

**2-14 Cusack Court - Official Plan and Zoning By-law
Amendment Applications - Preliminary Report**

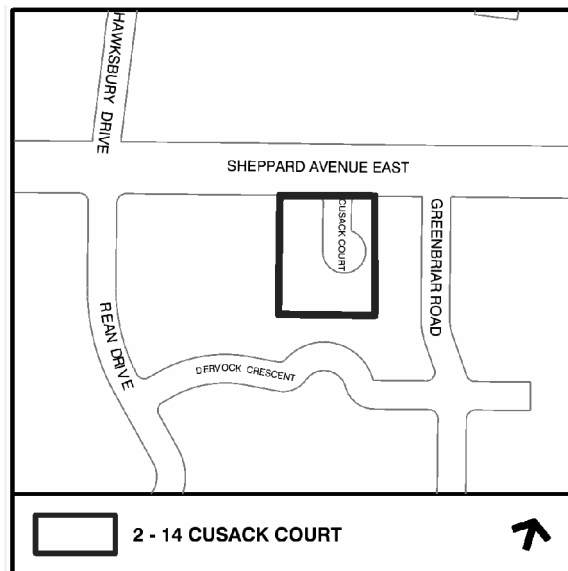
Date:	February 28, 2012
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 24 – Willowdale
Reference Number:	11 317628 NNY 24 OZ

SUMMARY

Castle Group Ventures Inc. has assembled seven residential lots at 2, 4, 6, 8, 10, 12 and 14 Cusack Court and is requesting an amendment to the Official Plan and Zoning By-law to provide for a 6/8-storey, 163-unit residential condominium apartment building with 1,808m² of commercial space on the ground floor and 193 parking spaces in a two-level underground garage. The building would have a gross floor area of 15,603m² resulting in a density or Floor Space Index of 2.72. The proposal also includes the purchase of Cusack Court from the City. The land would be incorporated into the development proposal.

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.

The report recommends that a community consultation meeting be scheduled by City Planning staff, in consultation with the Ward Councillor. Staff anticipates holding a community consultation meeting in Spring 2012. A Final Report and a Public Meeting under the *Planning Act* is targeted for late 2012 providing the applicant submits all required information in a timely manner.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 2-14 Cusack Court 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.

Pre-Application Consultation

Pre-application consultation meetings were held to discuss the complete application submission requirements as well as various site plan issues related to the proposal that included ground floor uses, parking, access and building setbacks.

ISSUE BACKGROUND

Proposal

The applicant is proposing to amend the Official Plan and Zoning By-law to permit the construction of a 6/8-storey, 163-unit mixed use building with a 193 space underground parking garage. The proposal also includes the purchase of Cusack Court. The land would be incorporated into the development proposal.

The building would have a gross floor area of 15,603m² including 335m² of common indoor amenity space and 1,808 m² of ground floor retail space resulting in a density of 2.72 FSI. The building is U-shaped in plan with a 6-storey height along Sheppard Avenue, an 8-storey wing stepping down to 6-storeys along the west edge of the site and a 3 storey wing of townhouse units along the south edge of the site (see Attachment 1 – Site Plan and Attachment 6 – Visual Representation).

Vehicular access to the site would be provided from a centrally located, full movement, driveway from Sheppard Avenue East that enters the site beneath the upper floors of the building. A total of 193 parking spaces is proposed comprising 136 spaces for tenants, 41 spaces for visitors and 16 spaces for the proposed commercial uses. With the exception of 4 surface spaces devoted for the commercial uses, all parking would be provided in two levels of underground parking.

The project statistics are included in the Application Data Sheet in Attachment 9.

Site and Surrounding Area

The site is located on the south side of Sheppard Avenue East between Rean Drive and Greenbriar Road situated in the area east of Bayview Avenue. The site comprises seven residential lots that front onto Cusack Court and incorporates the City-owned cul-de-sac. Together, the land assembly has an area of 5,733m².

The following is a summary of the area context:

- North: two 6/8 storey mixed-use buildings (St. Gabriel Village) directly opposite the site on the north side of Sheppard Avenue East and three 19-storey apartment buildings located northwest of the site at the intersection of Hawksbury Drive and Sheppard Avenue East.
- South: single detached dwellings fronting Dervock Crescent (No. 12, 14, 16 and 18) and a low-rise apartment building at 11 Dervock Crescent.
- East: single detached dwellings fronting Sheppard Avenue East (No 625 and 627) and single detached dwellings fronting Greenbriar Road (No. 6, 8, 10 and 12).
- West: a mixed-use 6/7-storey building (Merci Condominiums) fronting Sheppard Avenue East and a 9-storey apartment building southwest of the site fronting Dervock Crescent.

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* on Land Use Map 16 of the Toronto Official Plan (see Attachment 8 – Official Plan). This designation provides for a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings as well as parks and open spaces. Policies

relevant to this application include Sections 3.1.1 (Public Realm), 3.2.1 (Built Form), 4.5(2) (Development Criteria in *Mixed Use Areas*) and 5.1.1 (Section 37 – Height and/or Density Incentives).

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 subject to the Sheppard East Subway Corridor Secondary Plan as set out in Chapter 6, Section 9 of the Official Plan. The site is located in the Bessarion Node of the Secondary Plan which assigns a maximum density of 2.0 FSI, as indicated on Map 9-2. In addition to the general policies of the Secondary Plan, the site is subject to an area specific development policy that encourages the four properties south of the subject site municipally known as 12, 14, 16 and 18 Dervock Crescent to develop comprehensively with the *Mixed Use Areas* fronting on Cusack Court/Sheppard Avenue East.

The Secondary Plan seeks to relate the height and mass of development to a pedestrian scale by framing the street with buildings at a size roughly equivalent to the street width. Along those parts of the Sheppard Avenue frontage not in close proximity to subway stations, the maximum height should generally be 6 storeys. The Plan states that exceptions to this height may be considered where it is demonstrated that creative architectural features (including terracing and detailed elevation articulation) results in a built form that enhances the Sheppard Avenue street edge. Council may enact Zoning By-laws that provide for these exceptions to the maximum height without amendment to the Secondary Plan where it is demonstrated the intent of the Plan has been respected.

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

Zoning

The lands are zoned R4 (One Family Detached Dwelling Fourth Density Zone) and RM4 (Multiple Family Dwellings Fourth Density Zone) in North York Zoning By-law No. 7625 (see Attachment 7 – Zoning). The R4 zoning generally permits single detached dwellings and accessory buildings as well as a range of recreational and institutional uses. The RM4 zoning permits a range of residential uses including low-rise apartment buildings as well as a wide range of recreational and institutional uses.

Site Plan Control

The proposed development is subject to Site Plan Control approval. To date, an application has not been submitted.

Reasons for the Application

The proposed density of approximately 2.72 FSI exceeds the Official Plan's maximum density of 2.0 times the area of the lot. The proposed development will also require an amendment to the former City of North York Zoning By-law to permit the proposed use, height and density of development.

Appropriate standards regarding gross floor area, height, setbacks, parking and other matters would be established through a site specific exception.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Plan of Survey
- Architectural Plans and Drawings
- Planning and Urban Design Rationale
- Sun/Shadow Study

A Notification of Incomplete Application issued on February 1, 2012 identifies the outstanding material required for a complete application submission as follows:

- Traffic Impact Study
- Functional Servicing Report
- Site Servicing Report
- Toronto Green Standards Checklist
- Arborist Report and/or Tree Declaration
- Pedestrian Level Wind Study

Issues to be Resolved

Prior to presenting a Final Report to North York Community Council, the following issues, as well as any other issues that may be identified through the review of the application, agency comments and the community consultation process, will be reviewed and evaluated:

- the feasibility of stopping up and closing all or part of Cusack Court and incorporating it into the proposed development;
- an analysis of the remaining *Mixed Use Areas* lands immediately east of the site (625 and 627 Sheppard Avenue and 6 Greenbriar Road) to ensure they can be developed in conformity with the provisions of the Secondary Plan;
- the appropriateness of the proposed height and density of the development;
- the compatibility of the proposed development with the surrounding context including appropriate built form and massing;
- assessment of the proposed access, parking supply, vehicular circulation and parking ramp location;
- potential traffic and parking impacts on local streets;
- assessment of the loading, refuse and recycling operations of the proposed development;
- assessment of the stormwater management and servicing of the proposed development;
- review of pedestrian access including sidewalks, entrances, indoor and outdoor amenities and their relationship with adjacent public streets and properties;

- compliance with the Toronto Green Standards Tier 1 performance measures; and
- the determination of appropriate Section 37 community benefits.

CONTACT

Steve Forrester, Senior Planner

Tel. No. (416) 395-7126

Fax No. (416) 395-7155

E-mail: sforrest@toronto.ca

SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan

Attachment 2: North Elevation

Attachment 3: South Elevation

Attachment 4: East Elevation

Attachment 5: West Elevation

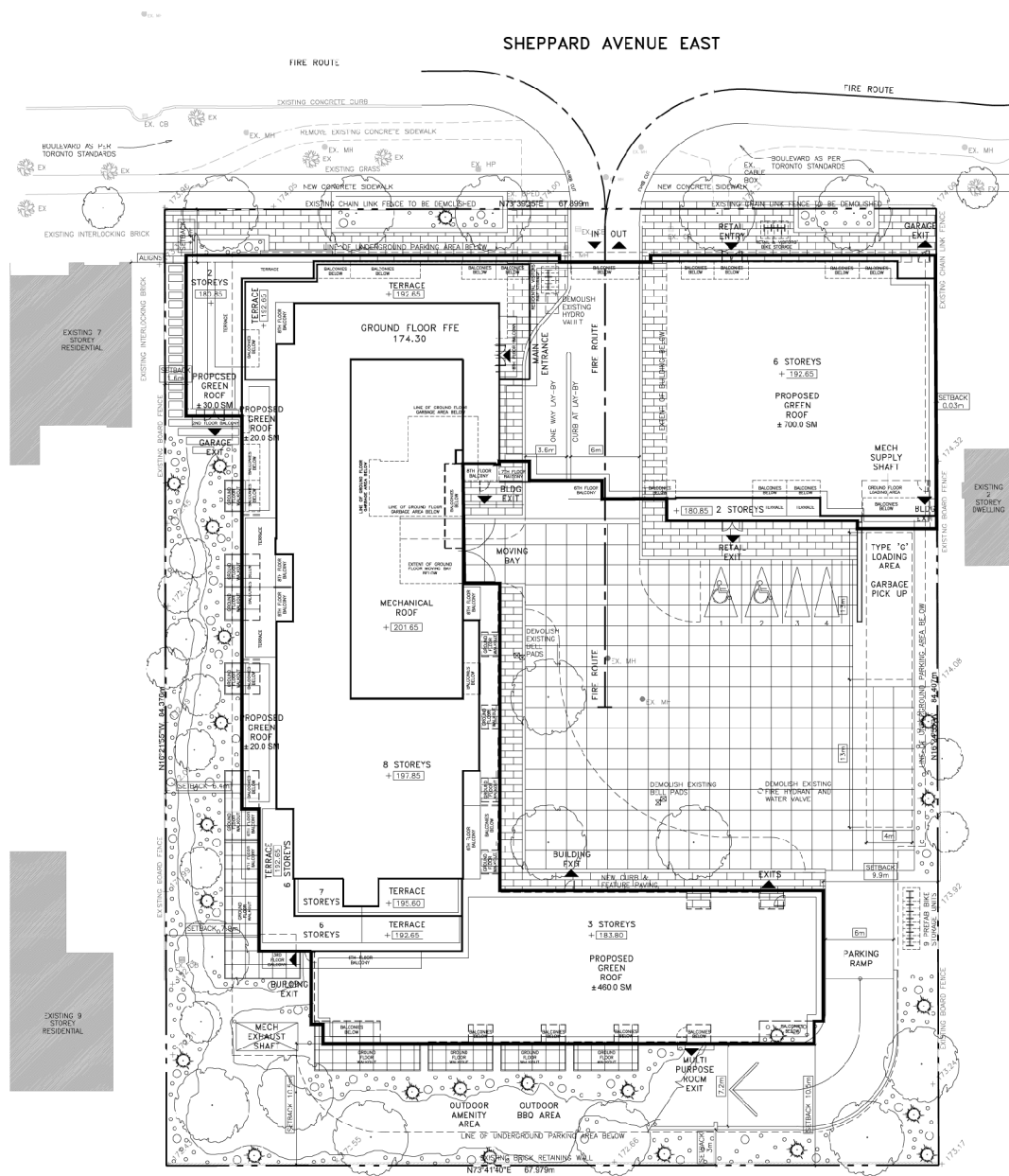
Attachment 6: Visual Representation Looking South

Attachment 7: Zoning

Attachment 8: Official Plan

Attachment 9: Application Data Sheet

Attachment 1: Site Plan



Site Plan

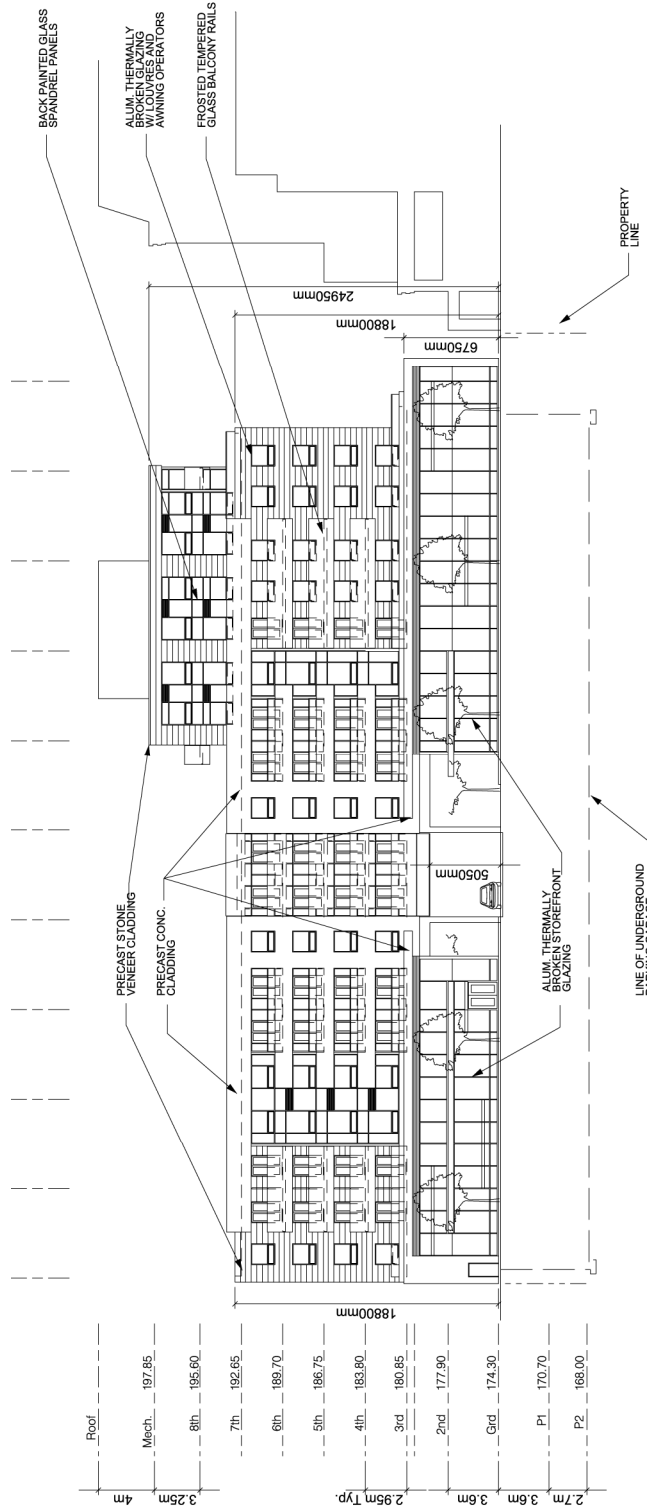
Applicant's Submitted Drawing

Not to Scale 

2-14 Cusack Court

File # 11 317628 NNY 24

Attachment 2: North Elevation



NORTH ELEVATION

2 - 14 Cusack Court

Elevations
 Applicant's Submitted Drawing

File # 11 317628 NNY 24

Not to Scale
 12/12/2011

Attachment 3: South Elevation



2 - 14 Cusack Court

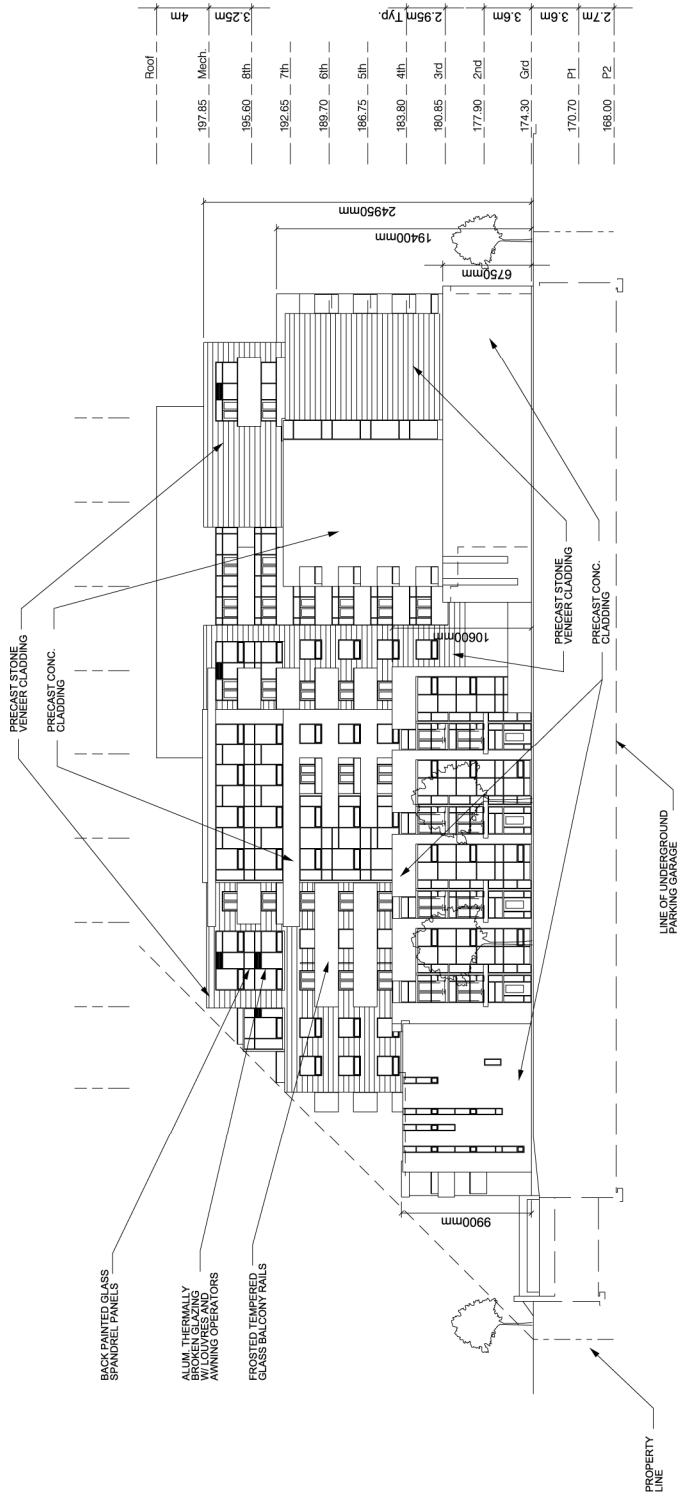
SOUTH ELEVATION

Elevations
 Applicant's Submitted Drawing

Not to Scale
 12/12/2011

File # 11 317628 NNY 24

Attachment 4: East Elevation



EAST ELEVATION

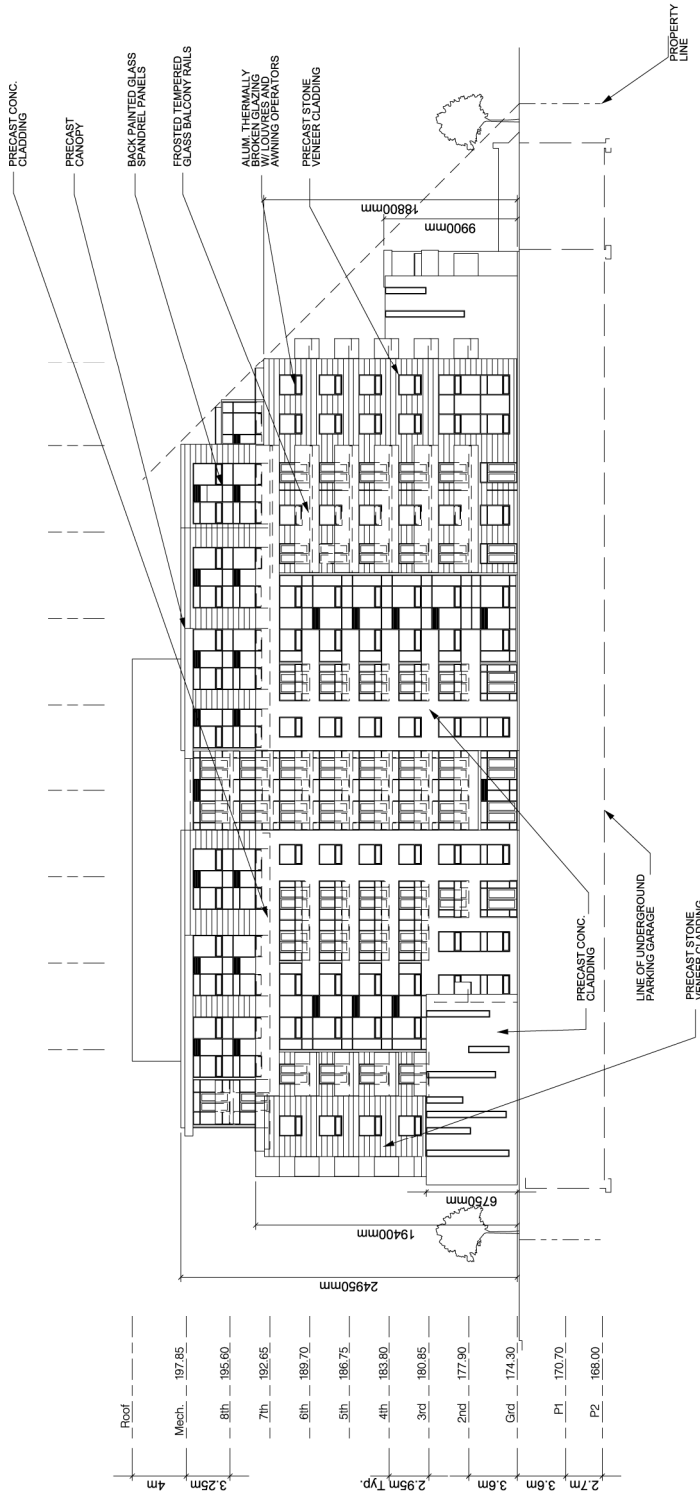
2 - 14 Cusack Court

Elevations
 Applicant's Submitted Drawing

Not to Scale
 12/12/2011

File # 11 317628 NNY 24

Attachment 5: West Elevation



WEST ELEVATION

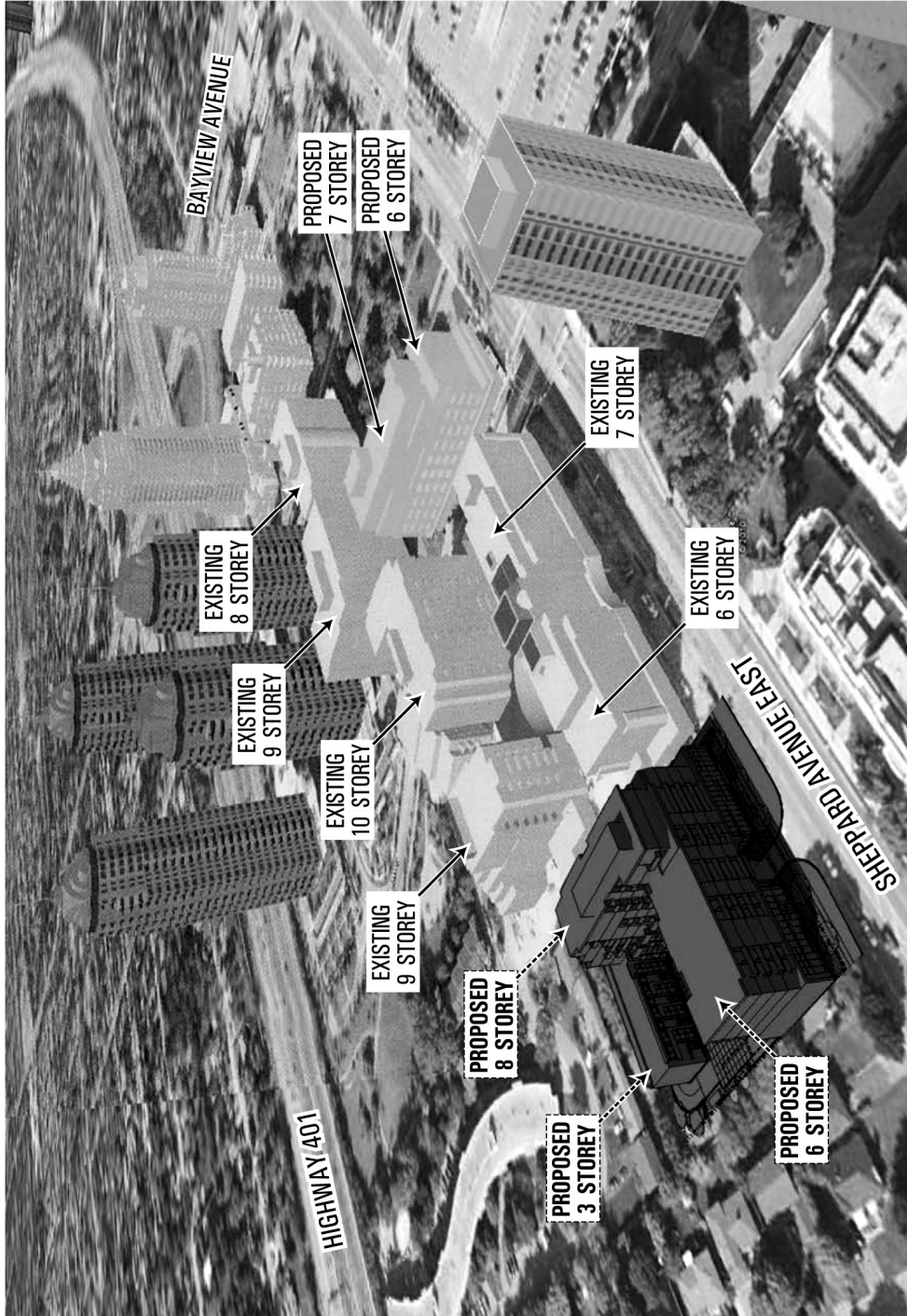
2 - 14 Cusack Court

Elevations
Applicant's Submitted Drawing

Not to Scale
12/12/2011

File # 11 317628 NNY 24

Attachment 6: Visual Representation Looking South



2 - 14 Cusack Court

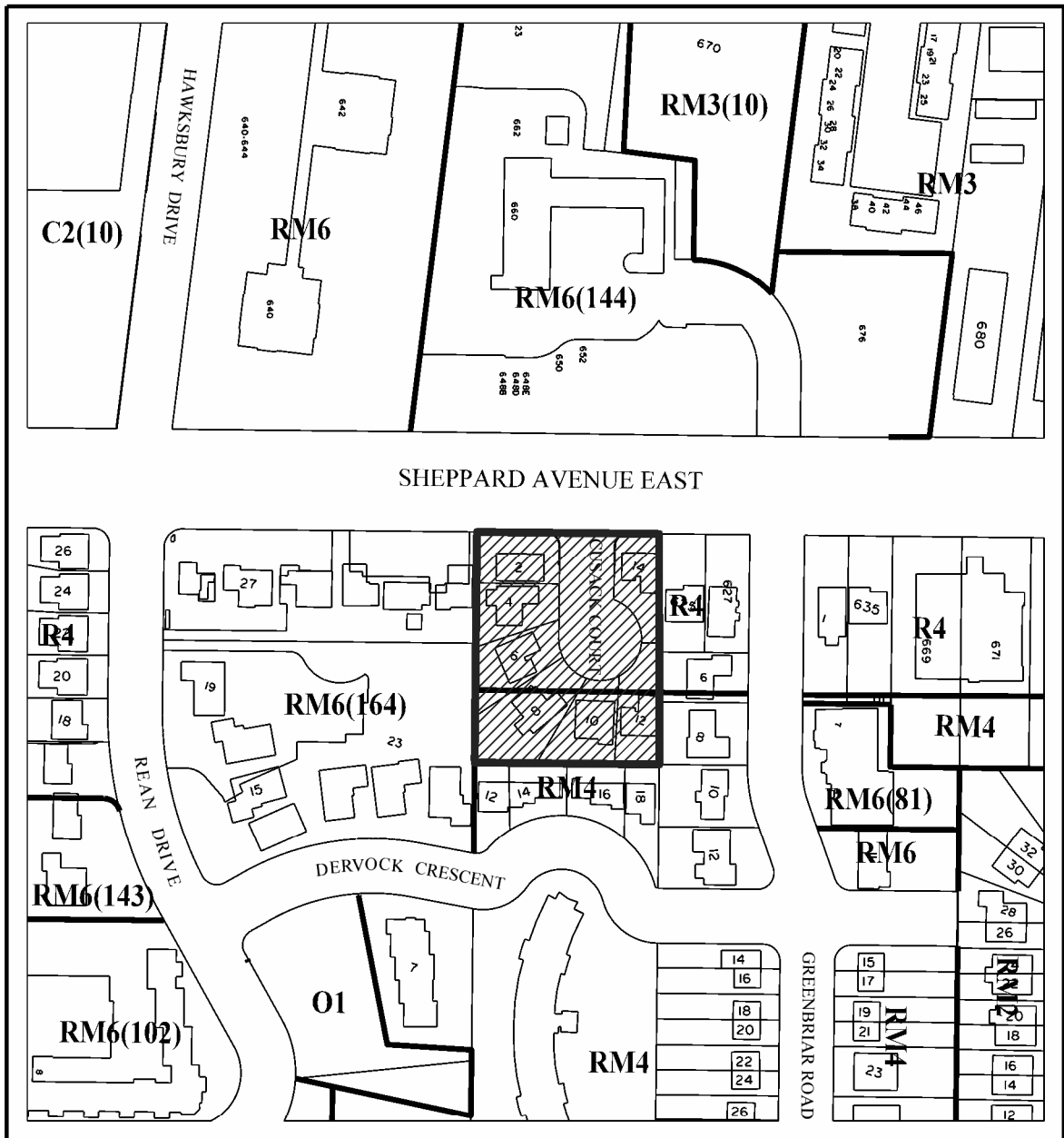
File # 11 317628 NMY 24

Visual Representaion Looking South-west

Applicant's Submitted Drawing - Source: Google Earth

Not to Scale
02/21/2012

Attachment 7: Zoning



2 - 14 Cusack Court
File # 11 317628 NNY 24

- | | |
|---|--|
| R4 One-Family Detached Dwelling Fourth Density Zone | RM6 Multiple-Family Dwellings Sixth Density Zone |
| RM2 Multiple-Family Dwellings Second Density Zone | C2 Local Shopping Centre Zone |
| RM3 Multiple-Family Dwellings Third Density Zone | O1 Open Space Zone |
| RM4 Multiple-Family Dwellings Fourth Density Zone | |
- NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale
Zoning By-law 7625
Extracted 12/13/2011







Attachment 8: Official Plan



Toronto City Planning
Official Plan

2 - 14 Cusack Court

File # 11 317628 NNY 24

- | | |
|--|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Apartment Neighbourhoods | |
|  Mixed Use Areas | |

↑
 Not to Scale
 12/12/2011

Attachment 9: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	11 317628 NNY 24 OZ
Details	OPA & Rezoning, Standard	Application Date:	November 29, 2011
Municipal Address:	2-14 CUSACK COURT		
Location Description:	PLAN M1649 - LOT 1		
Project Description:	6/8 storey, 15,603 square metre mixed use development comprising 163 dwelling units with 1,808 square metres of ground floor retail space and 193 parking spaces in a two level underground parking garage. The application proposes a density of 2.72 FSI.		

Applicant:	Agent:	Architect:	Owner:
CASTLE GROUP VENTURES	STANLEY COOK	HARRY CHRISTAKIS HCA ARCHITECTS	CASTLE GROUP VENTURES

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	OPA 392 – SECTION 4.2 B
Zoning:	R4	Historical Status:	
Height Limit (m):	8.8	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	5733.2	Height:	Storeys:	6/8
Frontage (m):	67.899		Metres:	24.55
Depth (m):	84.407			
Total Ground Floor Area (sq. m):	2308.1			Total
Total Residential GFA (sq. m):	13794.9		Parking Spaces:	193
Total Non-Residential GFA (sq. m):	1808		Loading Docks	2
Total GFA (sq. m):	15603.5			
Lot Coverage Ratio (%):	40.3			
Floor Space Index:	2.72			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	13794.9	0
Bachelor:	0	Retail GFA (sq. m):	1808	0
1 Bedroom:	87	Office GFA (sq. m):	0	0
2 Bedroom:	72	Industrial GFA (sq. m):	0	0
3 + Bedroom:	4	Institutional/Other GFA (sq. m):	0	0
Total Units:	163			

CONTACT:	PLANNER NAME:	Steve Forrester, Senior Planner
	TELEPHONE:	(416) 395-7126