

**Final Report  
Official Plan and Zoning By-law Amendment Applications  
Demolition Application under Municipal Code Chapter 667  
695 – 717 Sheppard Avenue West**

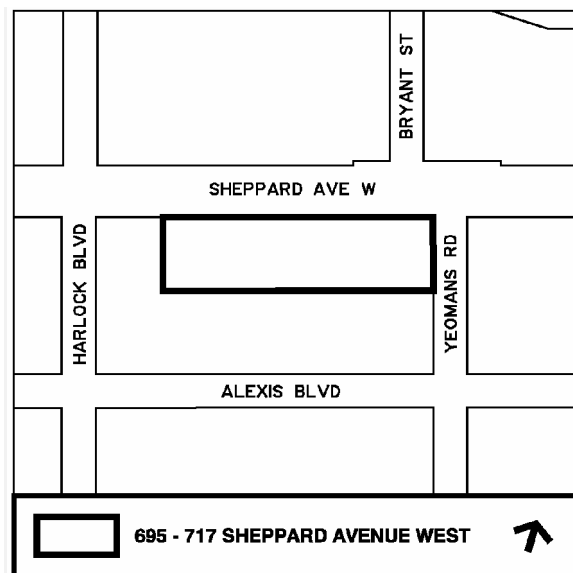
<b>Date:</b>	November 13, 2007
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 10 – York Centre
<b>Reference Number:</b>	File No: 07 129252 NNY 10 OZ 07 259264 NNY 00 RH

**SUMMARY**

The redevelopment applications were made after January 1, 2007 and are subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

The *Planning Act* applications propose to amend the Sheppard West/Dublin Secondary Plan and Zoning By-law 7625 to permit the construction of an eight-storey mixed-use building with commercial uses at grade and residential units above at 695 – 717 Sheppard Avenue West. This development parcel is comprised of an assembly of 11 properties that previously contained 11 rental housing units and one owner-occupied unit. The application under Chapter 667 of the Municipal Code proposes the demolition of the 11 rental dwelling units which is prohibited without a permit issued under Section 111 of the *City of Toronto Act*.

The redevelopment proposal is in keeping with the objectives of the Secondary Plan to



encourage a diversity of office, commercial, institutional and residential uses along Sheppard Avenue West while protecting the abutting lower density residential uses.

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law and approval of the application to demolish the existing single detached dwellings.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. City Council amend the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment 8.
2. City Council amend the Zoning By-law for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 9.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills for enactment, City Council require the owner to enter into a Section 37 Agreement with the City to the satisfaction of the City Solicitor to provide or fund the following facilities, services and/or matters:
  - a. A cash contribution of \$180,000 to be dedicated to improving existing recreational capital facilities in the local area, the specific location to be determined through continuing discussions between City Planning staff, the Local Councillor, Parks, Forestry and Recreation staff and other City Divisions as required.
  - b. A cash contribution of \$25,000 to be dedicated to landscaping a remnant parcel created by the realignment of the Sheppard Avenue West and Yeomans Road intersection abutting the development parcel on the east.
  - c. A cash contribution of \$50,000 in lieu of replacement of any of the residential rental units to be demolished, subject to the conditions of approval of the demolition permit under Municipal Code Chapter 667. This payment is to be directed to the Capital Revolving Fund for Affordable Housing.
5. City Council approve the application to demolish the existing 11 houses at 695, 697, 699, 701, 703, 705, 707, 711, 713, 715, and 717 Sheppard Avenue West pursuant to Municipal Code Chapters 667 and 363 subject to the following condition under Chapter 667:
  - a. The owner of the property to make a cash payment to the City in the amount of \$50,000 in lieu of replacement of any residential rental units contained on the subject properties, prior to the issuance by the Chief Planner of preliminary

approval of the application under Chapter 667. This payment is to be directed to the Capital Revolving Fund for Affordable Housing.

6. City Council authorize the Chief Planner to issue a preliminary approval to the application to demolish the rental housing units under Municipal Code Chapter 667 after the condition in Recommendation 5(a) is satisfied.
7. City Council authorize the Chief Building Official to issue a Section 111 permit under Municipal Code Chapter 667 after the Chief Planner has issued the preliminary approval in Recommendation 6, on the condition that:
  - a. Prior to the issuance of the demolition permit, the Site Plan Control application for the temporary sales pavilion has been approved, including the submission of financial securities to guarantee landscaping provisions on site to the satisfaction of the Director, Community Planning, North York District;
  - b. The Owner remove all debris and rubble from the site immediately after demolition;
  - c. The Owner erect a fence in accordance with the provisions of Municipal Code Chapter 363, Article III if deemed appropriate by the Chief Building Official;
  - d. The Owner maintain the site free of garbage and weeds in accordance with the Municipal Code Chapters 632-5 and 629-10, Paragraph B;
  - e. The Owner backfills any holes on the property with clean fill;
  - f. The Owner erect a residential building on site no later than three (3) years from the day demolition of the buildings is commenced; and
  - g. Should the Owner fail to complete the new building within the time specified in condition (f), the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000) for each dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.
8. City Council authorize the Chief Building Official to issue a permit under Section 33 of the *Planning Act*, after the Chief Planner has given preliminary approval under Recommendation 6, which permit may be included in the demolition permit for Chapter 667 under § 363-11.1E, of the Municipal Code.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

An exception to Zoning By-law 7625 exists on one of the lots within the development parcel at 715 Sheppard Avenue West. The exception permits a four storey mixed use building with certain ground floor retail uses (see Zoning section of this report for additional details of the exception). The application for rezoning was refused by the Planning Advisory Committee of the former City of North York on May 31, 1995, but subsequently approved by the Ontario Municipal Board. The project was never constructed.

A preliminary report on the *Planning Act* applications was adopted by North York Community Council on May 29, 2007 authorizing staff to conduct a community consultation meeting, with an expanded notification area. This report can be found at:

<http://www.toronto.ca/legdocs/mmis/2007/ny/bgrd/backgroundfile-3473.pdf>

## **ISSUE BACKGROUND**

### **Proposal**

The applicant is proposing an eight-storey (24.19m) 202-unit mixed use building at the corner of Sheppard Avenue West and Yeomans Road. A total of 21,395m<sup>2</sup> of gross floor area is proposed which results in a density of 3.0 times the area of the lot. Uses proposed at grade include retail and commercial space, an art gallery and eleven live/work units all of which would be accessible from Sheppard Avenue West. A total of 296 parking spaces are being proposed, all of which are below grade. Additional site statistics are presented in the Application Data Sheet (Attachment 7).

In order to permit this redevelopment, the applicant is proposing to demolish the existing 11 single detached dwellings and their accessory structures on the development site. The subject lands were assembled by the applicant in 2006. Owner documentation and City records indicate that one of the houses was owner occupied at the time of purchase. Within the remaining ten properties, there were eleven rental housing units, seven of which were occupied when purchased by the owner. No replacement rental units are proposed in the redevelopment proposal.

### **Site and Surrounding Area**

The site is located on the south side of Sheppard Avenue West, two blocks west of Bathurst Street. The site has a frontage of 160m on Sheppard Avenue West, a depth of 44m and an area of 1.7 acres. The assembly of these 11 properties creates a parcel that encompasses the major portion of the block between Yeomans Road and Harlock Boulevard.

Land Uses surrounding the site are as follows:

*North:* a mix of single detached dwellings, commercial uses and a place of worship across Sheppard Avenue West

*West:* a place of worship

*South:* single-detached dwellings along Alexis Boulevard

*East:* single detached dwellings across Yeomans Road

## Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

The Greenbelt Plan identifies the Greenbelt of the Greater Golden Horseshoe as an area where urbanization should not occur to provide permanent protection to the agricultural land base and the ecological functions and features occurring in this landscape. In particular, it restricts development and land use in the Rouge River Watershed and the Rouge Park area in Toronto.

City Council's planning decisions are required by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## Official Plan

The subject site falls within the Sheppard West/Dublin Secondary Plan and is designated *Mixed Use Areas "B"* by Map 23-1 of the Official Plan. The objective of this Secondary Plan is to encourage and maintain a diversity of residential, institutional, retail, service commercial, office and open space uses along Sheppard Avenue West from Downsview Subway Station to Bathurst Street.

This portion of Sheppard Avenue West is located within an *Avenues* overlay as illustrated on Map 2 of the Official Plan and forms part of the Transit Priority Segment between the Downsview and Sheppard/Yonge subway stations as identified on Map 4. This policy framework intends to direct a concentration of population and employment growth along transit lines via the intensification and mix of uses. *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and employment opportunities, transit service for community residents, and to encourage environmentally sustainable building design and construction practices.

The *Avenues* policies state: "Development requiring a rezoning will not be allowed to proceed prior to the completion of an *Avenue* study unless the review demonstrates to Council's satisfaction that subsequent development of the entire *Avenue* segment will have no adverse impact within the context and parameters of the review." The review referenced in this policy is to consider the incremental effects of the proposed form of development along the entire *Avenue* segment and impacts on adjacent *Neighbourhoods* or *Apartment Neighbourhoods* as well as infrastructure considerations.

The general objectives in the Toronto Official Plan are further articulated by the Sheppard West/Dublin Secondary Plan. The preferred form of mixed-use development in *Mixed Use Areas "B"* contains ground floor commercial uses with residential uses above. The Secondary

Plan provides greater densities for development parcels that supply a mix of uses and have a frontage on Sheppard Avenue West greater than thirty meters. Given the proposed mix of uses, and the 160m frontage, the maximum permitted density under the provisions of the Secondary Plan is 2.0 times the area of the lot. The maximum building height is 5 storeys.

In addition to the general framework of the Official Plan guiding intensification in *Mixed Use Areas* adjacent to *Neighbourhoods*, the Sheppard West/Dublin Secondary Plan contains specific measures intended to buffer properties designated *Neighbourhoods* immediately adjacent to redevelopment parcels fronting Sheppard Avenue West. These measures include the provision and maintenance of suitable fencing and a 1.5m landscape strip along the property lines between new developments and *Neighbourhoods*. Also, the height of any new building or portion thereof will not exceed the horizontal distance separating the building from adjacent lands designated *Neighbourhoods*. This horizontal distance cannot be less than 9.5m.

The Official Plan states that a full range of housing forms will be provided and maintained across the City and within neighbourhoods to meet the current and future needs of residents. A full range of housing includes rental and ownership, as well as a range of affordability and other special housing needs. Policy 3.2.1.6 provides that where development would remove six or more rental housing units, approvals should require the replacement of these rental units and an acceptable tenant relocation and assistance plan.

## **Zoning**

The majority of the lands subject to this application are zoned One Family Detached Dwelling Fourth Density Zone (R4), as indicated in Attachment 5. The R4 zoning permits one-family detached dwellings and accessory buildings as well as various recreational and institutional uses.

715 Sheppard Avenue West was rezoned to Multiple Family Detached Dwellings Sixth Density Zone – RM6(70) with an exception that permits apartment house dwellings and accessory structures as well as retail stores on the ground floor with certain restrictions on the type of establishment. The RM6(70) exception also sets out a maximum floor area of 877m<sup>2</sup> (42m<sup>2</sup> to be used for ground floor retail uses) and a maximum of six dwelling units. The maximum building height is 4 storeys.

## **Site Plan Control**

An application for Site Plan Control is required but has not been filed. Detailed discussions on site plan matters have been ongoing throughout the review of the Official Plan and Zoning By-law Amendment applications by City staff as well as in working group sessions with the Local Councillor and neighbouring residents. With these issues approaching resolution, it is anticipated a Site Plan Control application for the condominium development will be submitted shortly.

A minor variance has been granted by the Committee of Adjustment to permit a temporary sales pavilion on the site. An application for Site Plan Control has been filed for the temporary sales pavilion.

## **Rental Housing Demolition and Conversion By-law**

The Rental Housing Demolition and Conversion By-law (885-2007) implements the City's Official Plan policies protecting rental housing. By-law 885-2007 established Chapter 667 of the Municipal Code and was approved by City Council on July 19, 2007, retroactive to January 1, 2007 for related applications under the *Planning Act*. This proposal is subject to the By-law because the related applications were made on March 29, 2007. The By-law prohibits demolition or conversion of rental housing units without a permit issued under Section 111 of the *City of Toronto Act*. Proposals involving six or more rental housing units require a decision by City Council. Council may refuse an application, or approve the demolition with conditions that must be satisfied before a permit is issued under the *Building Code Act*.

Under Section 33 of the *Planning Act* and Municipal Code Chapter 363, Council has the authority to approve or refuse a demolition permit, except in cases where a building permit has been issued to construct a new building. The proposed demolition requires approval under both Section 33 of the *Planning Act* and Section 111 of the *City of Toronto Act*. Section 363-11.1 of the Municipal Code provides for the co-ordination of these two processes. Under Subsection E, the Chief Building Official may issue one demolition permit for the purposes of Section 33 of the *Planning Act* and Chapter 667 of the Municipal Code. In these cases, Subsection D provides that the Chief Planner in consultation with the Chief Building Official may report on the application for a City Council Decision.

Toronto Building staff and the Chief Building Official were consulted in the preparation of this report.

## **Reasons for Application**

The Sheppard West/Dublin Secondary Plan allows the subject lands to be developed with a mixed use building at a density of 2.0 times the area of the lot and a building height no greater than five storeys. The Zoning By-law only permits the construction of single detached dwellings or their accessory structures as described above. An application to amend the Sheppard West/Dublin Secondary Plan and Zoning By-law is required as the applicant is proposing an eight storey mixed use building with a density 3.0 times the area of the lot.

## **Community Consultation**

A community consultation meeting was held on June 7, 2007 at the Earl Bales Community Centre. The meeting was attended by approximately 25 members of the community.

The following issues were raised:

- The proposed consolidated vehicular access on Yeomans Road would further exacerbate existing traffic problems on this local road and the poor level of service at the intersection of Yeomans Road and Sheppard Avenue West;
- The proposed increase in height and density are inappropriate for Sheppard Avenue West and could result in overview and privacy impacts;
- The proposed development will result in problems with short term parking on local streets which would further congest Yeomans Road;
- Poor drainage patterns on the existing parcel have resulted in flooding in the backyards of properties on Alexis Road; and

- The deteriorated state of the existing single detached dwellings was creating a public safety hazard.

As a result of the community consultation meeting and the level of interest expressed in the project, the Ward Councillor's office established a neighbourhood working group. Two working group meetings were held to devise possible solutions to the problems at the intersection of Yeomans Road and Sheppard Avenue West as they relate to site access and traffic circulation. A third meeting was held to address issues of built form and landscaping. These issues have been addressed in the comments section below.

The Rental Housing Demolition and Conversion By-law (885-2007) requires City Planning to hold a community consultation meeting to consider issues related solely to rental housing and tenant impact. At the time of the application for demolition of the 11 single detached houses there were no tenants on the property. A community consultation meeting on rental issues was held on October 11, 2007 attended by representatives from the Federation of Metro Tenants and the Downsview Community Legal Clinic. Participants raised concerns surrounding the lack of affordable rental housing in the area and disappointment with regards to the premature vacancies of the Sheppard West properties prior to the redevelopment and demolition proposals being reviewed by City Council.

### **Agency Circulation**

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

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The proposal is consistent with the PPS. It accommodates a range of residential and employment uses and efficiently uses land within a designated growth area that is well served by municipal infrastructure.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It promotes intensification along an identified intensification corridor which is well served by public transit. The transit supportive nature of the development and mix of uses should reduce dependency on vehicular trips.

### **Land Use**

The City of Toronto Official Plan directs future growth in the City to areas that are well served by public transit. Specifically, residential growth is intended to be directed to major arterial corridors identified by the *Avenues* overlay on Map 2. In addition to falling within an *Avenues* segment, the subject site is located within an existing Secondary Plan area that promotes residential intensification along a major arterial road well served by public transit. In general, the *Mixed Use Areas* designation permits a broad range of residential and commercial uses intended to absorb much of the future residential growth in the city. This designation is further refined by the Secondary Plan which promotes a mix of uses and comprehensive redevelopment



by granting additional density to development parcels which provide commercial uses at grade and have a frontage greater than 30m on Sheppard Avenue West.

The proposed mid-rise, mixed use condominium building comprising a substantial frontage along Sheppard Avenue West is an appropriate use for lands designated *Mixed Use Areas "B"* by the Sheppard West/Dublin Secondary Plan. It is similar in form, scale and intensity to other proposals in the Secondary Plan Area approved through site specific policies and implementing zoning and can proceed prior to the completion of an *Avenue* study. The proposal takes advantage of existing municipal infrastructure and the commercial uses at grade will provide a lively pedestrian amenity with an improved streetscape. The proposed development would promote additional ridership on public transit. The subject site is immediately adjacent to stops for the Sheppard Avenue #84 bus that makes connections in either direction to the Downsview and Sheppard/Yonge subway stations. The proposed development therefore conforms to the land use provisions of the Official Plan and the site is appropriate for residential intensification.

### **Density, Height and Massing**

The Sheppard West/Dublin Secondary Plan includes policies intended to protect abutting lands designated *Neighbourhoods* from the increased level of development along the corridor. These policies form the framework that guides the review of any development proposed within the Secondary Plan area, particularly those which request an amendment to the Plan for additional heights or densities.

The applicant is proposing a building with a height of 8 storeys and a density of 3.0 times the area of the lot. This height and density is appropriate as the proposal meets the buffering and transition provisions of the Secondary Plan while providing an active and articulated street frontage along Sheppard Avenue West as described below.

The building is proposed to be setback a minimum of 9.5m from the rear property line and provides the prescribed 1.5m landscape strip across the rear property line. The applicant has also demonstrated that the building falls beneath the 45 degree angular plane required by the Secondary Plan. This angular plane pushes the higher and denser parts of the building towards Sheppard Avenue and away from the lower scale residential neighbourhood to the south, providing a transition in built form. This results in acceptable conditions of overlook, views and privacy between the two uses.

The substantial length of the development parcel allows the proposed building to be sited such that a significant amount of landscaped outdoor amenity space is provided at grade. This situation is not found with many other developments on smaller consolidated parcels within the Secondary Plan area. The terraced building form provides an opportunity for additional roof top amenity space and results in a minimal amount of the building being located at the minimum rear yard setback.

The building is organized into two eight storey wings separated by a four storey component at the midpoint of the block containing a communal lobby. The building provides minimal setbacks for the first two storeys to develop a pedestrian scale base and present a street edge with directly accessible commercial uses at grade. The Sheppard Avenue West façade steps back from the property line from the third to sixth storeys and steps back further still for the seventh and eighth floor. The articulation on the front of the building provides for maximum visual

interest along Sheppard Avenue West as encouraged by the built form policies of the Official Plan.

## **Sun and Shadow**

The applicant's architect conducted a shadow analysis of the proposal. The project's location on the south side of Sheppard Avenue West results in no shadowing on the abutting residential properties designated *Neighbourhoods*. The proposed reduction in the massing at the mid point of the block allows for a break in any shadowing of the sidewalk along the north side of Sheppard Avenue West.

## **Traffic Impact, Access and Parking**

The applicant submitted a Traffic Impact Study prepared by IBI Group in March, 2007 as well as a comprehensive addendum providing additional information requested by Transportation Services staff. This work identified that Yeomans Road, designated as a local road, was carrying high levels of traffic. This additional level of traffic is constraining certain movements at the intersection of Sheppard Avenue West and Yeomans Road.

The application proposes a singular vehicle access from Yeomans Road. This driveway would serve the commercial and residential parking spaces in the below grade garage, a service court, and a passenger pick-up/drop-off area. This access arrangement is consistent with Official Plan policies for minimizing curb cuts and consolidating service and access points to the rear of buildings on arterial roads. However, the congestion of the Sheppard Avenue West and Yeomans Road intersection directly impacts the access arrangement for the proposed development.

Much of the discussion at the community consultation meeting as well as the first two working group sessions involved transportation and access issues. Members of the working group were opposed to the Yeomans Road access and suggested that the development take its access from Sheppard Avenue as an exception to City policy.

Analysis conducted by IBI Group, and concurred with by Transportation Services staff, indicated that providing vehicle access from Sheppard Avenue as suggested by the working group would not result in a significant improvement in the constrained movements of the Sheppard Avenue and Yeomans Road intersection. Furthermore, Transportation Services conducted a warrant analysis based on pedestrian count volumes observed and have concluded that signal warrants have been met for the offset intersection formed by Yeomans Road, Sheppard Avenue West and Bryant Road. Based on this analysis, Transportation Services is recommending that a traffic control signal should be installed by the applicant.

In order to appropriately signalize the intersection of Bryant Road and Yeomans Road at Sheppard Avenue West, the offset between the two roads must be minimized. The proposed intersection will be signed and signalized to prohibit through movements between Bryant Road and Yeomans Road to reduce any further traffic infiltration on local roads. The conveyance of the land and financial guarantees for the signalization of the intersection will be secured in the Site Plan Control Agreement.

The applicant is providing one loading space at grade and 305 parking spaces below grade; a supply of 1.4 spaces per unit with 0.25 of that being for the use of visitors. Commercial parking

is proposed to be provided at rates governed by Zoning By-law 7625. The applicant has proposed a sharing arrangement between residential visitor parking and parking for non-residential uses on site. This proposal is based on the fact that demand for residential visitor parking peaks at different times than non-residential parking. A maximum of 17 visitor parking spaces are proposed to be shared.

The proposed signalization and intersection realignment, traffic generation and parking arrangements are acceptable to Transportation Services staff. Specific refinements of these issues will be achieved through the review of an application for Site Plan Control.

## **Servicing**

The applicant has provided a Functional Servicing and Grading Plan and a Stormwater Management analysis which has been accepted by Technical Services staff.

## **Streetscape**

This proposal supports the objectives of the Toronto Official Plan to achieve an aesthetically pleasing streetscape in the following manner:

1. The building is sited along Sheppard Avenue West with minimal setbacks to provide a well defined street edge. It gives prominence to the corner of Sheppard Avenue West and Yeomans Road with an art gallery space and augmented landscape treatments;
2. The provision of street trees will be co-ordinated with additional on-site landscaping to enhance the appearance of the building and the pedestrian experience;
3. The building incorporates architectural elements including step backs and articulated balconies to create a pedestrian scale while providing visual interest along Sheppard Avenue West; and
4. The commercial and live/work units at grade are all accessible from the Sheppard Avenue West sidewalk which will encourage pedestrian activity.

Additional streetscape improvement will be required as part of the realignment of Yeomans Road where it intersects Sheppard Avenue West. The realignment will create a small remnant parcel on the east side of Yeomans Road across from the subject site. When the intersection is reconstructed, this will be an ideal location for additional landscaping as directed by the public realm policies of the Official Plan. It is envisioned that the design of this area will be co-ordinated with landscaping on the east end of the development site to create a gateway feature that could be enjoyed by new residents in the Sheppard West/Dublin corridor as well as those in the surrounding neighbourhood. This design and co-ordination exercise would be undertaken in consultation with the applicant, City staff, the Local Councillor and neighbourhood residents.

## **Toronto Green Development Standards**

The applicant has been directed to follow the Green Development Standards when implementing specific details of the site and its landscaping.

## **Section 37**

The recommended community benefits are improvements to recreation facilities in this area. There are currently capital initiatives underway to address a shortage of facility space in the area and Section 37 monies from this development can be applied to these initiatives. Specifically, there are opportunities at the Antibes Community Centre and Earl Bales Community Centre.

Ongoing discussions with staff from Parks, Forestry and Recreation, Toronto Public Library, Toronto Public Health and the Local Councillor will ensure that monies are directed to the projects with the most immediate need.

The community benefits recommended to be secured in the Section 37 Agreement are:

- (A) A cash contribution of \$180,000 to be dedicated to improving existing recreational capital facilities in the local area, the specific location to be determined through continuing discussions between City Planning staff, the Local Councillor, Parks, Forestry and Recreation staff and other City Divisions as required.
- (B) A cash contribution of \$25,000 to be dedicated towards landscaping the remnant parcel created by the realignment of the Sheppard Avenue West and Yeomans Road intersection abutting the development parcel on the east.
- (C) A cash contribution of \$50,000 in-lieu of replacement of any of the residential rental units to be demolished, subject to the conditions of the approval of the demolition permit under Municipal Code Chapter 667.

## **Permit to Demolish**

The request for a permit to demolish the buildings was made prior to the decision by City Council on the merits of the development proposal and prior to the issuance of a building permit. The application for the demolition of the single detached dwellings has been circulated to Heritage Preservation Services, Urban Forestry and the Local Councillor. The existing dwellings are not listed and/or designated under the Ontario Heritage Act.

At the time of the preparation of this report, no comments or objections were received.

Approval of the demolition permit prior to the issuance of a building permit for the new development is required to facilitate the owner's proposal to construct a sales pavilion for the new condominium. Residents have also raised safety concerns related to the deteriorating conditions of the buildings and unlawful trespassing on the property.

## **Rental Housing**

There are no tenants residing on the property who are directly affected by the proposed demolition. Information on the length of tenancy of the seven tenant households occupying units at the time of their purchase by the owner in 2006 is not available.

For the majority of their existence, the subject dwellings were likely owner occupied single detached dwellings along an arterial road. It is not uncommon for older housing stock in Toronto to switch from ownership to rental tenure especially in neighbourhoods or streets in transition, or where intensification is supported by Official Plan policies. Unless assembled for redevelopment, units may move into rental tenure and provide a source of rental housing for many years. Owner documentation and City records indicate that the eleven units were rented since at least the year 2000.

The applicant is proposing to demolish these units to facilitate the construction of an eight storey mixed use condominium building and submitted an application under Chapter 667 of the Municipal Code. In the circumstance of this application, staff are recommending that the replacement of the 11 rental housing units not be required, but that a cash contribution be made by the Owner to the City's Capital Revolving Fund for Affordable Housing. In acknowledgement of the modest contribution made by these housing units to the supply of rental housing, a contribution of \$50,000 is recommended.

The proposal to demolish the 11 houses on the development parcel, previously containing 11 rental housing units and 1 owner occupied unit, should be approved on the condition that the payment in lieu of replacement housing be made by the Owner prior to the issuance of the preliminary approval for demolition under Municipal Code Chapter 667 by the Chief Planner. In addition to this condition, it is recommended that approval under Chapter 667 of the Municipal Code include the standard conditions included under Chapter 363.

### **Development Charges**

It is estimated that the development charges for this project will be approximately \$1.2 million. This is an estimate. The actual charge is assessed and collected upon issuance of building permits.

### **CONTACT**

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### **SIGNATURE**

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

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: Landscape Plan

Attachment 3: North and South Elevations

Attachment 4: East and West Elevations and Cross Section

Attachment 5: Zoning

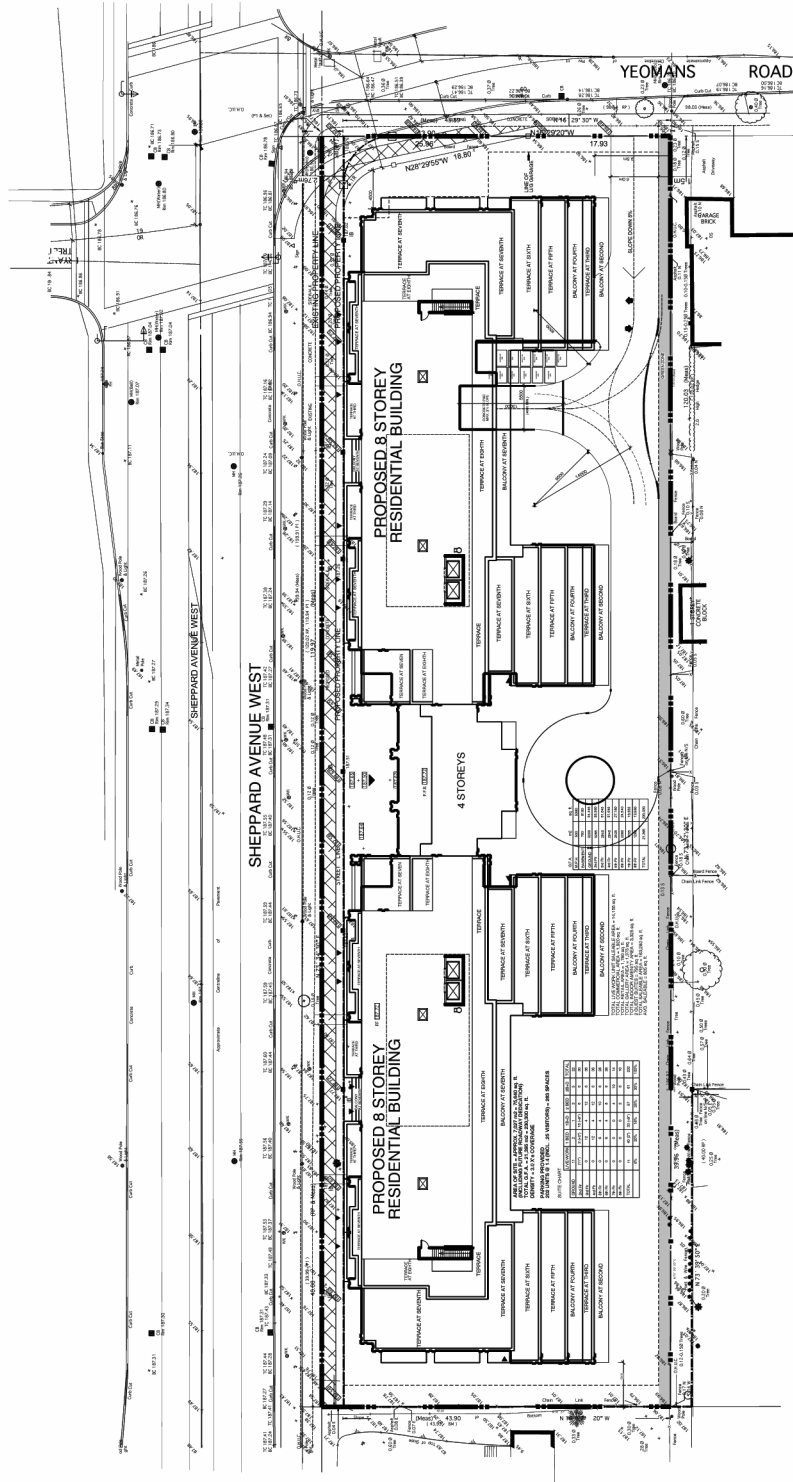
Attachment 6: Official Plan

Attachment 7: Application Data Sheet

Attachment 8: Draft Official Plan Amendment

Attachment 9: Draft Zoning By-law Amendment

# Attachment 1: Site Plan



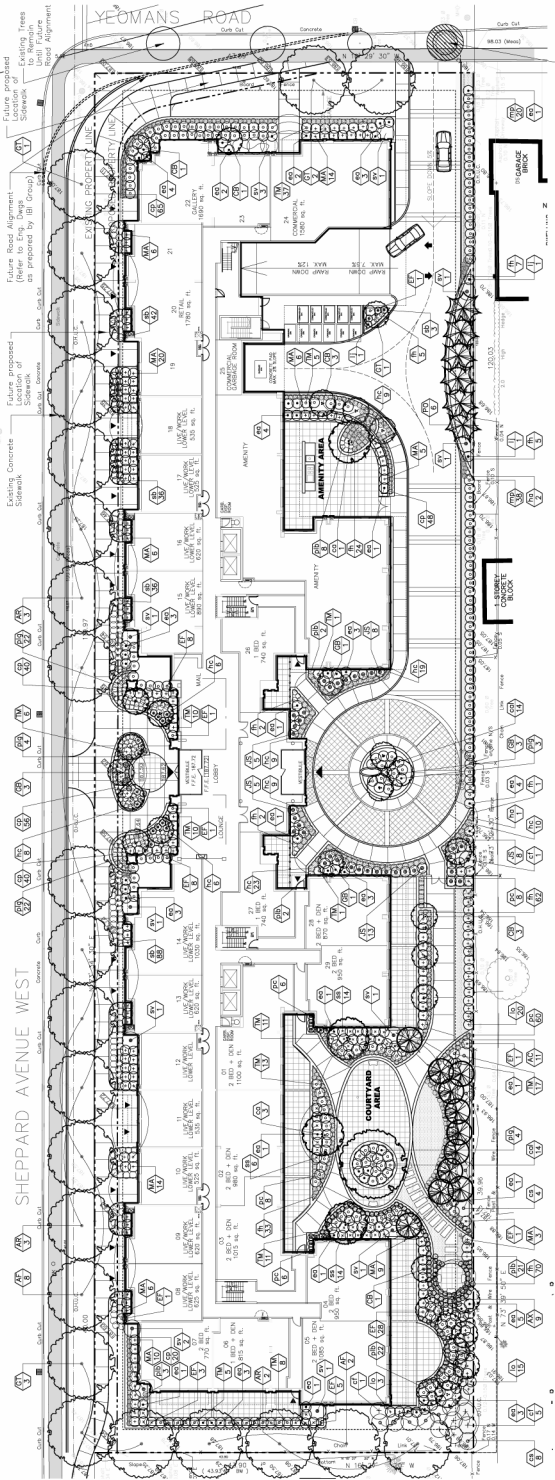
695 - 717 Sheppard Avenue West

Site Plan  
Applicant's Submitted Drawing

Not to Scale  
11/01/07

File # 07\_129252

# Attachment 2: Landscape Plan



Key	Qty	Botanical Name	Common Name	Cal	Ht./Sp.	cc	Cond	Notes
1A	1	Aster	Aster	100m	1.5m	1	UB	Full branching to ground
1B	1	Asplenium	Asplenium	100m	1.5m	1	UB	Uniform
1C	1	Asplenium	Asplenium	100m	1.5m	1	UB	Uniform
1D	1	Asplenium	Asplenium	100m	1.5m	1	UB	Uniform
1E	1	Asplenium	Asplenium	100m	1.5m	1	UB	Uniform
1F	1	Asplenium	Asplenium	100m	1.5m	1	UB	Uniform
1G	1	Asplenium	Asplenium	100m	1.5m	1	UB	Uniform
1H	1	Asplenium	Asplenium	100m	1.5m	1	UB	Uniform
1I	1	Asplenium	Asplenium	100m	1.5m	1	UB	Uniform
1J	1	Asplenium	Asplenium	100m	1.5m	1	UB	Uniform
1K	1	Asplenium	Asplenium	100m	1.5m	1	UB	Uniform
1L	1	Asplenium	Asplenium	100m	1.5m	1	UB	Uniform
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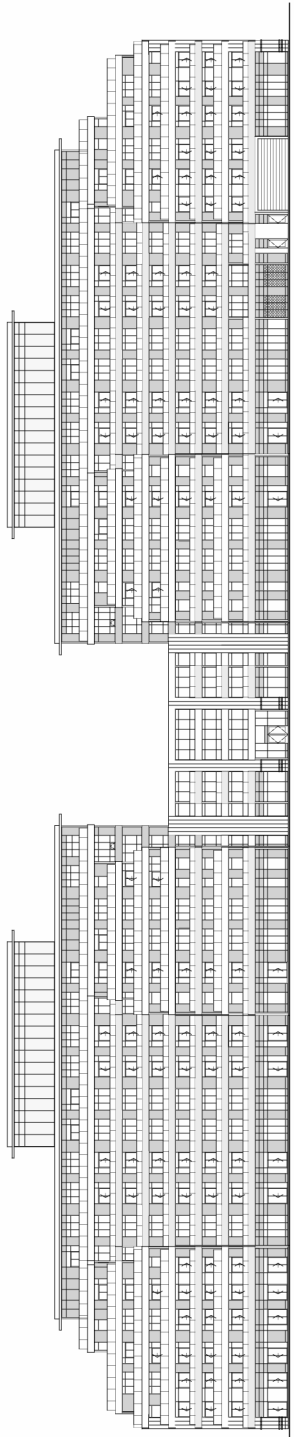
**Landscape Plan**  
 Applicant's Submitted Drawing  
 Not to Scale  
 11/01/07

**695 - 717 Sheppard Avenue West**

File # 07\_129252



**Attachment 3: North and South Elevations**



**South Elevation**



**North Elevation**

**Elevations**

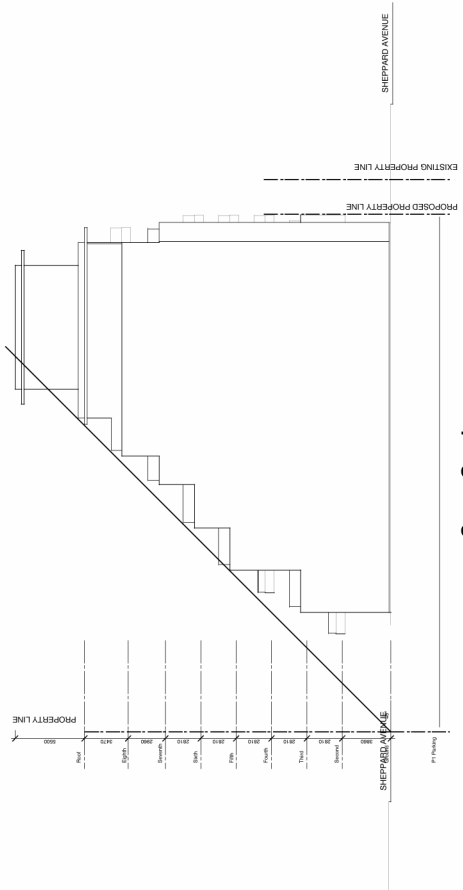
Applicant's Submitted Drawing

Not to Scale  
11/01/07

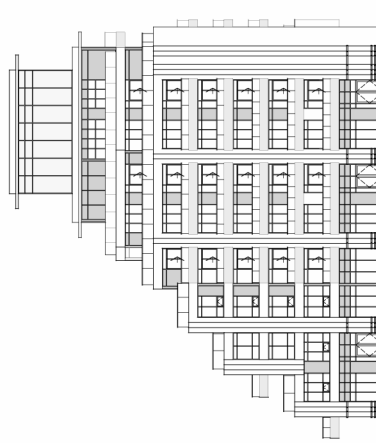
**695 - 717 Sheppard Avenue West**

File # 07\_129252

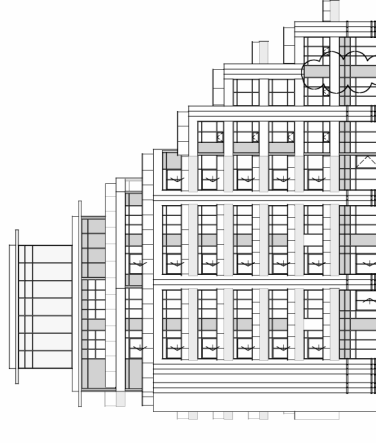
**Attachment 4: East and West Elevations**



**Cross Section**



**East Elevation**



**West Elevation**

**Elevations**

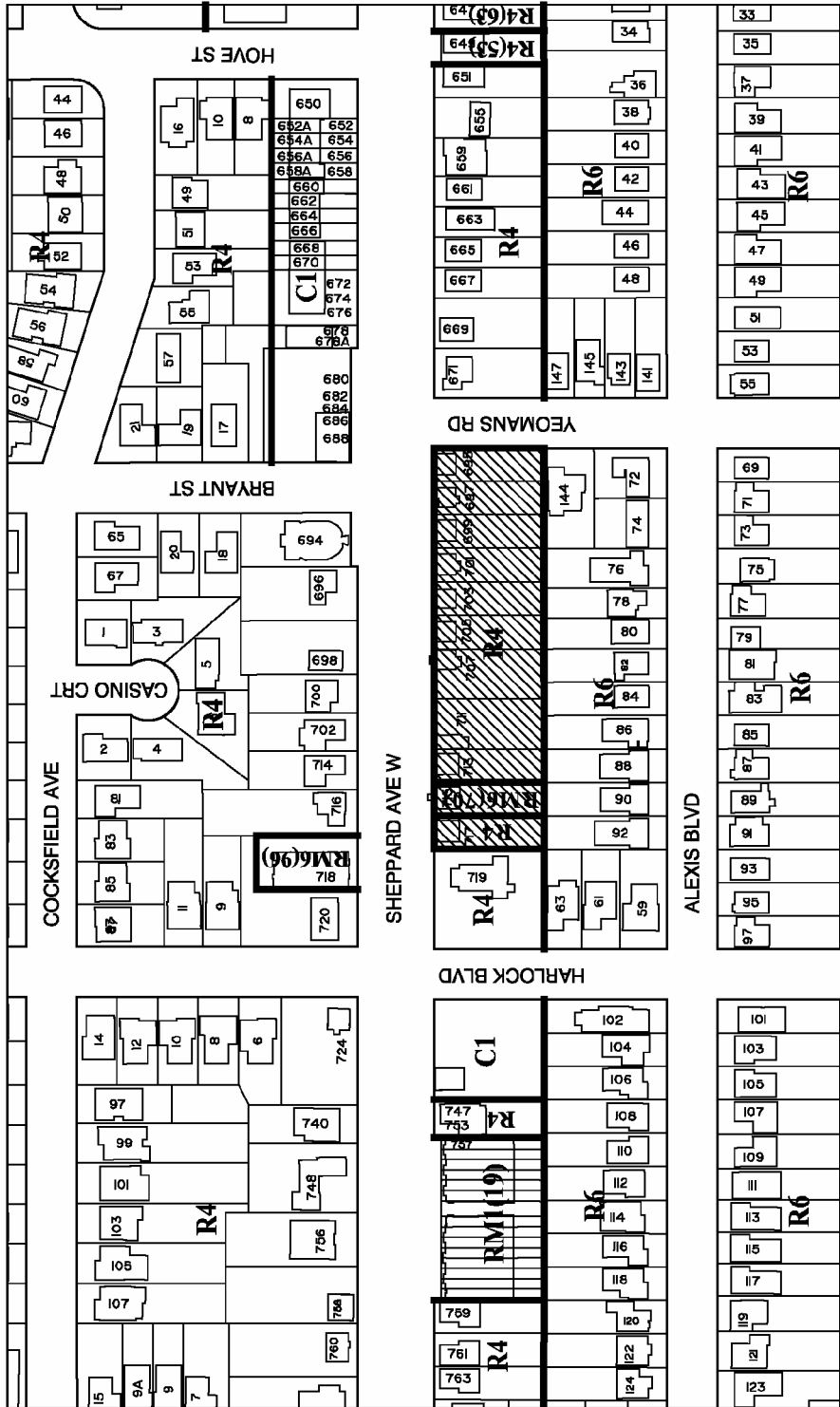
Applicant's Submitted Drawing

Not to Scale  
11/01/07

**695 - 717 Sheppard Avenue West**

File # 07\_129252

# Attachment 5: Zoning



**695 - 717 Sheppard Avenue West**  
 File # 07\_129252 NNY 10 02

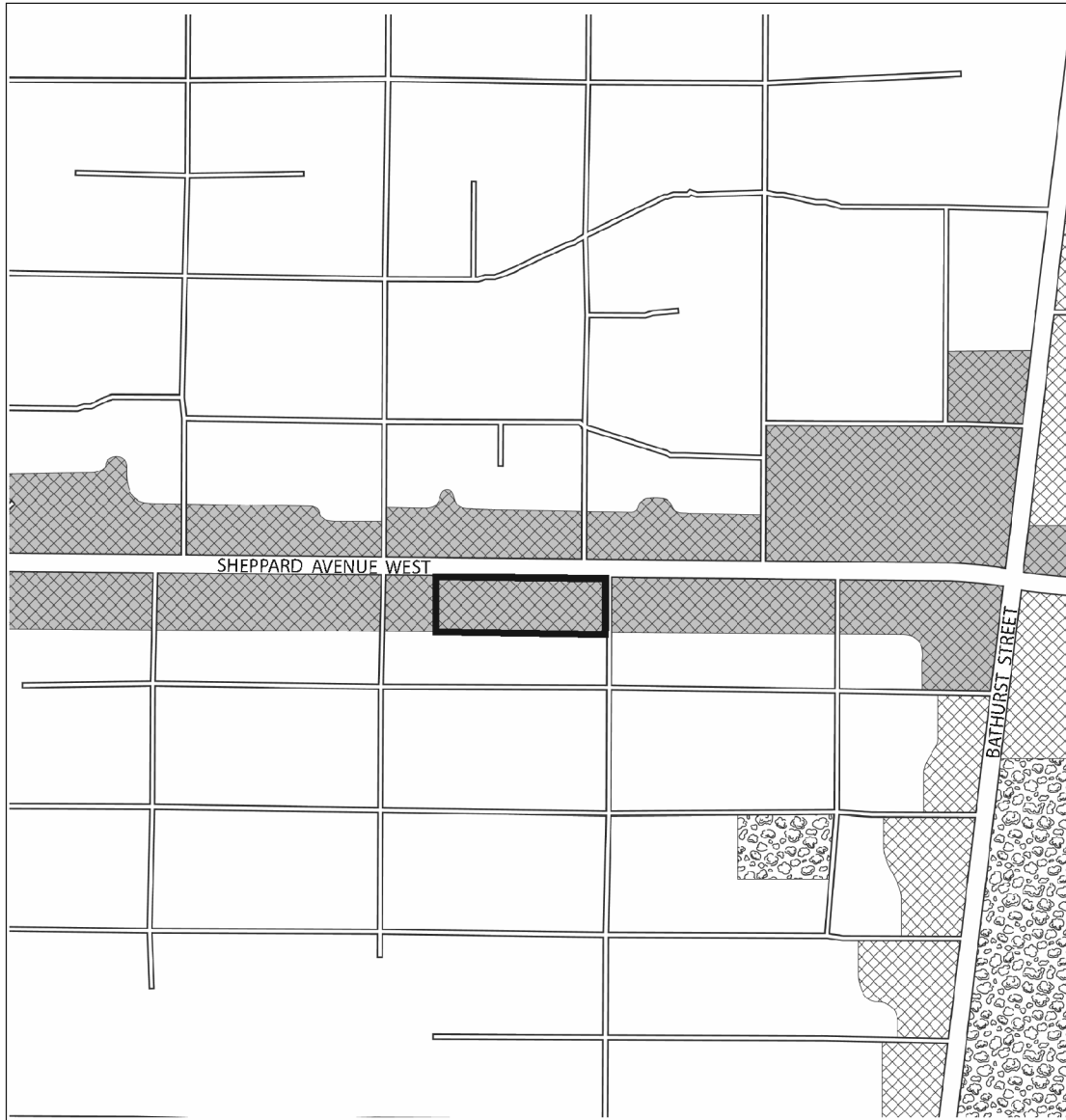
Not to Scale  
 Zoning Bylaw 7625  
 Extracted 04/16/07

RM1 Multiple-Family Dwellings First Density Zone  
 RM6 Multiple-Family Dwellings Sixth Density Zone  
 C1 General Commercial Zone

R4 One-Family Detached Dwelling Fourth Density Zone  
 R6 One-Family Detached Dwelling Sixth Density Zone  
 NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



## Attachment 6: Official Plan



**Toronto** City Planning  
**Official Plan**

**695 - 717 Sheppard Avenue West**

File # 07\_129252

- |  |   |   |
|--|---|---|
|  Neighbourhoods           |  Mixed Use Areas |  Site Location |
|  Apartment Neighbourhoods |  Parks           |   |

  
 Not to Scale  
 05/01/7

## Attachment 7: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Official Plan Amendment & Rezoning	Application Number:	07 129252 NNY 10 OZ
Details	OPA & Rezoning, Standard	Application Date:	March 29, 2007

Municipal Address: 695 SHEPPARD AVE W  
 Location Description: PLAN 1938 E PT LOT 14 \*\*GRID N1004  
 Project Description: Proposed construction of an 8-storey mixed use building consisting of 228 residential units and additional office and retail uses.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
AIRD AND BERLIS			ELM SHEPPARD INC

#### PLANNING CONTROLS

Official Plan Designation: MUA	Site Specific Provision:
Zoning: R4 & RM6(70)	Historical Status:
Height Limit (m):	Site Plan Control Area:

#### PROJECT INFORMATION

Site Area (sq. m):	7027.41	Height:	Storeys:	8	
Frontage (m):	159.97		Metres:	24.3	
Depth (m):	43.9				
Total Ground Floor Area (sq. m):	3200				<b>Total</b>
Total Residential GFA (sq. m):	21031		Parking Spaces:	305	
Total Non-Residential GFA (sq. m):	364		Loading Docks	0	
Total GFA (sq. m):	21395				
Lot Coverage Ratio (%):	45				
Floor Space Index:	3				

#### DWELLING UNITS

#### FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:				
Rooms:	0	Residential GFA (sq. m):	21031	0
Bachelor:	0	Retail GFA (sq. m):	159	0
1 Bedroom:	84	Office GFA (sq. m):	205	0
2 Bedroom:	118	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	202			

**CONTACT: PLANNER NAME: Christian Ventresca, Planner**  
**TELEPHONE: (416) 395-7129**

## **Attachment 8: Draft Official Plan Amendment**

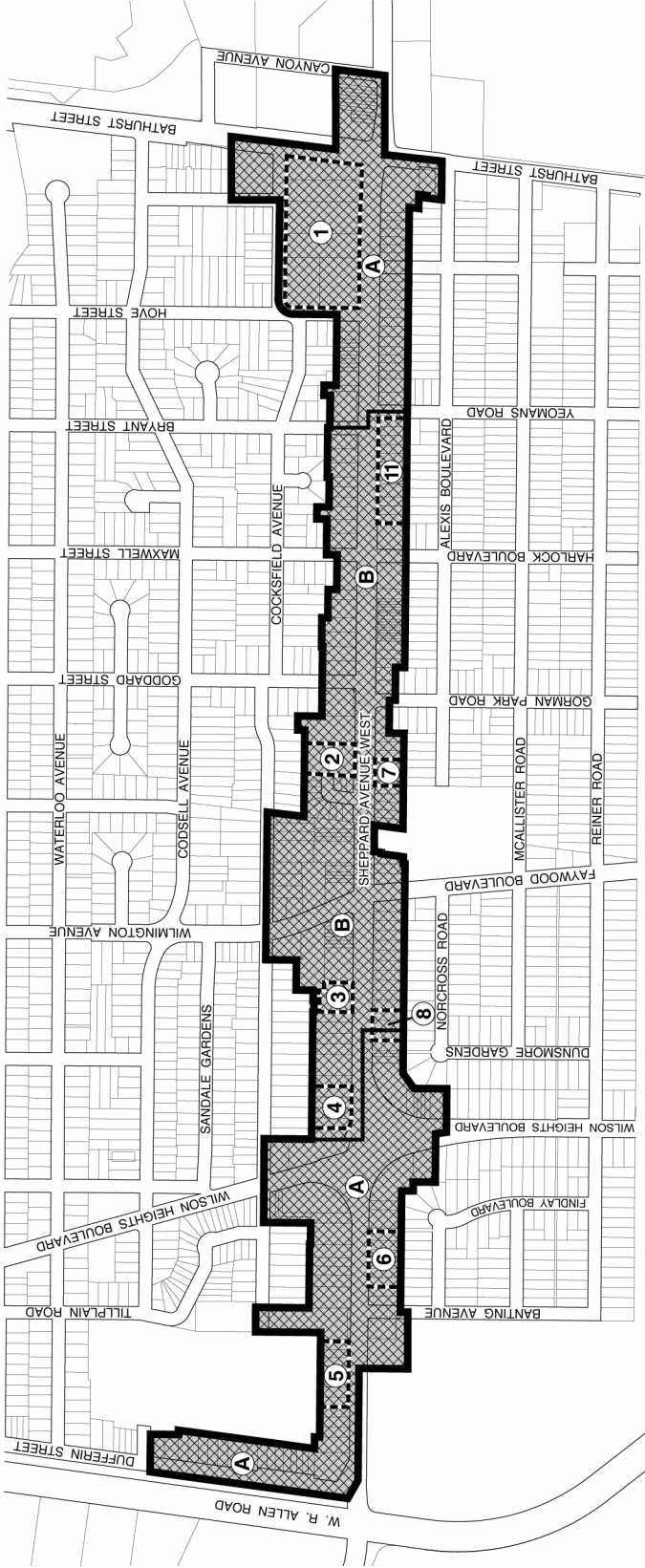
### **PROPOSED AMENDMENT No. 41 TO THE CITY OF TORONTO OFFICIAL PLAN**

The Official Plan of the City of Toronto is amended as follows:

1. Map 23-1, Consolidated Land Use Map, of Chapter 6, Section 23 (Sheppard West/Dublin Secondary Plan) is amended by adding the lands known municipally as 695-717 Sheppard Avenue West as a Site and Area Specific Policy Area 11, as shown on the attached Schedule “A”.
2. Chapter 6, Section 23 (Sheppard West/Dublin Secondary Plan) is amended by adding the following to Section 4.0 (Specific Policies):

#### **‘4.11 695-717 Sheppard Avenue West (11 on Map 23-1)**

An apartment building with grade related non-residential uses, having a maximum density of 3.0 times the lot area and a maximum height of 8 storeys and 26 metres is permitted. Demolition without replacement of 11 residential units existing on November 13, 2007 is permitted.’



Not to Scale



# Sheppard West / Dublin Secondary Plan

Map 23-1 Consolidated Land Use Map

- Secondary Plan Boundary
- ▨ Mixed Use Areas
- ② Site and Area Specific Policy Areas

November 2007

## Attachment 9: Draft Zoning By-law Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2007

Enacted by Council: ~, 2007

### CITY OF TORONTO

Bill No. ~

### BY-LAW No. ~-2007

**To amend the former City of North York Zoning By-law No. 7625, as amended, With respect to the lands municipally known as 695 - 717 Sheppard Avenue West**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

WHEREAS the Official Plan of the City of Toronto contains provisions relating to the authorization of increase in height and density of development; and

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may, in a By-law passed under Section 34 of the *Planning Act*, authorize increases in height and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and matters as are set out in the By-law; and

WHEREAS Subsection 37(3) of the *Planning Act* provides that, where an owner of land elects to provide facilities, services, or matters in return for an increase in height and density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

WHEREAS the owners of the lands hereinafter referred to have elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increase in the height and/or density of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands by the By-law as amended, is to be permitted in return for the provision of the facilities, services, and matters set out in this By-law which are to be secured by one or more agreements between the owners of such lands and the City of Toronto;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Schedules "B" and "C" of By-law 7625 of the former City of North York are



hereby amended in accordance with Schedule 1 of this By-law.

2. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

**64.20-A (177) RM6 (177)**

**DEFINITIONS:**

- a) For the purposes of this exception, “apartment house dwelling” shall include, in addition to dwelling units having access only from an internal corridor system, ground level dwelling units having access directly from the outside or from an internal corridor system or any combination thereof.
- b) For the purposes of this exception, “established grade” shall mean the elevation as fixed by the municipality at the center line of the street at the midpoint of the front lot line, being the geodetic elevation of 187.58m.
- c) For the purposes of this exception, “guest suite” shall mean a suite, other than a dwelling unit, that has no kitchen facilities and is available for use on a temporary basis as overnight accommodation for persons visiting residents of an apartment house dwelling.
- d) For the purposes of this exception, “live/work unit” is defined as a two storey dwelling unit containing commercial uses permitted in this exception located on the ground floor that:
  - a. Occupy a minimum of 50% of the ground floor area of the dwelling unit; and
  - b. Are conducted only by a member or members of the household who reside in the dwelling unit; and
  - c. Is their principal residence; and
  - d. Has direct pedestrian access to a public sidewalk.

**PERMITTED USES:**

- e) The only uses permitted uses shall be:

**RESIDENTIAL:**

An apartment house dwelling and uses accessory thereto including private recreational amenity areas

Two guest suites

Live/Work Units

## NON-RESIDENTIAL:

Artist Studio  
Business and professional offices  
Banks and financial institutions  
Custom workshops making articles or products to be sold at retail on the premises  
Retail Store  
Service Shop  
Personal Service Shop

All non-residential uses shall be restricted to the ground floor and below grade levels.

## EXCEPTION REGULATIONS

### Dwelling Units:

- f) A maximum of 202 residential dwelling units shall be permitted.

### Lot Coverage:

- g) The provisions of Section 20-A.2.2 (Lot Coverage) shall not apply.

### Yard Setbacks:

- h) The minimum yard setbacks for buildings and structures above established grade shall be shown on Schedule “RM6(177)”.
- i) Notwithstanding (h) above, open balconies located at a height greater than the first floor ceiling joists shall be permitted to project not more than 1.8m into the minimum rear yard setback.
- j) Notwithstanding (h) above, the minimum yard setbacks for parking structures and structures associated thereto below established grade shall be 1.5m from the south property line and 0.0m for all other property lines;
- k) Notwithstanding (h) above, the minimum yard setbacks for structures associated with parking structures above established grade shall be 1.5m from the south property line and 0.0m from all other property lines.

### Distance between Buildings and/or Portions of Buildings forming Courts:

- l) The provisions of Section 20A.2.4.1 (Distance between Buildings and/or Portions of Buildings forming Courts) shall not apply.

**Gross Floor Area:**

- m) A maximum gross floor area of 21,395m<sup>2</sup> shall be permitted provided that of this total gross floor area, a minimum of 450m<sup>2</sup> shall be for non-residential uses at grade with direct pedestrian access to Sheppard Avenue West or Yeomans Road.

**Building Height:**

- n) The building height shall not exceed the maximum building heights in meters above established grade as shown on Schedule “RM6(177)”.
- o) One storey roof access enclosures and mechanical rooms shall be permitted to exceed the noted height limit on Schedule “RM6(177)”.
- p) Notwithstanding (n) and (o) above, the height of any portion of a building or structure above established grade other than a mechanical penthouse shall not exceed the horizontal distance between the building and the south lot line of the property.

**Landscaping:**

- q) The provisions of Section 15.8 (Landscaping) shall not apply.
- r) A minimum 1.5m wide landscape strip shall be provided along the south property line containing suitable fencing and vegetation.

**Recreational Amenity Area:**

- s) A minimum of 1.5m<sup>2</sup> per dwelling unit of indoor amenity space shall be provided.
- t) A minimum of 1.5m<sup>2</sup> per dwelling unit of outdoor amenity space shall be provided.

**Parking:**

- u) Parking for residential uses within the site shall be provided in accordance with the following:
  - a. A minimum of 1.4 parking spaces per apartment house dwelling unit or live/work unit of which 0.25 spaces per dwelling unit shall be for the use of visitors.
  - b. Up to 30% of the residential visitor parking spaces may be used for non-residential employee and visitor parking; no other parking

shall be required for permitted non-residential uses.

- c. All required parking may be permitted below grade. A maximum of 4 parking spaces may be permitted at grade within the rear yard.
- d. The size of parking spaces shall be:
  - i. 5.6 metres by 2.6 metres with a vertical clearance of 2 metres.
  - ii. 5.6 metres by 2.9 metres when there is an obstruction on one side
  - iii. 5.6 metres by 3.2 metres when there is an obstruction on two sides.

**Loading:**

- v) One Loading Space with a minimum length of 11 metres and a minimum width of 3.6 metres with a vertical clearance of 4.2 metres shall be provided.

**EXCLUSIONS**

- w) The provisions of Section 6A(8)(c) and (d) (Parking regulations for RM zones Other Than RM2 Zones) shall not apply.

**INCREASED HEIGHT AND DENSITY:**

**SECTION 37 AGREEMENT**

- x) The Owner of the lands shown on Schedule “RM6(177)” shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act* to secure the facilities, services, and matters referred to below, which agreement or agreements may be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in the agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto:
  - a. A cash contribution of \$180,000 to be dedicated to improving existing recreational capital facilities in the local area, the specific location to be determined through continuing discussions between City Planning staff, the Local Councillor, Parks, Forestry and Recreation staff and other City Divisions as required.
  - b. A cash contribution of \$25,000 to be dedicated to landscaping a remnant parcel created by the realignment of the Sheppard Avenue

West and Yeomans Road intersection abutting the development parcel on the east.

- c. A cash contribution of \$50,000 in lieu of replacement of any of the residential rental units to be demolished, subject to the conditions of approval of the demolition permit under Municipal Code Chapter 667.

### **DIVISION OF LANDS**

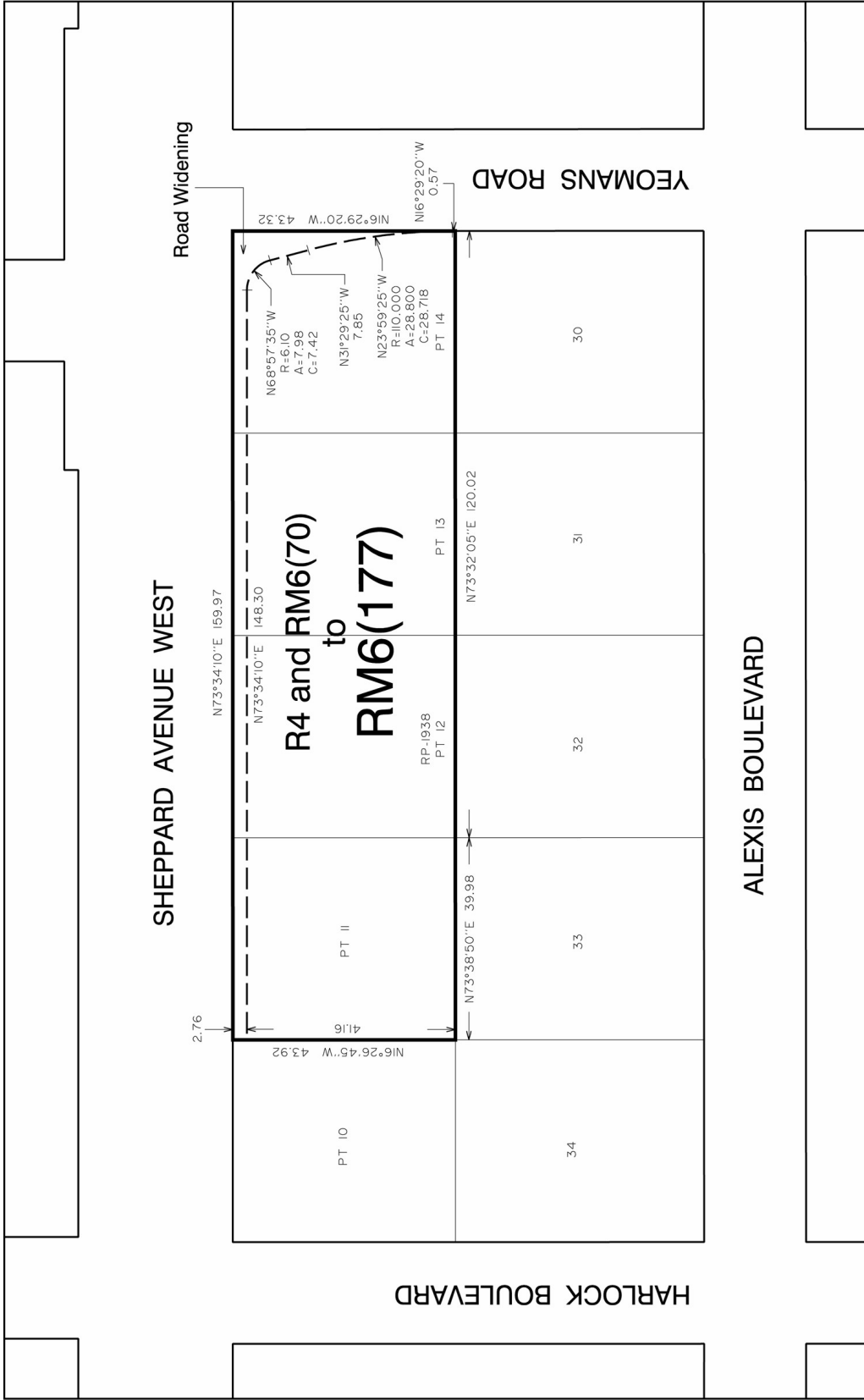
- y) Notwithstanding any severance, partition or division of the lands shown on Schedule “RM6(177)”, the regulations of this exception shall continue to apply to the whole of the said lands as if no severance, partition or division had occurred.
- 3. Section 64.20-A of By-Law 7625 is amended by adding Schedule “RM6(177)” attached to this By-law.
  - 4. Within the lands shown on Schedule "RM6(177)" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
    - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
    - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)



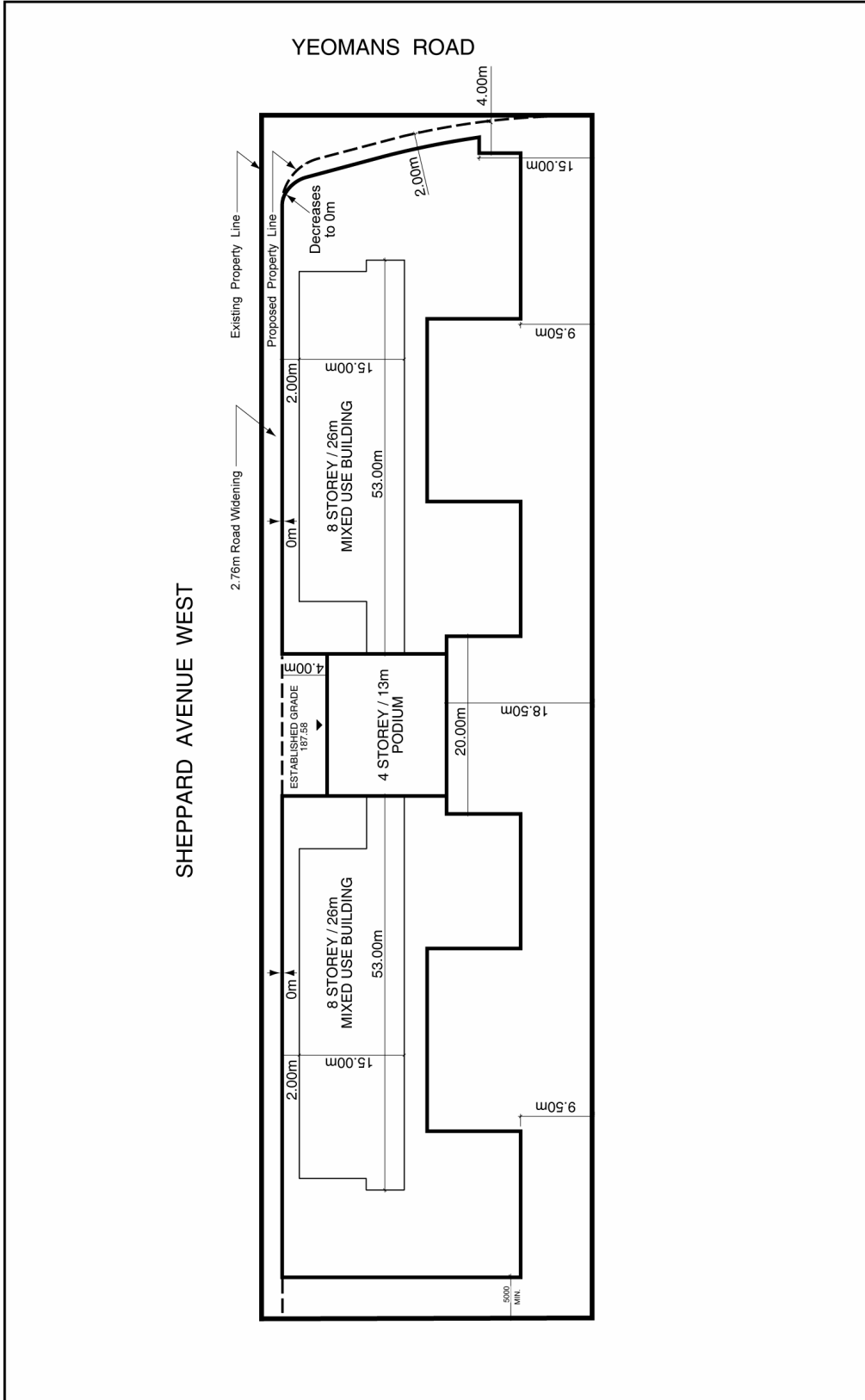
**Schedule "1" to Bylaw**

File # 07\_129252

Part of Lots 11 to 14 inclusive Registered Plan 1938  
 Survey data from KRCMAR Surveyors Ltd. drawing name 07-105RP05.dwg dated November 7, 2007

Date: 11/09/2007  
 Approved by: C.V.





## Schedule "RM6(177)" to Bylaw

File # 07\_129252

Part of Lots 11 to 14 inclusive Registered Plan 1938  
 Drawing supplied by Northgrave Architect, drawing ref. SKZM dated November 12, 2007

Date: 11/12/07  
 Approved by: C.V.



Not to Scale