

**2277-2295 Sheppard Avenue West and 100 Mainshep Road - Zoning By-law Amendment and Site Plan Applications - Preliminary Report**

<b>Date:</b>	October 22, 2009
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 7 – York West
<b>Reference Number:</b>	09 163843 WET 07 OZ and 09 163851 WET 07 SA

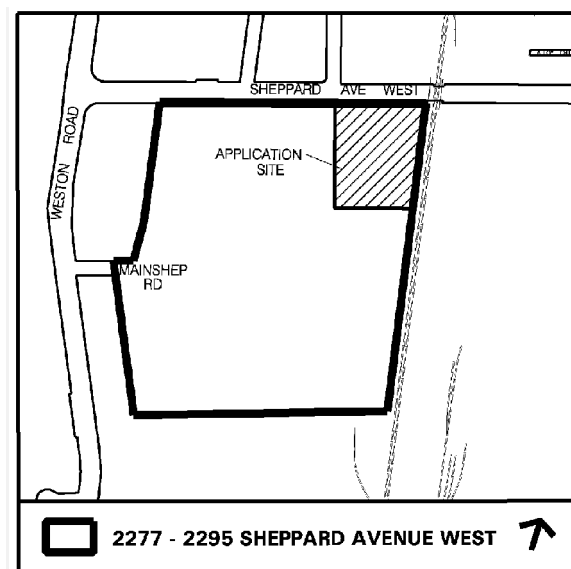
**SUMMARY**

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes a retail shopping mall containing a grocery store on the northwest corner of the development site at 2277-2295 Sheppard Avenue West and 100 Mainshep Road.

This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

It is recommended that a community meeting be scheduled by staff, in consultation with the Ward Councillor. The completion of a further staff report and statutory public meeting under the Planning Act is targeted for the second quarter of 2010. This target assumes that the applicant will provide all required information in a timely manner.



## **RECOMMENDATIONS**

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

1. Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

The property at 2277-2295 Sheppard Avenue West and 100 Mainshep Road was previously the subject of applications for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Approval. The Official Plan Amendment, Zoning By-law Amendment and Draft Plan Approval, were approved by the Ontario Municipal Board in July of 2008 (Amendment No 573 to the Official Plan for the former City of North York, Zoning By-law 482-2006). Lindvest Properties (West Shep) Limited, the owner, is currently working on satisfying all the draft plan of subdivision approval conditions and is hoping to execute the subdivision agreement and proceed to registration later this fall.

The approved development for the larger site is for a predominately residential development consisting of single detached homes, semi-detached homes, townhouse units and stacked townhouses units. Along the Sheppard Avenue West frontage approval was given for two mixed use blocks (Block 148 and 149) and a separate commercial block (Block 150).

### **Pre-Application Consultation**

A pre-application consultation meeting was not held with the applicant to discuss the complete application submission requirements of the zoning by-law amendment application.

## **ISSUE BACKGROUND**

### **Proposal**

The proposed development is for the construction of a retail development consisting of three buildings. The buildings would range in height from one to two storeys and contain a total non-residential gross floor area of approximately 5,228 square metres.

A portion of Building A is proposed to contain a food store having an approximate area of 2,973 square metres. It is proposed that 187 parking spaces be provided for the retail uses proposed. Vehicular access to the site would be from the new proposed roads adjacent to the western limit and southern limits of this development block (Block 150 on the Draft Plan of Subdivision).

### **Site and Surrounding Area**

The lands subject to this application are part of a larger redevelopment for the entire property at 2277-2295 Sheppard Avenue West and 100 Mainshp Road. The larger site is approximately 16.21 hectares in size and is located on the south side of Sheppard Avenue West, east of Weston Road and west of the CPR tracks. The applicant has started pre-servicing the site for the future redevelopment of the lands.

The parcel which is subject to this application, Block 150 on the approved Draft Plan of Subdivision, is approximately 1.45 hectares in size and is located at the northeast corner of the site. The site is bounded by Sheppard Avenue West to the north, the CPR track to the east, Street A to the west and Street D to the south.

North: To the north, west of the CPR tracks, there are a number of small scale industrial uses located along both sides of Rivalda Road, a dead end industrial street. To the northwest is a residential neighbourhood.

West To the west are the lands to be developed by Lindvest Properties (West Shep) Limited. Blocks 148 and 149 which front onto Sheppard Avenue are zoned for mixed use and the lands further south are zoned for low density residential use. Two high rise apartment buildings, each 18 storeys in height, are located at the southeast corner of Weston Road and Sheppard Avenue West.

East: The CPR tracks form the eastern boundary of the site, beyond which is a large industrial area and Highway 400.

South: To the south are the lands to be developed by Lindvest Properties (West Shep) Limited for residential units. Further to the south is the former King Koil property, which has recently received approval for redevelopment for residential uses. Further south is St. Basil The Great College Secondary School.

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

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

City Council on June 14, 2006 passed By-law 481-2006 to adopt Official Plan Amendment No. 573 to amend the Official Plan for the former City of North York and authorized the City Solicitor to request the Ontario Municipal Board to modify the Official Plan for the City of Toronto to permit low density residential uses and commercial uses for this property. As of the date of this report, Official Plan Amendment No. 573 was approved; however the required modification to the Toronto Official Plan has not been approved by the Ontario Municipal Board. As such, the former City of North York Official Plan still applies to these lands.

The former City of North York designates Block 150 as Commercial (COM). The Commercial designation permits neighbourhood commercial uses up to a maximum gross leasable floor area of 3,650 square metres. The Official Plan contains a specific policy for this site, which encourages a food store use on this block.

Once the modification to the Toronto Official Plan is approved by the Ontario Municipal Board, the Plan would designate the property as an 'Employment Area' and would be subject to a Site and Area Specific policy with use permissions.

## **Zoning**

Block 150 is currently zoned C1 (123) by City of Toronto Zoning By-law 7625 as amended by By-law 482-2006. Permitted uses include retail stores, personal service shops, banks, business and professional offices, studios, professional medical offices and a food store and accessory buildings.

The C1(123) zoning contains provisions regarding the minimum size of retail stores and service shops (150 square metres), the minimum frontage of buildings required along Sheppard Avenue West (70%), the maximum gross floor area permitted (3,650 square metres) and the restriction of parking between the building and the front lot line.

The maximum building height permitted for this site is 11 metres or 2 storeys.

## **Site Plan Control**

The proposed development is subject to site plan control. An application for site plan approval has been submitted (Application No. 09 1613851 WET 07 SA) and is being processed concurrently with the Zoning By-law amendment.

## **Tree Preservation**

This application is subject to the provisions of By-law 780-2004, regarding tree protection. The applicant has submitted an Arborist Report/Tree Preservation Plan, which is currently being reviewed by staff.

## **Reasons for the Application**

The proposed retail development does not comply with the former City of North York's Zoning By-law (By-law 7625) as the applicant is requesting the following:

- to delete the requirement for a minimum gross floor area of 150 square metres for retail stores; service shops and personal service shops; [C1(123) (b)];
- to delete the requirement for a minimum of 70 % building face adjacent to Sheppard Avenue West; [C1(123) (f)];
- to amend the maximum gross area to 5,300 square metres from 3,650 square metres; [C1(123) (g)]; and
- to delete the requirement for no parking to be located between the buildings and the front lot line; [C1(123) (h)(i)].

Other areas of non-compliance maybe identified after a complete review of the proposed development.

Until such time as the Ontario Municipal Board has approved the modification to the Toronto Official Plan an Official Plan Amendment will be required to permit the gross area to be increased from 3,650 square metres to 5,300 square metres. When the Toronto Official Plan comes into force on this property, the Plan will designate the site "Employment Areas" and will be subject to a Site and Area Specific policy with use permissions. The proposed use of lands and density proposed would not require a further modification to the plan. It is anticipated that the Official Plan Modification will be considered by the OMB at a pre-hearing in early 2010.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application: Planning Rationale, Servicing and Stormwater Management Report, Site Plan Elevations and Landscape Plan.

A Notification of Incomplete Application issued on September 23, 2009 identifies the outstanding material required for a complete application submission as follows: a Traffic Impact Study Addendum and a Green Development Standards Checklist.

## **Issues to be Resolved**

### **Urban Design Guidelines**

As a condition for draft plan of subdivision approval the applicant was required to submit Urban Design Guidelines for the Employment Area for the approval of the City prior to the registration of the plan of subdivision.

The Urban Design Guidelines are to provide a context for development in keeping with the objectives and policies of the Official Plan and are to assist in the evaluation of applications for site plan. The applicant is currently working with staff to finalize the Urban Design Guidelines for the Commercial Blocks. These guidelines will be used to assist staff in their review of the current zoning by-law amendment and site plan approval applications for Block 150.

### **Site Planning**

The proposal shows that Building A is set back from Street A (Abraham Welsh Road) with parking situated between the building and the street line. In order to create a development that has prominent building frontages and building entrances along the public street frontages and that encourages, enhances and supports pedestrian activity, staff have requested that applicant to relocate Building A so that it fronts directly on to Street A (Abraham Welsh Road) .

### **Streetscape Improvements**

As Street A (Abraham Welsh Road) is a main entrance to the new subdivision there are opportunities to provide enhanced streetscaping. Consideration should be given to upgraded landscaping, including a double row of trees, one row within the municipal boulevard and the second within the property boundaries.

This site is located within the Emery Village Business Improvement Area. City Council has endorsed the amended Emery Village Business Improvement Area (BIA) Streetscape Manual for Landowners, dated April 2, 2009, as a guideline for improvements to private lands within the BIA, and that such improvements to private property be implemented through the planning approval process as development applications come forward, provided the negotiated improvements are in accordance with applicable legislation. The applications have been circulated to Economic Development, Culture & Tourism, Business Services, Business Improvement Area Section to coordinate with the Emery Village BIA comments related to the implementation of the BIA's streetscape designs.

### **Minimum Size of Retail Stores**

At its meeting of April 4, 2006 Etobicoke York Community Council (Report 3, Clause 3) requested the Director, Community Planning, Etobicoke York District, to report on the zoning permissions within the commercial block (Block 150) for the proposed

redevelopment of 2277-2295 Sheppard Avenue West with respect to restricting a flea market or similar use as a permitted use on the commercial block.

<http://www.toronto.ca/legdocs/2006/agendas/council/cc060425/et3rpt/agendain.pdf>

In the former City of North York Zoning By-law 7625, a flea market would be considered a retail store. In view of the issues that arose in relation to a previous flea market use on the property and having regard for the intention to provide opportunity for traditional local retail and service commercial uses for the new neighbourhood, staff believed it was appropriate to prohibit the flea market form of retail within this development. The zoning by-law amendment that was enacted contained restrictions for retail stores, service shops and person service shops. Each store/shop was required to have a minimum floor area of 150 square metres and each store/shop is to be separated from any abutting stores by solid partition walls extending from the floor to the underside of the nearest floor or roof above.

The applicant is requesting to delete the minimum floor area and partition wall provision.

### **Traffic Impact**

The applicant is required to submit a Traffic Impact Study Addendum to support the proposal to increase the commercial gross floor area from 3,650 square metres (By-law 482-2006) to 5,227.53 square metres (current proposal).

### **Bicycle Parking**

Bicycle parking facilities will be encouraged as part of this development. Although not illustrated on the current proposal, City staff will encourage the applicant to provide retail bicycle parking spaces in accordance with the draft "Guidelines for the Design and Management of Bicycle Parking Facilities" as approved by City Council June 2008.

### **Greening Surface Parking Lots**

Staff will be encouraging the applicant to achieve the standards illustrated within the draft Design Guidelines for "Greening Surface Parking Lots", adopted by City Council in November 2007.

### **Toronto Green Standard**

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Standard, adopted by City Council in July 2006.

### **Phasing**

If the proposed development is to be phased, a detailed phasing plan will be required.

## **Additional Issues**

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

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## **SIGNATURE**

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Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: Elevations

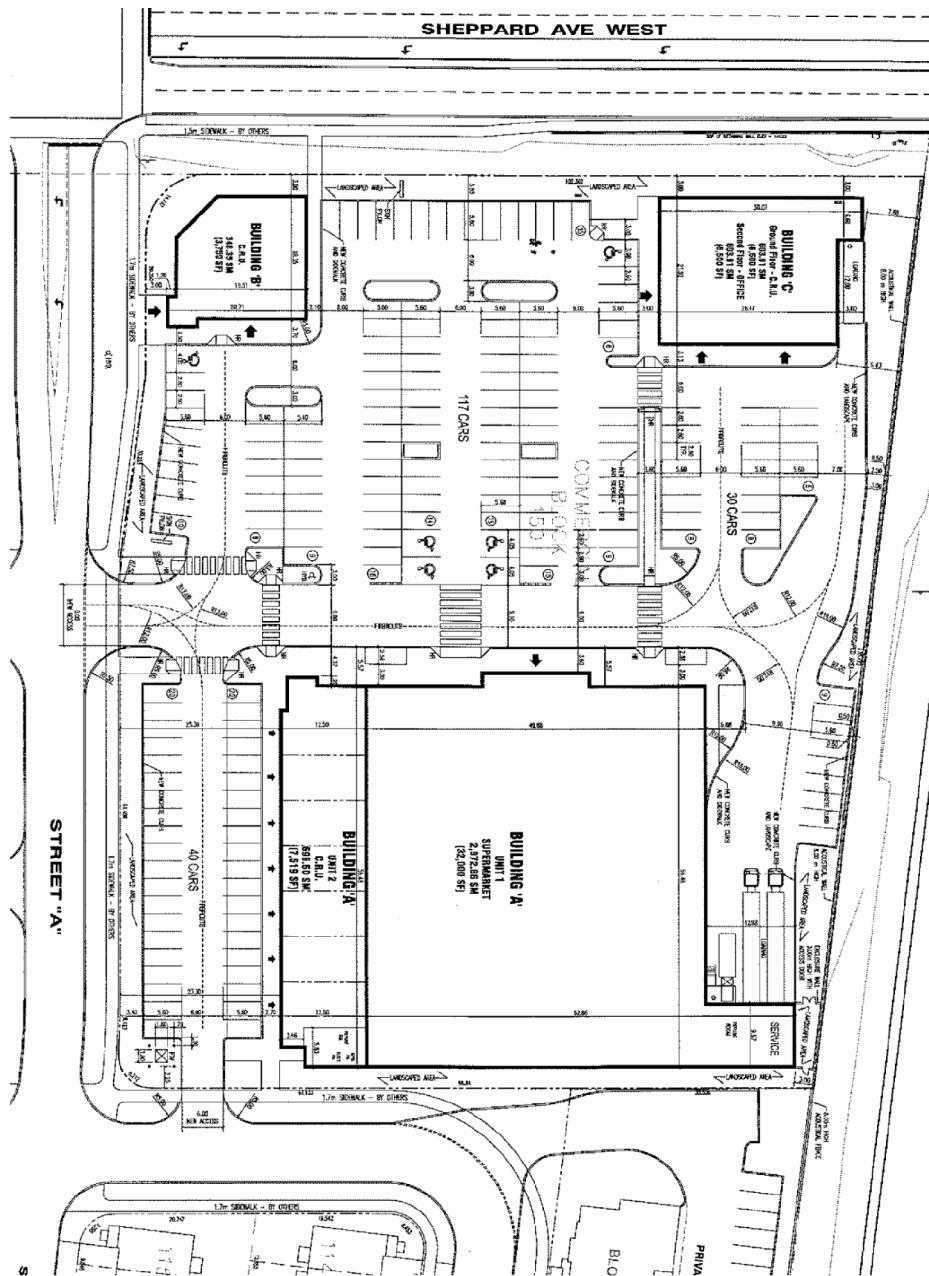
Attachment 3: Draft Plan of Subdivision

Attachment 4: Zoning

Attachment 5: Application Data Sheet



## Attachment 1: Site Plan



### Site Plan

2277 - 2295 Sheppard Avenue West

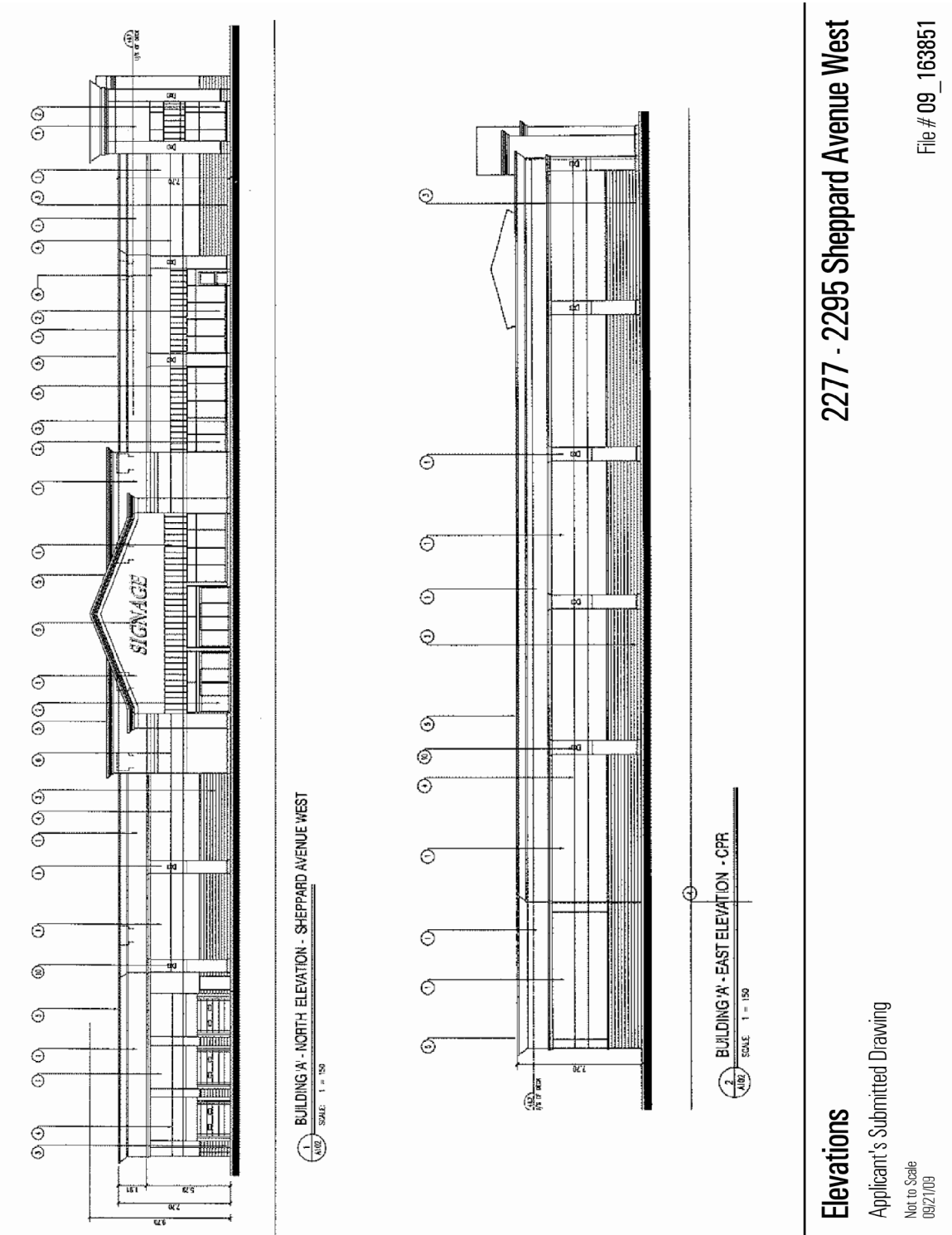
Applicants Submitted Drawing

Not to Scale  
09/21/09

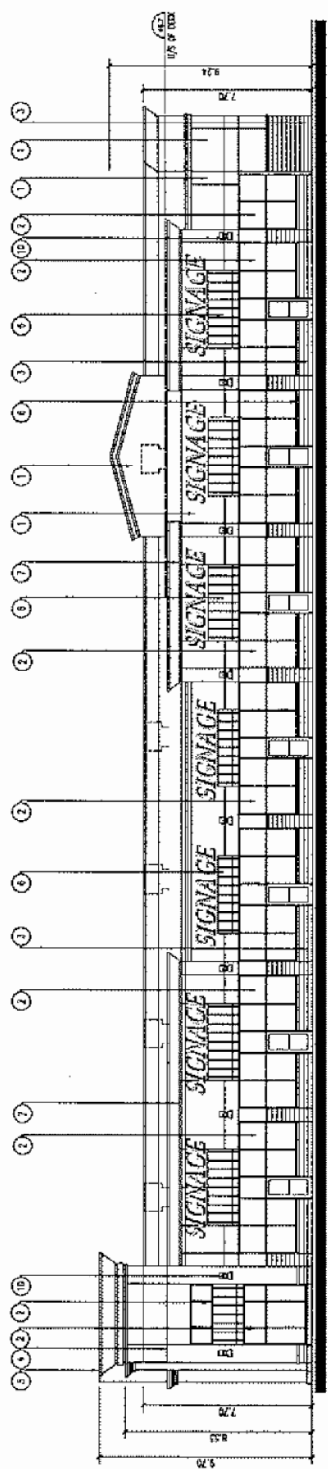


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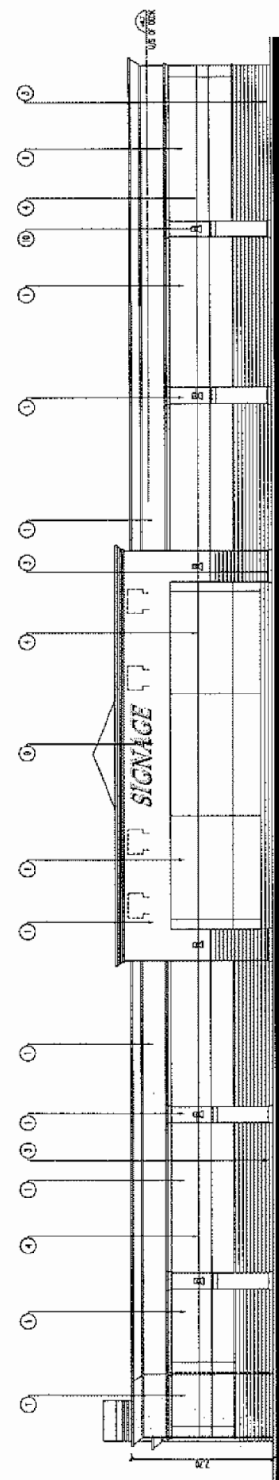
Attachment 2a: Elevations



Attachment 2b: Elevations



3 BUILDING 'A' - WEST ELEVATION - STREET 'A'  
SCALE: 1" = 15'-0"



4 BUILDING 'A' - SOUTH ELEVATION - STREET 'D'  
SCALE: 1" = 15'-0"

Elevations

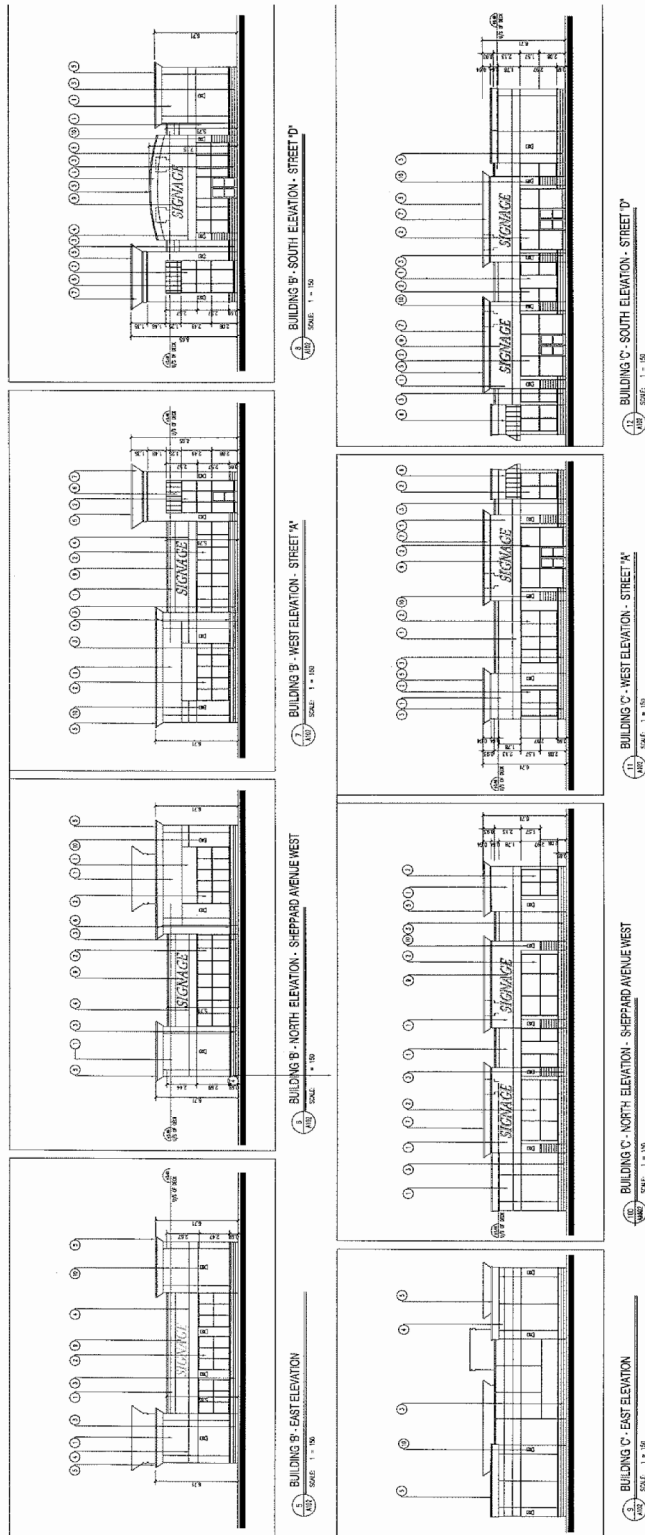
Applicant's Submitted Drawing

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09/21/09

2277 - 2295 Sheppard Avenue West

File # 09 163851

## Attachment 2c: Elevations



## Elevations

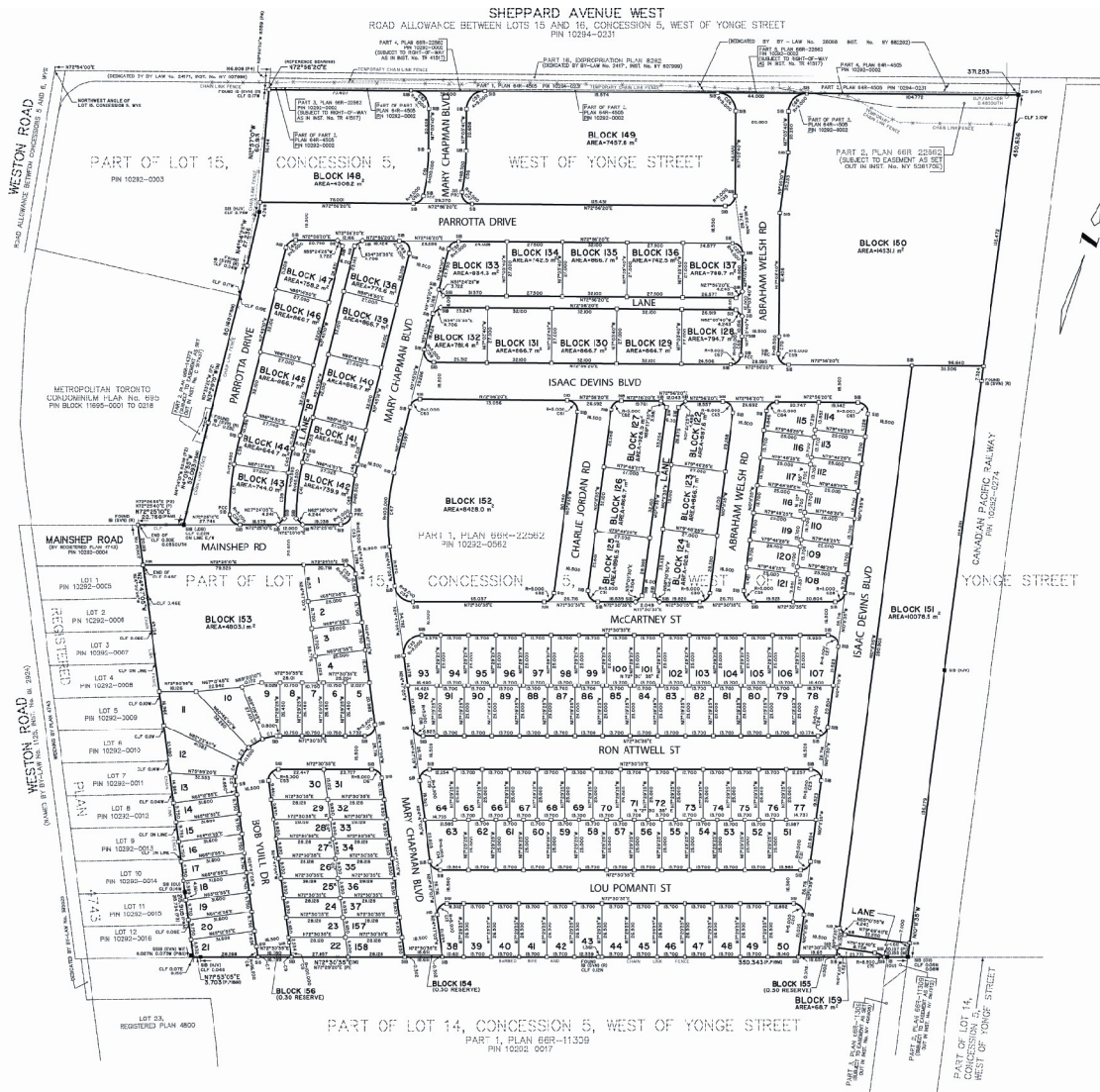
Applicant's Submitted Drawing

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2277 - 2295 Sheppard Avenue West

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## Attachment 3: Draft Plan of Subdivision



Plan of Subdivision

Applicant's Submitted Drawing

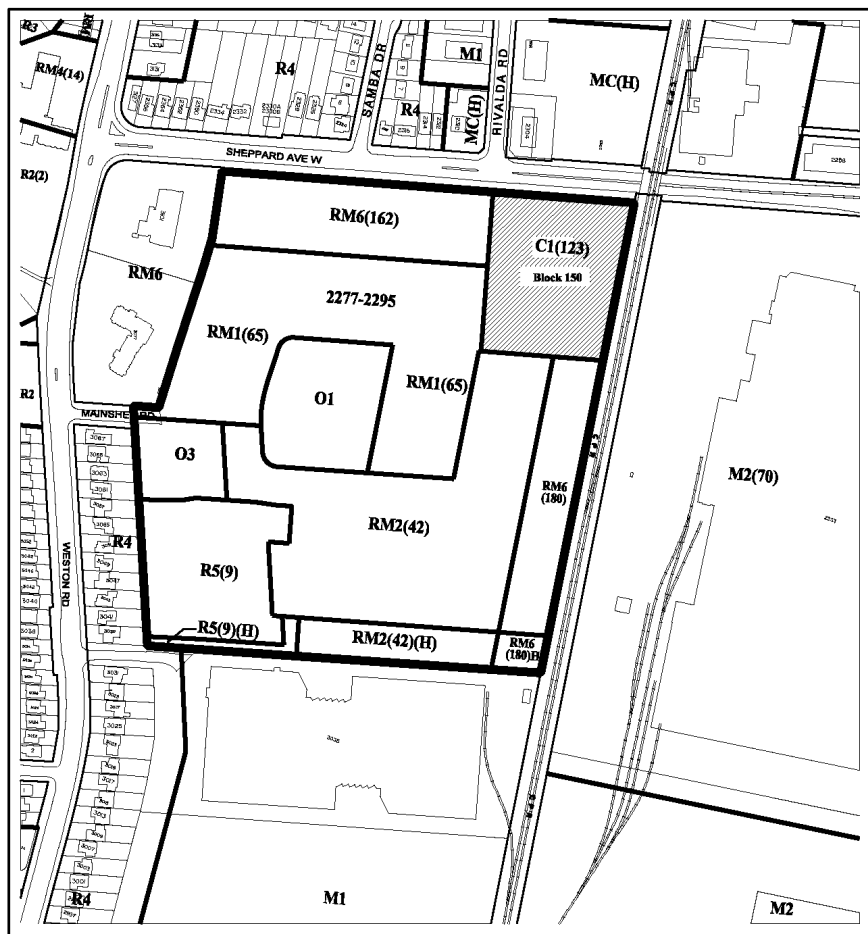
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2277 - 2295 Sheppard Avenue West  
100 Mainshep Road

File # 09\_131248

## Attachment 4: Zoning



**Toronto** Urban  
Development Services  
**Zoning**

**2277 - 2295 Sheppard Ave West**

File # 09\_163843

R4 One-Family Detached Dwelling Fourth Density Zone  
R5 One-Family Detached Dwelling Fifth Density Zone  
RM1 Multiple-Family Dwellings First Density Zone  
RM2 Multiple-Family Dwellings Second Density Zone  
RM5 Multiple-Family Dwellings Fifth Density Zone

RM6 Multiple-Family Dwellings Sixth Density Zone  
C1 General Commercial Zone  
M1 Industrial Zone One  
M2 Industrial Zone Two  
O1 Open Space Zone

O3 Semi-Public Open Space Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale

Former North York Zoning By-law 7625  
Extracted 08/22/2008- JM

## Attachment 5: Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	09 163843 WET 07 OZ
Details	Rezoning, Standard	Application Date:	August 31, 2009

Municipal Address:	2277-2295 SHEPPARD AVENUE WEST (BLOCK 150)
Location Description:	CON 5 WY PT LOT 15 **GRID W0707
Project Description:	Proposed amendments to existing by-law to permit commercial shopping centre

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
LINDVEST PROPERTIES (WEST SHEP) LIMITED			LINDVEST PROPERTIES (WESTSHEP) LIMITED

#### PLANNING CONTROLS

Official Plan Designation:	Employment	Site Specific Provision:	C1(123)
Zoning:	C1(123)	Historical Status:	N/A
Height Limit (m):	11 metres	Site Plan Control Area:	Yes

#### PROJECT INFORMATION

Site Area (sq. m):	14535.35	Height:	Storeys:	2
Frontage (m):	371.246		Metres:	0
Depth (m):	430.606			
Total Ground Floor Area (sq. m):	4623.62			<b>Total</b>
Total Residential GFA (sq. m):	0		Parking Spaces:	187
Total Non-Residential GFA (sq. m):	5227.53		Loading Docks	4
Total GFA (sq. m):	5227.53			
Lot Coverage Ratio (%):	31.8			
Floor Space Index:	0.35			

#### DWELLING UNITS

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

Tenure Type:		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	0
Bachelor:	0	Retail GFA (sq. m):	5227.53
1 Bedroom:	0	Office GFA (sq. m):	0
2 Bedroom:	0	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	0		

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Gregory Byrne, Senior Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 394-8238</b>