

591 and 593 Sheppard Avenue East - Official Plan and Zoning Amendment Application - Preliminary Report

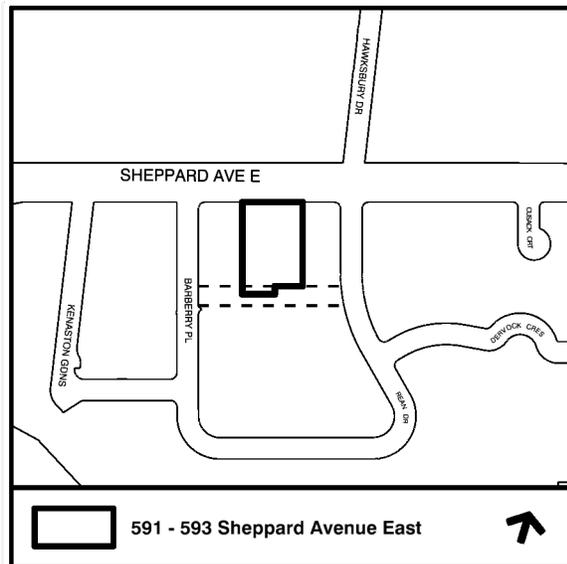
Date:	March 19, 2013
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 24 – Willowdale
Reference Number:	12 298398 NNY 24 OZ

SUMMARY

This application proposes an amendment to the Official Plan and Zoning By-law to permit a mixed use development at 591 and 593 Sheppard Avenue East. The proposal comprises a 10-storey mixed use building containing 210 dwelling units with 929 m² of retail/office space along the Sheppard Avenue East frontage, a new free-standing 1,100 m² place of worship (church) and 249 parking spaces. The proposal would have an overall gross floor area of 17,481 m² resulting in a net density of 3.44 FSI.

This report provides preliminary information on the above-noted applications and seeks Community Council's direction 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 2013. A Final Report and a Public Meeting under the *Planning Act* is targeted for Fall 2013 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 591 and 593 Sheppard Avenue East 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

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

The applicant is proposing to amend the Official Plan and former City of North York Zoning By-law No. 7625 to permit a mixed use development including a new church to replace the existing Evangelical Presbyterian Church at 593 Sheppard Avenue East. The development would have an overall gross floor area of 17,129 m² resulting in a gross density or Floor Space Index of 3.68 or a net density of 3.44 FSI (excludes the gross floor area of the proposed church and the residential indoor amenity space in accordance with the density incentive policies of the Secondary Plan).

The development is proposed to be phased, with the church to be developed first followed by the mixed-use building. The following is a summary of the two components of the proposal.

Church Building

The new church building is proposed to be located at the southeast corner of the site, set back approximately 4 metres from the future public road (see Attachment 1- Site Plan and Attachment 2 - Elevations). The building would be a free standing structure, 2-storeys in height with a gross floor of 1,100 m² including a main worship area or sanctuary of 212 m².

The development site slopes down from the northwest corner of the site at Sheppard Avenue towards the south by approximately 3 metres (equivalent to one storey). Owing to the grade differential across the site, the lower level of the church (containing the church hall, 4 classrooms, kitchens and offices) is proposed to be accessible at grade from a public sidewalk along the future east-west public road south of the site. An additional entrance to the building is proposed from the upper level of the church (containing sanctuary/worship area) from a driveway proposed along the future public road. No direct pedestrian entrance from Sheppard Avenue East is proposed. The driveway leads to 14 surface parking spaces internal to the site. These spaces would be provided as convenience parking for church uses and visitors. The driveway also provides access to the loading area of the mixed-use building. The grade differential across the site is best illustrated on Attachment 4 on the south elevation.

Mixed-Use Building

The proposed mixed use building would be L-shaped in plan with an 8-storey building wing along Sheppard Avenue and a 10-storey wing along the west property line (refer to Attachment 1). The Sheppard Avenue façade would be stepped back above the 2nd, 6th and 8th storeys (refer to East and West Elevations in Attachment 3 and 4). The building would consist of 210 dwelling units and 929 m² of retail/office space at grade and on the second floor level overlooking Sheppard Avenue East.

The building would be set back approximately 8 metres from Sheppard Avenue East to provide for open space that would function as a continuation of the public park dedication on the adjacent mixed use development under construction to the east. The building would be set back approximately 7.5 metres from the future road along the south edge of the site. The main pedestrian entrance/to the lobby of the building faces the future road with a secondary pedestrian entrance proposed along the Sheppard Avenue frontage.

The rear (southerly) portion of the lands at 591 Sheppard Avenue East (7.6 metres) is proposed to be dedicated to the City for public road purposes. Lands behind the church at 593 Sheppard Avenue East were dedicated to the City when the development application south of the future road (12 Rean Drive) was approved by Council.

The primary vehicular access to the development is proposed from Sheppard Avenue East. The driveway leads to 235 parking spaces in two levels of underground parking comprising 155 spaces for tenants and 80 spaces to be shared by residential, commercial and church visitors.

The project statistics are included in the Application Data Sheet in Attachment 8.

Site and Surrounding Area

The site is located on the south side of Sheppard Avenue East in the block between Barberry Place and Rean Drive in the area east of Bayview Avenue. It is located approximately 200 metres east of the Bayview subway station entrance. The site comprises two lots municipally known as 591 and 593 Sheppard Avenue East. It has a

frontage of approximately 56 metres along Sheppard Avenue East, an area of 4,659 m² and also has frontage along an assumed road to the south. The site is currently developed with a one-storey single detached dwelling at 591 Sheppard Avenue and a single-storey place of worship (The Evangelical Presbyterian Church) at 593 Sheppard Avenue E. As noted previously, the site slopes down from the northwest corner of the site to the south by approximately 3 metres.

The following is a summary of the area context:

- North: Bayview Village Shopping Centre directly opposite the site on the north side of Sheppard Avenue East and three, 19-storey apartment buildings at the northeast corner of Hawksbury Drive and Sheppard Avenue East;
- South: an unassumed road then an 8-storey retirement home at 15 Barberrry Place (Amica at Bayview) and a 9-storey apartment building at 12 Rean Drive (The Claridges);
- East: a 7-storey mixed-use development currently under construction at 18 Rean Drive (NY2 Condos by the Daniels Corporation) then further east a 7-storey mixed use building (Merci Condominiums by the Daniels Corporation);
- West: single detached dwellings fronting Barberrry Place and Sheppard Avenue including the Thomas Clark heritage building at 9 Barberrry Place.

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. 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 Policies 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 set out in Chapter 6, Section 9 of the Toronto Official 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.

Figure 4.3.3 of the Secondary Plan shows incentives for the provision of specific uses and facilities on lands designated *Mixed Use Areas*. The specific uses and facilities listed include: the provision of private recreational uses; public community centre; fire station; social facility or transit terminal; the provision of, or retention of, a place of worship; the designation of a heritage building; and the provision of pedestrian connections to transit terminals. The Secondary Plan states the gross floor area of these facilities would be exempted from the calculation of densities and may be secured through various means including agreements pursuant to Section 37 of the *Planning Act*.

The Secondary Plan provides for development at 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 will generally be 6 storeys. The Secondary Plan states that exceptions to this height may be considered where it is demonstrated that creative architectural features (including terracing and detailed elevation articulation) would result 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.

In addition to the general policies of the Secondary Plan, the site is subject to the area specific development policies of *Section 4.2.2 – Kenaston Gardens/Sheppard Square Area*. Area specific criteria relevant to this application include considerations such 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 development is

coordinated 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. While the Secondary Plan provides a vision for the level and form of development along the corridor, the Context Plan helps define the specific pattern and built form characteristics of development in the southeast quadrant of the Bayview/Sheppard intersection. The Context Plan covers the area bounded by Bayview Avenue, Sheppard Avenue East, Rean Drive and Highway 401 and will be used to evaluate and inform the application. 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 and 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 provides for mid-rise buildings defining the south side of Sheppard Avenue creating the north edge of the neighbourhood. Buildings are to generally be 10 storeys in height at the intersection of Bayview Avenue and Sheppard Avenue stepping down to 6 storeys at the eastern edge of the neighbourhood.

As noted above, the Context Plan for the area includes a Block Pattern diagram that illustrates potential development blocks created by existing and new streets and parks (see Attachment 7). The proposal comprises two lots (591 and 593 Sheppard Avenue East centrally located on a portion of Block D on the Block Pattern diagram. Lands immediately east of the site fronting Sheppard Avenue/Rean Drive/Future Road are currently being developed with a 7-storey mixed used building (Daniels Corporation). The remaining lands within this Block include 7, 9 and 13 Barberry Place and 589 Sheppard Avenue East (refer to Attachment 5 - Zoning Map)

Two sites along Sheppard Avenue East (7 Barberry Place and 589 Sheppard Avenue East) are identified in the Context Plan as potential parks and open space. The property to the south at 9 Barberry Place is the Thomas Clarke House, a building designated under Part IV the Ontario Heritage Act by the former City of North York on June 22, 1994. While the site fronts onto Barberry Place, the house faces Sheppard Avenue East. The Context Plan speaks to this building being retained with its historical and physical relationship to Sheppard Avenue restored through the replacement of the two houses to the north (7 Barberry Place and 589 Sheppard Avenue East) with a public park or publicly accessible open space designed to enhance the setting of the heritage property. A portion of the remaining site in the Block (13 Barberry Place) would be conveyed and dedicated to the City as a public road. These lands, and the lands along the south side of the subject site at 591 Sheppard Avenue East, constitute the remaining lands necessary to complete the east-west local road connection between Barberry Place and Rean Drive.

To assist in obtaining the dedication of lands required for public parks and roads, policy 4.3.2 of the Secondary Plan (General Transfers) states the density attributable to such lands may be transferred to development permitted on another parcel of land within the same development node (in this instance the Bayview Node).

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 former City of North York Zoning By-law No. 7625. The zoning permits single detached dwellings and accessory buildings as well as a wide range of recreational and institutional uses.

Site Plan Control

An application for Site Plan Approval is being reviewed. On February 22, 2013 the Ward Councillor requested the application be referred to North York Community Council and City Council for approval in accordance with Site Plan Delegation By-law No. 483-2000.

Tree Preservation

The applicant provided an Arborist Report with the application. The report indicates the proposal will require the removal of five City owned trees and the preservation/protection of two other City owned trees regulated under the City Street Tree-By-law. The report further indicates there are twelve privately owned trees and injury to or potential removal of five other privately owned trees situated on adjacent properties to the west that are regulated under the City Private Tree By-law. The owner will be required to obtain the necessary permits prior to removing any trees pursuant to Private Tree Protection By-law No. 780-2004 and the 'Trees On City Streets' By-law.

Reasons for the Application

An amendment to the Secondary Plan is required respecting maximum density. The proposed density of 3.68 FSI (3.44 FSI net) exceeds the maximum density of 3.0 times the area of the lot as shown on Map 9-2 – Key Development Areas. The proposed development will also require an amendment to former City of North York Zoning By-law No. 7625 to permit the proposed use and other standards including height, density, coverage, setbacks and parking rates. Appropriate standards 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
- Landscape Plans
- Planning and Urban Design Rationale
- Sun/Shadow Diagrams
- Traffic Impact and Parking Study
- Functional Servicing and Stormwater Management Report
- Site Servicing and Grading Plans
- Arborist Report including Tree Inventory, Preservation & Removals Plan
- Toronto Green Standards Checklist

A Notification of Complete Application was issued on January 31, 2013.

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 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;
- the appropriateness of the proposed organization, location, massing and design of the church;
- appropriate ground floor uses along Sheppard Avenue East and the future public road to the south to support a safe pedestrian environment;
- an analysis of the remaining *Mixed Use Areas* lands within the Block to ensure they can be developed in conformity with the provisions of the Secondary Plan;
- the traffic impact study and local roads must be assessed to ensure there is sufficient capacity to accommodate the additional traffic generated by the development.
- potential traffic and parking impacts on local streets;
- assessment of the proposed access, parking supply, and vehicular circulation;
- assessment of the loading, refuse and recycling operations of the proposed development;
- assessment of the stormwater management and servicing of the proposed development;
- potential parkland dedication and location;
- review of pedestrian access including sidewalks and entrances and their relationship with adjacent public streets and properties;
- a review of the streetscape design along the Sheppard Avenue East and future public road frontages of the site;
- phasing of the development;
- adequacy of indoor and outdoor residential amenity spaces;
- the availability and adequacy of community services and facilities in the area to support the proposed residential development;

- 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: Elevations (Church Building)

Attachment 3: Elevations (Mixed-Use Building)

Attachment 4: Elevations (Mixed-Use Building)

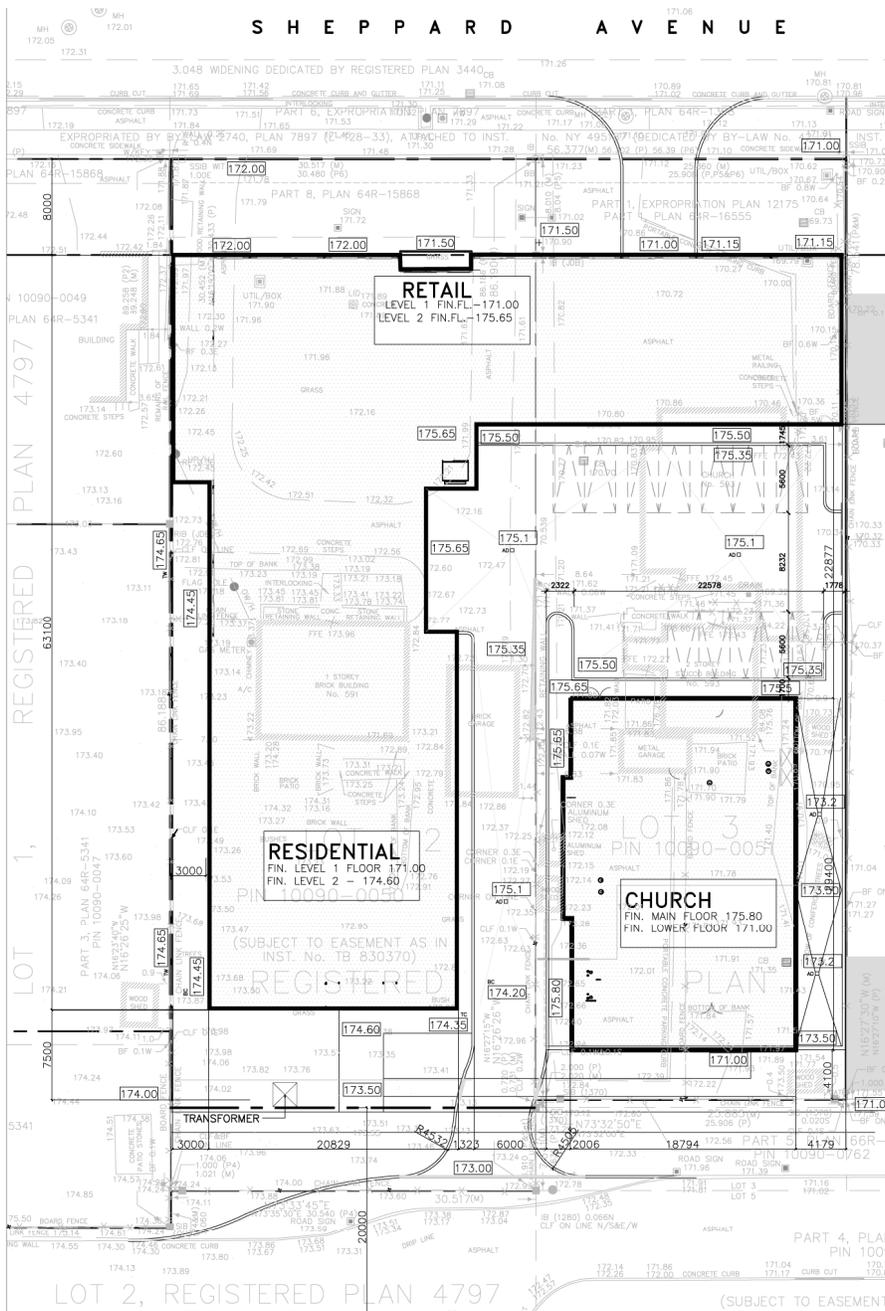
Attachment 5: Zoning

Attachment 6: Official Plan

Attachment 7: Block Pattern – Southeast Bayview Node Context Plan

Attachment 8: Application Data Sheet

Attachment 1: Site Plan



Site Plan

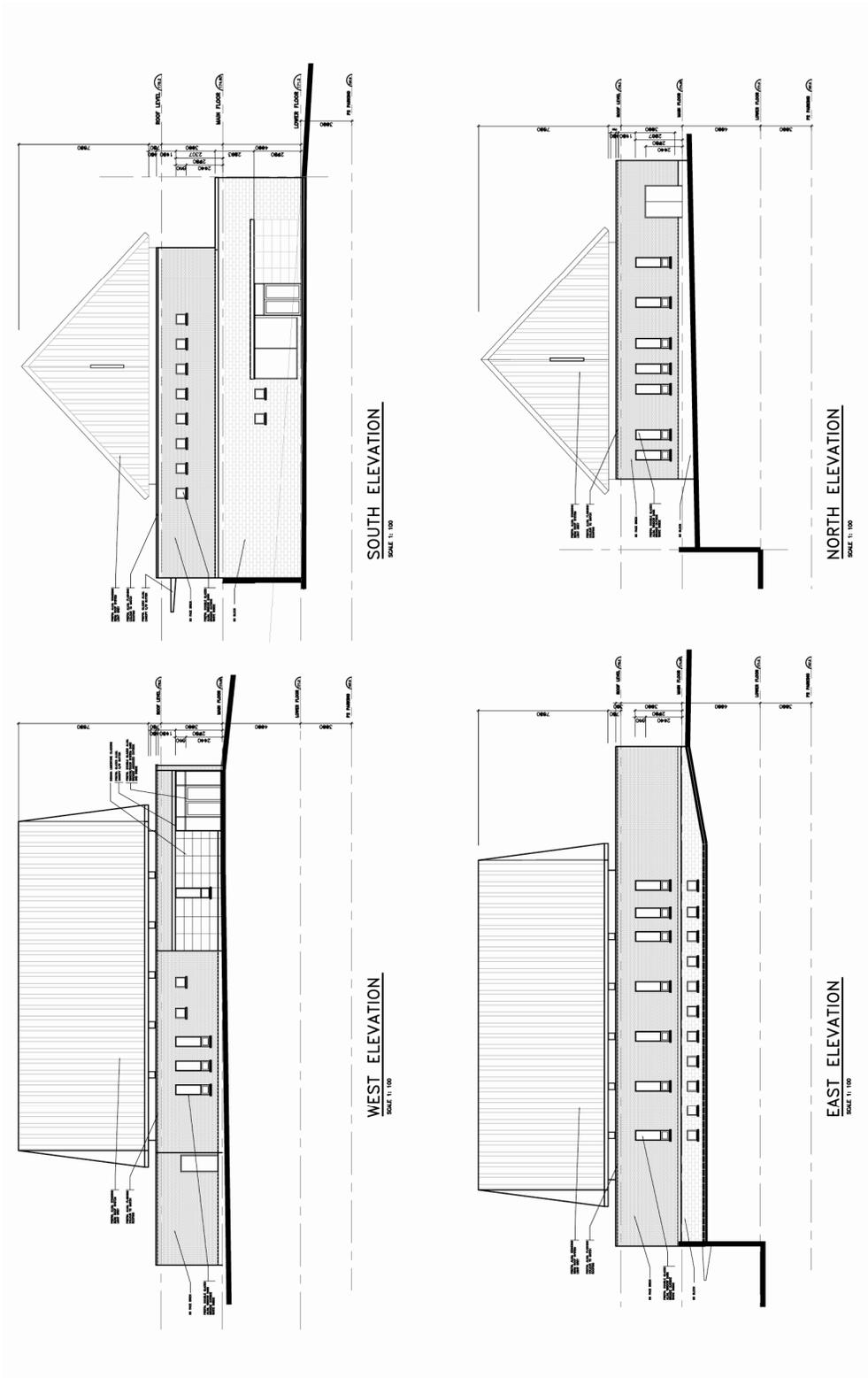
591 - 593 Sheppard Avenue East

Applicant's Submitted Drawing

Not to Scale 02/04/2013

File # 12 298398 NNY 24 03

Attachment 2: Elevations (Church Building)



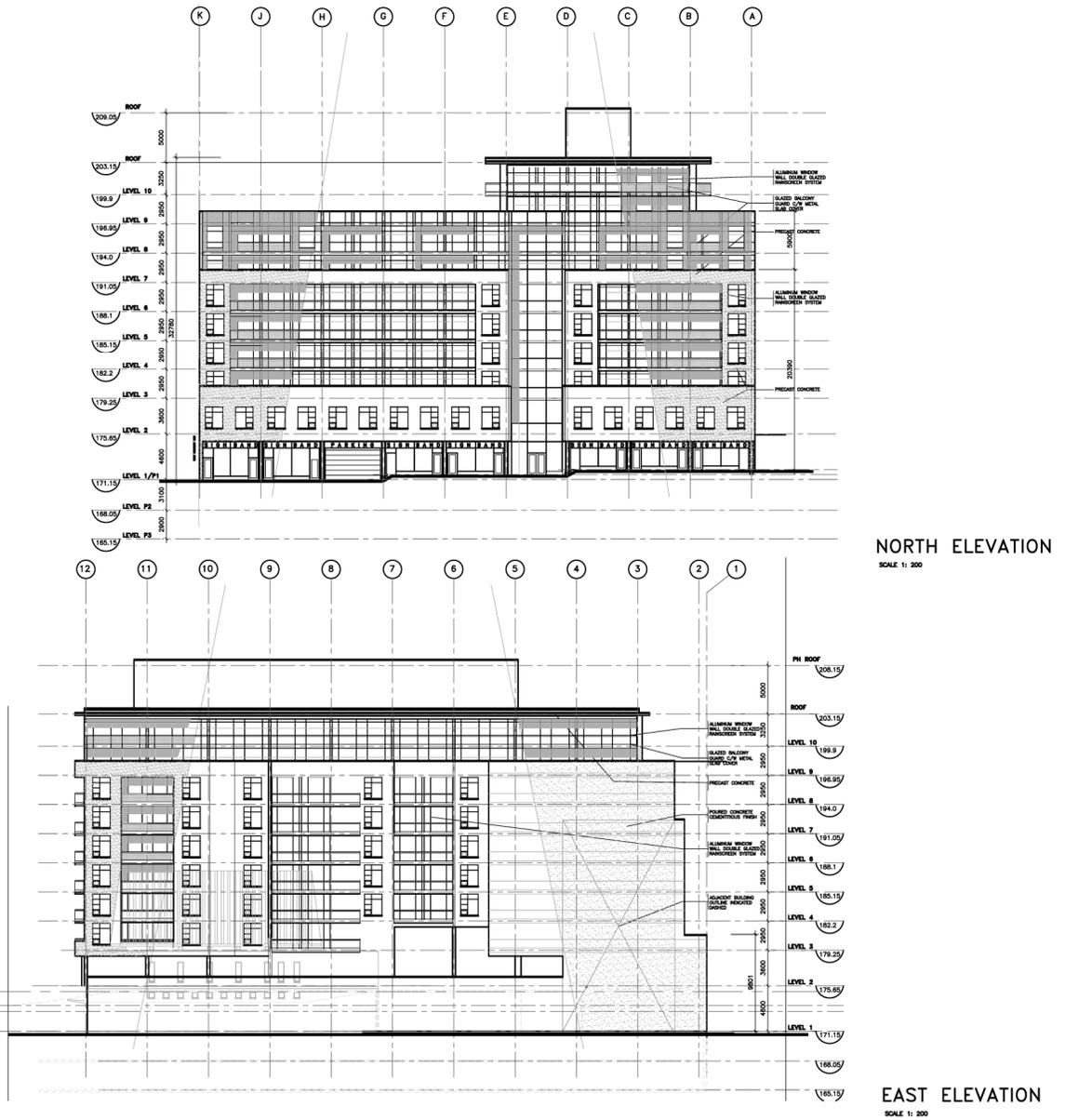
591 - 593 Sheppard Avenue East

Elevations 1
Applicant's Submitted Drawing

File # 12 298398 NNY 24 03

Not to Scale
02/04/2013

Attachment 3: Elevations (Mixed-Use Building)



Elevations 2

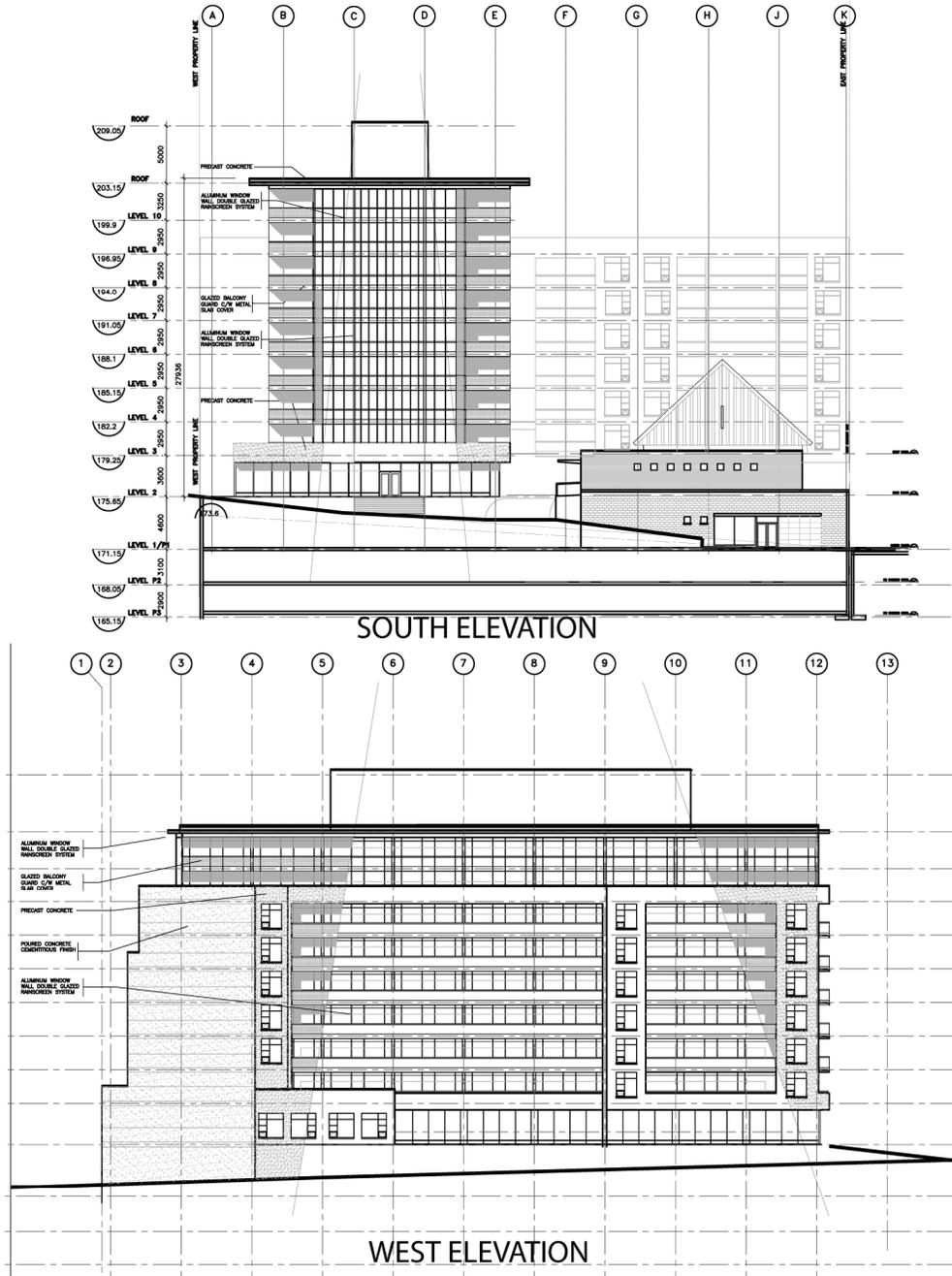
591 - 593 Sheppard Avenue East

Applicant's Submitted Drawing

Not to Scale
02/04/2013

File # 12 298398 NNY 24 03

Attachment 4: Elevations (Mixed-Use Building)



Elevations 2

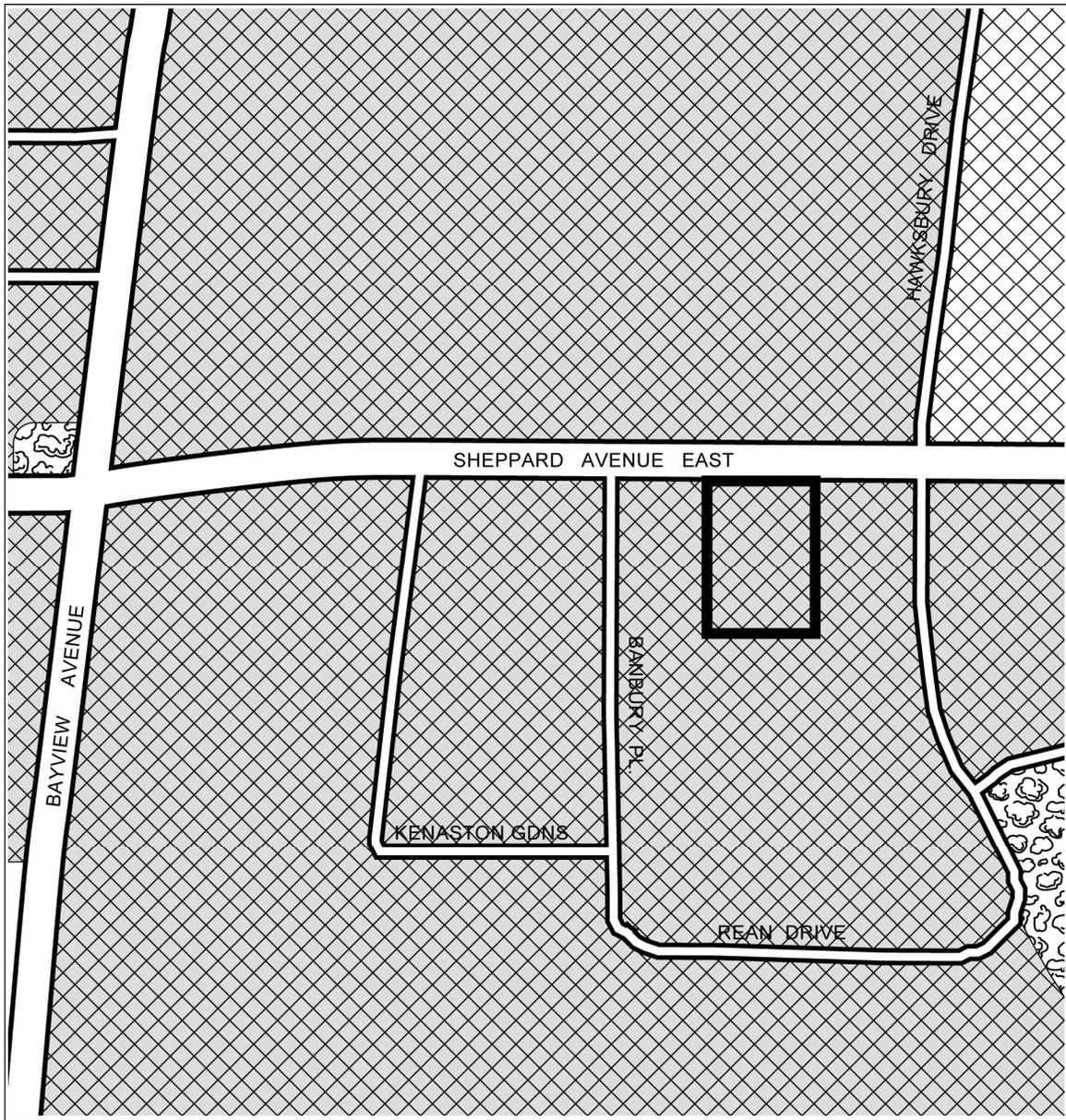
591 - 593 Sheppard Avenue East

Applicant's Submitted Drawing

Not to Scale
02/04/2013

File # 12 298398 NNY 24 03

Attachment 6: Official Plan



Toronto City Planning
Official Plan

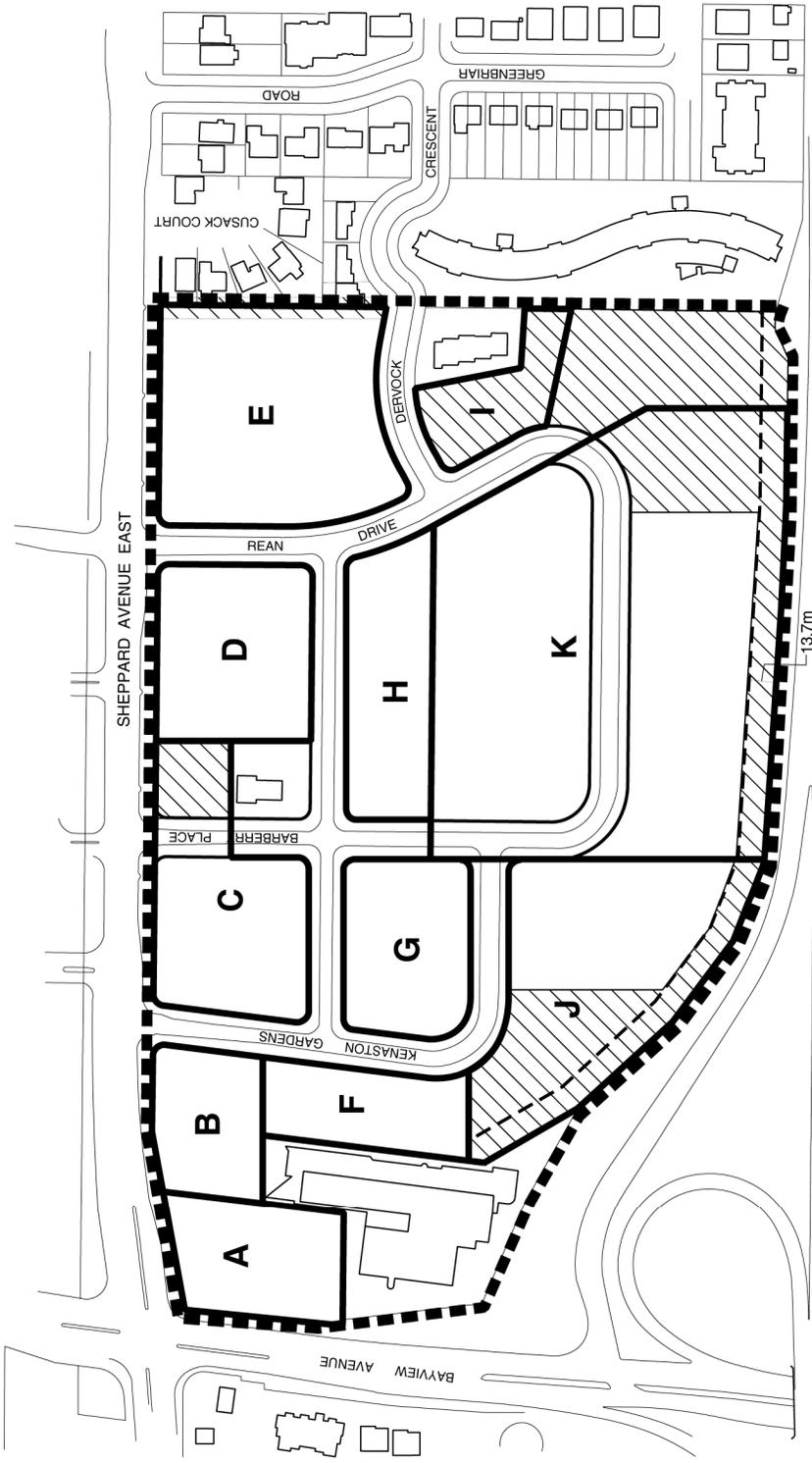
591 - 593 Sheppard Avenue East

File # 12 298398 NNY 24 03

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

↑
Not to Scale
02/04/2013

Attachment 7: Block Pattern – Southeast Bay view Node Context Plan



HIGHWAY 401

13.7m

Block Pattern - Southeast Bayview Node Context Plan **591 & 593 Sheppard Ave. East** 

-  Context Plan Study Area
-  Parks and Open Space

File # 12 298398 NMY 24 0Z

Attachment 8: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	12 298398 NNY 24 OZ
Details	OPA & Rezoning, Standard	Application Date:	December 28, 2012
Municipal Address:	591 and 593 SHEPPARD AVE E		
Location Description:	PLAN 3583 LOT 3 **GRID N2406		
Project Description:	Proposed 10-storey, mixed use building comprising 210 dwelling units, 929 square metres of grade-related retail and 249 parking spaces in three levels of underground parking. The development also includes a replacement place of worship building that would have gross floor area of 1,100 square metres.		

Applicant:	Agent:	Architect:	Owner:
1834373 ONTARIO INC	MARK LIDDY	WAYNE LONG	ELLIS STREET FREE CHURCH

PLANNING CONTROLS

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

PROJECT INFORMATION

Site Area (sq. m):	4659.02	Height:	Storeys:	10
Frontage (m):	56.4		Metres:	0
Depth (m):	86.2			
Total Ground Floor Area (sq. m):	2144.5			Total
Total Residential GFA (sq. m):	14641.5		Parking Spaces:	249
Total Non-Residential GFA (sq. m):	2488.6		Loading Docks	1
Total GFA (sq. m):	17129.1			
Lot Coverage Ratio (%):	46			
Floor Space Index:	3.68			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	14640.5	0
Bachelor:	0	Retail GFA (sq. m):	929.1	0
1 Bedroom:	171	Office GFA (sq. m):	0	0
2 Bedroom:	39	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	1559.5	0
Total Units:	210			

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