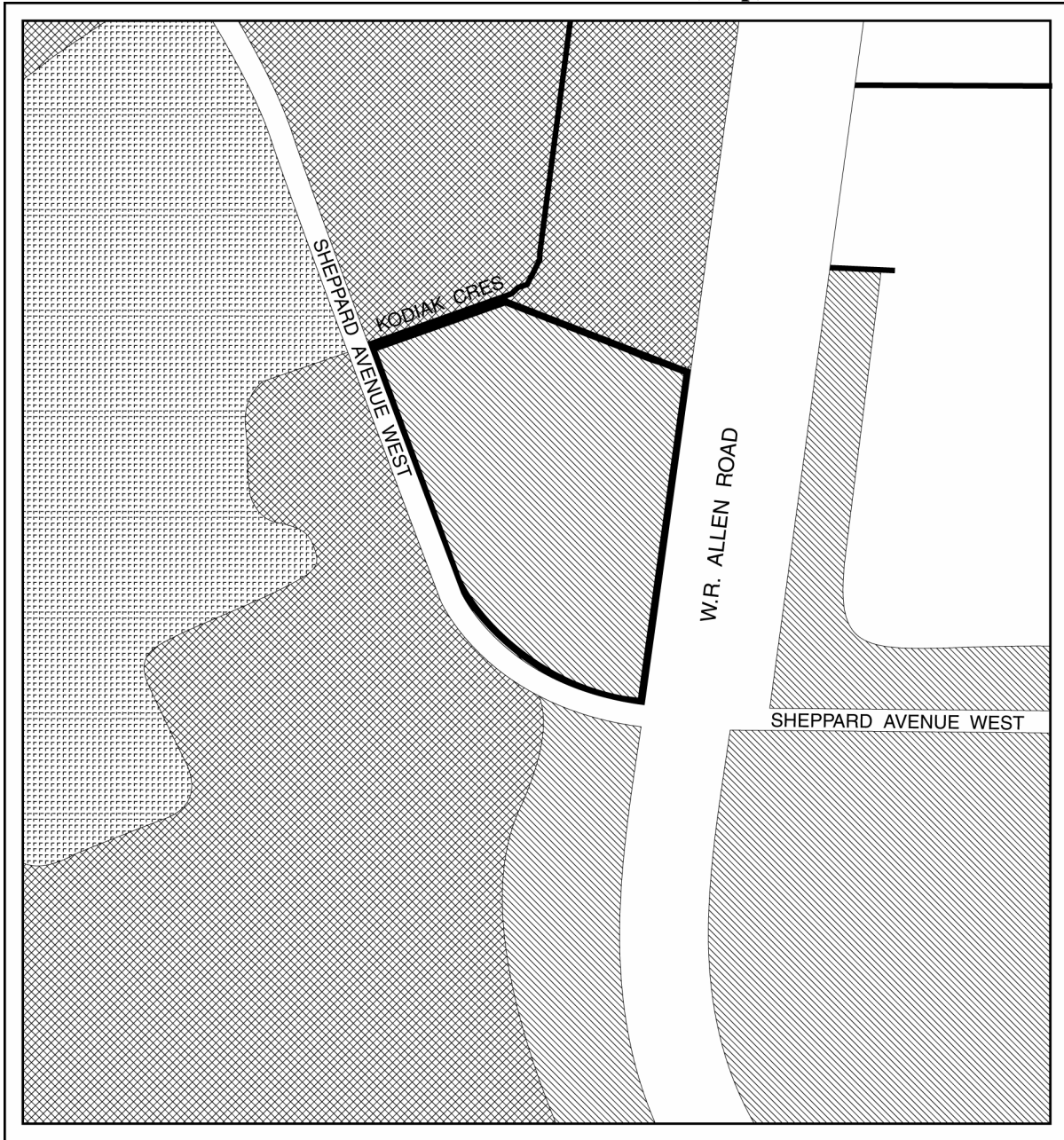
Applicant's Submitted Drawing

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1100 Sheppard Avenue West

File # 99_036260






Attachment 6: Official Plan (Map)



 **TORONTO** City Planning Division
Official Plan

1100 Sheppard Avenue West

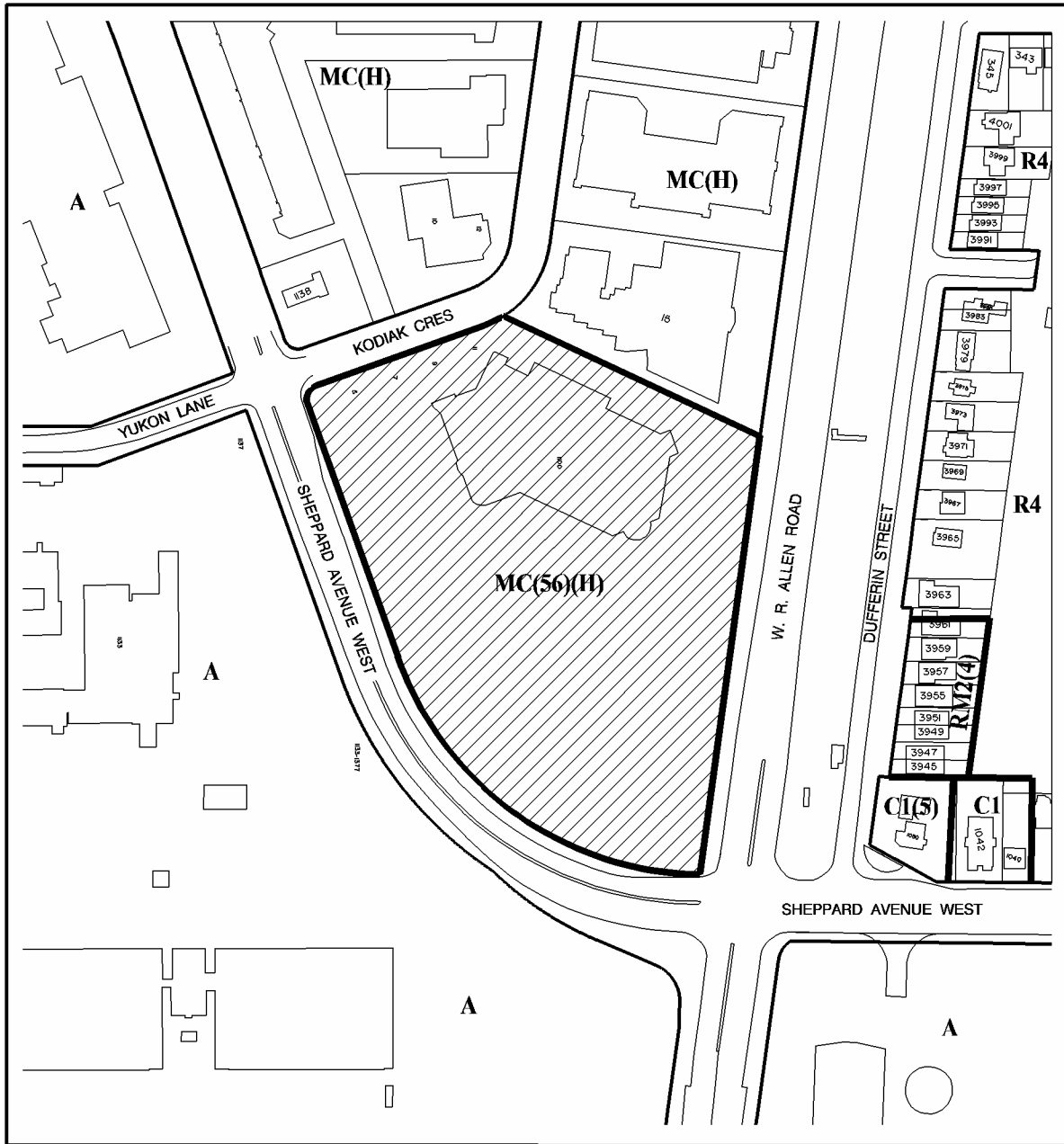
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|---|--|---|
|  Site Location |  Neighbourhoods |  Institutional |
| |  Mixed Use | |
| |  Employment | |



Not to Scale
June 2006

Attachment 7: Zoning (Map)



1100 Sheppard Avenue West

File # 99_036260

MC Industrial-Commercial Zone
A Airport Hazard Area Zone
C1 General Commercial Zone

R4 One-Family Detached Dwelling Fourth Density Zone
RM2 Multiple-Family Dwellings Second Density Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

↑
Not to Scale
Zoning By-law 7625
Extracted 08/18/06

Attachment 8: Application Data Sheet

APPLICATION DATA SHEET

Application Type: Official Plan Amendment Application Number: 99 036260 NNY 08 OZ
Details: OPA, Standard Application Date: November 15, 1999

Municipal Address: 1100 SHEPPARD AVE W, TORONTO ON
Location Description: 1100 SHEPPARD AVE W -- BLOCK 18, PLAN M-1982 **GRID N0807
Project Description: Existing Use: RETAIL COMMERCIAL Proposed Use: PERMIT A HIGH DENSITY MIXED COMMERCIAL AND RESIDENTIAL DEVELOPMENT

Applicant:	Agent:	Architect:	Owner:
URBAN STRATEGIES INC			LIBERTY DEVELOPMENT CORPORATION

PLANNING CONTROLS

Official Plan Designation:	MU	Site Specific Provision:	
Zoning:	MC(56)(H)	Historical Status:	
Height Limit (m):	Various (35-45 m)	Site Plan Control Area:	N

PROJECT INFORMATION

Site Area (sq. m):	43906	Height:	Storeys:	14-17
Frontage (m):	0		Metres:	0
Depth (m):	0			
Total Ground Floor Area (sq. m):	0			Total
Total Residential GFA (sq. m):	114823	Parking Spaces:		2022
Total Non-Residential GFA (sq. m):	16895	Loading Docks		4
Total GFA (sq. m):	131718			
Lot Coverage Ratio (%):	0			
Floor Space Index:	3.0			

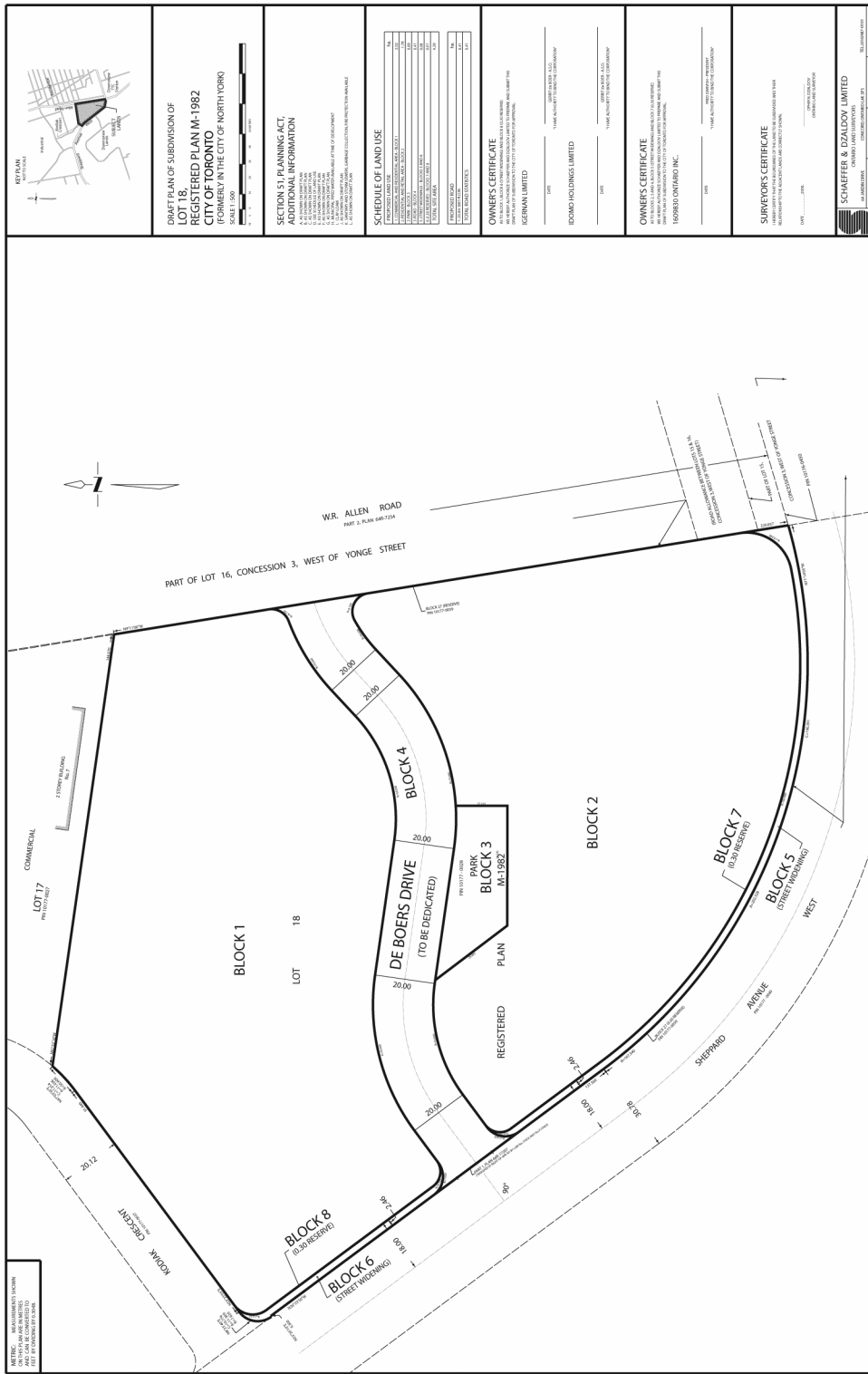
DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	114823 0
Bachelor:	0	Retail GFA (sq. m):	16895 0
1 Bedroom:	0	Office GFA (sq. m):	0 0
2 Bedroom:	0	Industrial GFA (sq. m):	0 0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0 0
Total Units:	1500		

CONTACT: **PLANNER NAME:** **Cathie Ferguson, Planner**
TELEPHONE: **(416) 395-7117**

Attachment 9: Draft Plan of Subdivision



1100 Sheppard Avenue West

Plan of Subdivision

Applicant's Submitted Drawing

Not to Scale
08/25/06

File # 99_036260