

**579 Sheppard Avenue East – Rezoning Application
Preliminary Report**

Date:	May 31, 2010
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 24 – Willowdale
Reference Number:	10 166996 NNY 24 OZ

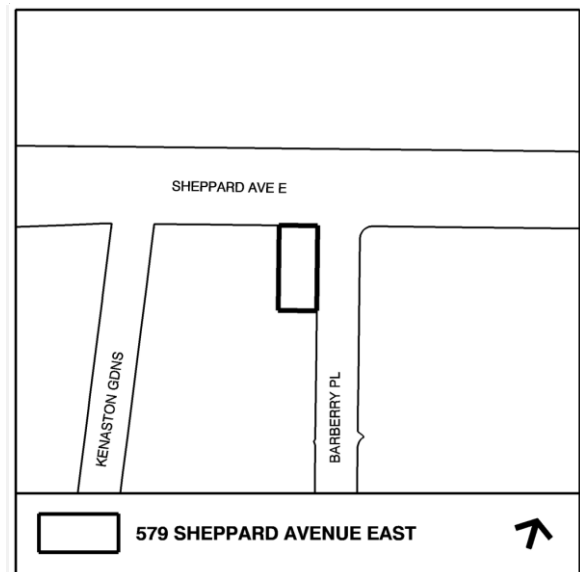
SUMMARY

This application was made on April 30, 2010 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

The application proposes to legalize an existing business office use and ancillary parking lot located at 579 Sheppard Avenue East.

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

The report recommends that a community consultation meeting be scheduled by City Planning staff, in consultation with the Ward Councillor. A Final Report and a Public Meeting under the *Planning Act* is targeted for early 2011, providing the applicant submits any required information in a timely manner.



RECOMMENDATIONS

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 of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The application to legalize the existing business office use results from investigations by the City's Municipal Licensing and Standards Division into non-compliant activities at this location.

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements as well as various site plan issues related to the proposal that included parking and access, landscaping, fencing and streetscaping.

ISSUE BACKGROUND

Proposal

The applicant proposes to legalize an existing non-compliant business office use (real estate office) and ancillary parking lot. The office use is located on the basement level and ground floor of the existing building. A gravel parking lot currently exists in the rear yard which the applicant is proposing to pave with asphalt.

The gross floor area of the building, including the basement, is 216 m² (2,325 sq.ft.) resulting in a Floor Space Index (FSI) of 0.3. Eight parking spaces have been provided: 6 surface spaces in the rear yard accessed from Barberry Place and 2 spaces within the garage accessed from Sheppard Avenue East.

The proposed Site Plan is included in Attachment 1, Floor Plans in Attachment 2, Elevations in Attachments 3, current Zoning in Attachment 4, and the detailed site statistics are included in the Application Data Sheet in Attachment 5.

Site and Surrounding Area

The site is located on the southeast corner of the signalized intersection of Sheppard Avenue East and Barberr Place. The site has an area of 740m² (7,965 sq.ft.) and is currently developed with a single storey building being used as a place of business (real estate office) with a parking lot south of the building.

Surrounding land uses are as follows:

North: Sheppard Avenue East with Bayview Village Shopping Plaza beyond;
South: single detached dwellings fronting Barberr Place with an 8-storey apartment building ('The Chelsea') beyond;
East: single detached dwellings fronting Sheppard Avenue East and Barberr Place;
West: a single detached dwelling fronting Sheppard Avenue with a public parkette beyond.

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

The lands are designated *Mixed Use Areas* in the Official Plan. This designation provides for a broad range of residential, offices, retail and services, and institutional uses in single-use or mixed-use buildings as well as parks and open spaces. Development criteria for developments in *Mixed Use Areas* are set out in 4.5(2) of the Plan. Public Realm and Built Form policies are set out 3.1.1 and 3.1.2.

The Toronto Official Plan is available on the City's website at:

http://www.toronto.ca/planning/official_plan/pdf_chapter1-5/chapters1_5_aug2007.pdf

Sheppard East Subway Corridor Secondary Plan

The site is also located within the Sheppard East Subway Corridor Secondary Plan. The site is part of a key development area in the Bayview Node of the Secondary Plan which assigns a maximum density of 3.0 FSI, as indicated on Map 9-2. Along those parts of the Sheppard Avenue frontage not in close proximity to subway stations, the Plan states the maximum building height will generally be 6 storeys.

In addition to the policies in the Secondary Plan, the site is subject to area specific development policies found in *Section 4.2.2 – Kenaston Gardens/Sheppard Square Area*. Area specific criteria relevant to this application include such considerations as coordinated development, encouraging comprehensive land assembly, design criteria to ensure compatibility with adjacent stable residential areas and improved pedestrian connections.

The Sheppard East Subway Corridor Secondary Plan is available on the City's website at: http://www.toronto.ca/planning/official_plan/pdf_secondary/9_sheppard_subway_aug2007.pdf

Context Plan for the Southeast Bayview Node

The Secondary Plan includes an implementation policy that contemplates the use of Context Plans for sites within key development areas to ensure co-ordinated incremental development in conformity with the Secondary Plan. Context Plans are generally required for large sites and comprehensive developments.

A Context Plan for this area was adopted by City Council in March 2001 and covers the area bounded by Bayview Avenue, Sheppard Avenue East, Rean Drive and Highway 401. The Context Plan consists of a structure plan, height diagram, and block pattern diagram integrating the transportation and open space options for the area as well as urban design guidelines to assist Council in its decisions on development applications. Together, the maps and design principles provide a framework for the co-ordinated incremental development of land in this neighbourhood. Refinements to the development criteria are to be examined as applications proceed through the review process.

The Context Plan for the Southeast Bayview Node is available on the City's website at: http://www.toronto.ca/planning/urbdesign/pdf/36southeast_bayviewnod.pdf

Zoning

The lands are zoned R4 (One Family Detached Dwelling Fourth Density Zone) in Zoning By-law 7625. The zoning generally permits single detached dwellings and accessory buildings incidental thereto as well as a wide range of recreational and institutional uses.

Site Plan Control

The proposed development is subject to Site Plan Control Approval. An application in this regard has not been submitted.

Tree Preservation

The survey plan submitted with the application indicates there are trees that meet the size criteria for protection under the City's tree by-laws. Applicability of Private Tree Protection By-law No. 780-2004 and the 'Trees On City Streets' By-law will be determined by Urban Forestry.

Reasons for the Application

An amendment to the Zoning By-law is required to permit the office use and ancillary parking lot as they are not permitted by the current R4 zoning on the property.

COMMENTS

Application Submission

A Notification of Incomplete Application issued on May 26, 2010 identifies the outstanding material required for a complete application submission as follows:

- Planning Rationale;
- Arborist/Tree Preservation Report; and
- Toronto Green Standard Checklist.

Issues to be Resolved

On a preliminary basis, matters to be addressed through the review of this application include, but are not limited to:

- Assessment of the driveway accesses to the site, the location, design and supply of the parking spaces and compatibility with the City of Toronto Green Parking Lot Guidelines;
- Appropriate buffering from the residential properties immediately to the west and south;
- Appropriate landscaping, opportunities for street tree plantings and design detail along Sheppard Avenue East and Barberrry Place to ensure an attractive street edge and pedestrian environment;
- Review of the pedestrian access including sidewalks and building entrances and their relationship to Sheppard Avenue East and Barberrry Place; and
- Adherence to the City's stormwater management polices.

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

Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry.

As noted previously, the TGS Checklist has not been submitted.

CONTACT

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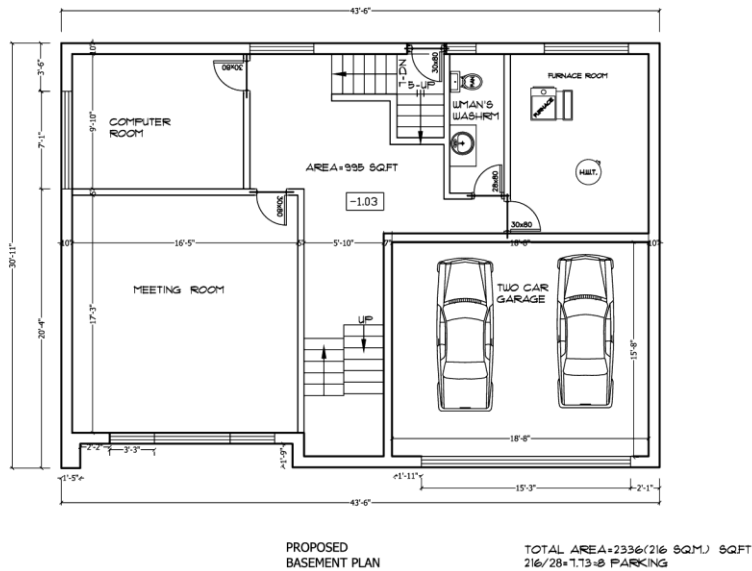
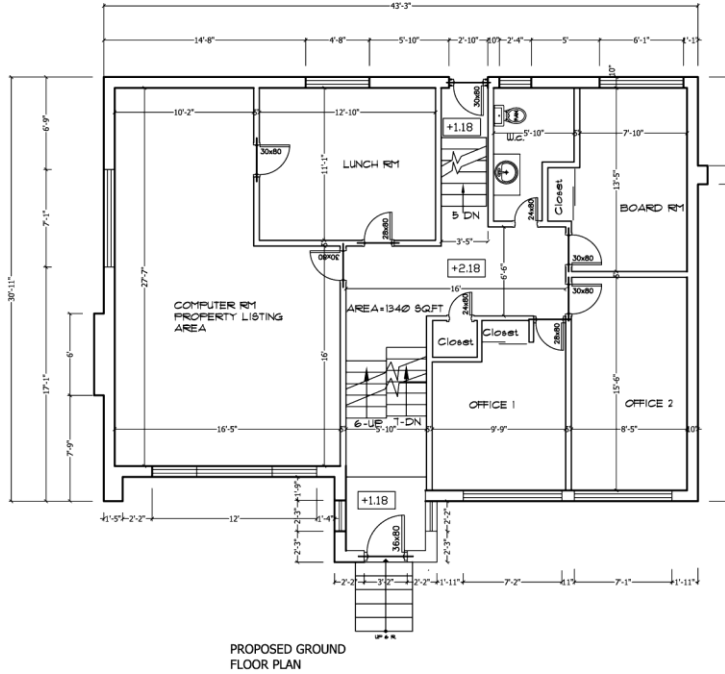
SIGNATURE

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

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Proposed Floor Plans
Attachment 3: Existing Elevations
Attachment 4: Zoning
Attachment 5: Application Data Sheet

Attachment 2: Proposed Floor Plans



Floor Plans

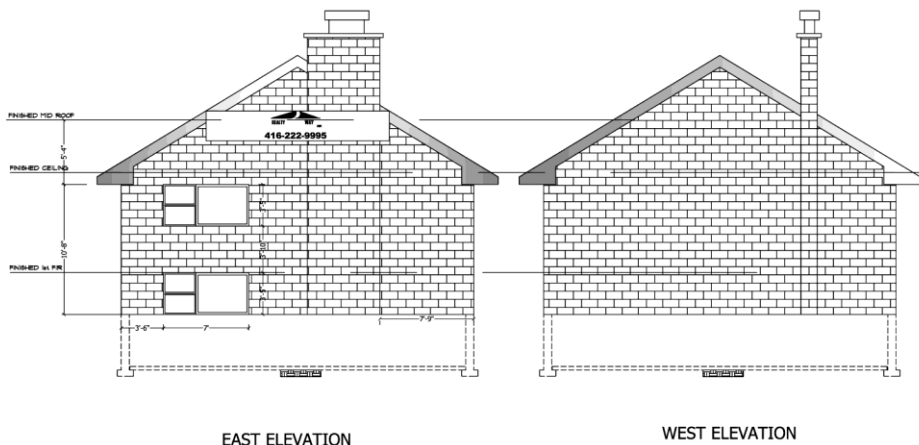
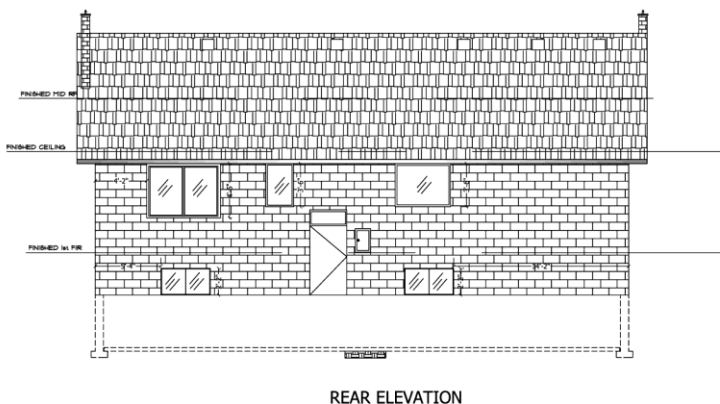
Applicant's Submitted Drawing

Not to Scale
05/25/2010

579 Sheppard Avenue East

File # 10_166996

Attachment 3: Existing Elevations



Elevations

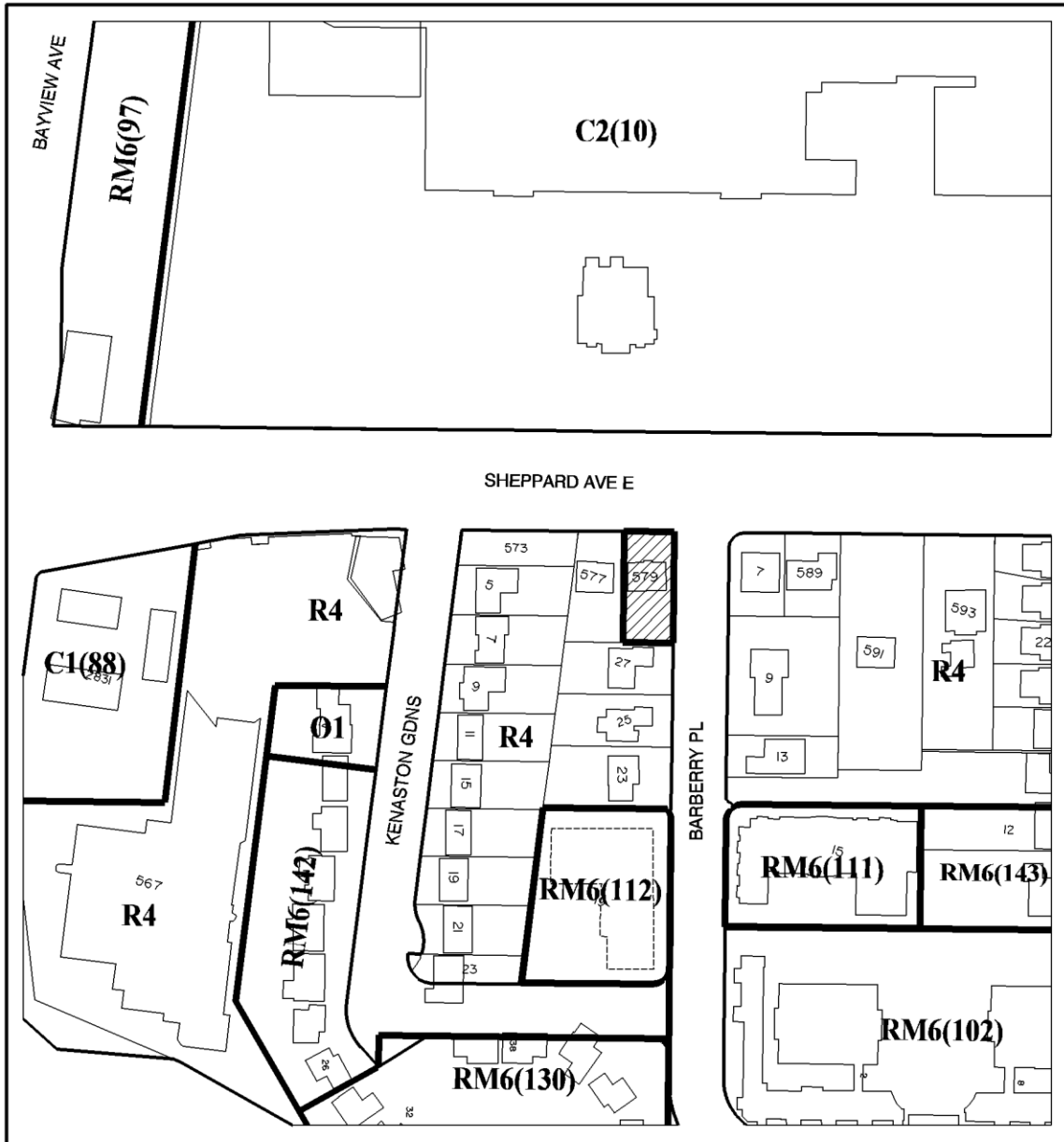
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579 Sheppard Avenue East

File # 10_166996

Attachment 4: Zoning



Toronto City Planning
Zoning

579 Sheppard Avenue East

File # 10_166996

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- C1 General Commercial Zone
- C2 Local Shopping Centre Zone
- O1 Open Space Zone



Not to Scale
Zoning By-law 7625
Extracted 05/25/2010

Attachment 5: Application Data Sheet

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	10 166996 NNY 24 OZ
Details	Rezoning, Standard	Application Date:	April 30, 2010

Municipal Address: 579 SHEPPARD AVE E
 Location Description: CON 2 EY PT LOT 15 **GRID N2406
 Project Description: Application to legalize an existing business office use and ancillary parking lot.

Applicant:	Agent:	Architect:	Owner:
CYRUS RAHIMI			MITRA KATIRAI

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	R4	Historical Status:	
Height Limit (m):	8.8	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	740.38	Height:	Storeys:	1
Frontage (m):	18.29		Metres:	0
Depth (m):	40.48			
Total Ground Floor Area (sq. m):	216			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	8
Total Non-Residential GFA (sq. m):	216		Loading Docks	0
Total GFA (sq. m):	216			
Lot Coverage Ratio (%):	29.17			
Floor Space Index:	0.29			

DWELLING UNITS

Tenure Type:	
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	0
Total Units:	0

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	0	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	216	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

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