

625 - 627 Sheppard Ave East and 6, 8, 10 Greenbriar Road - Official Plan Amendment, Zoning Amendment and Site Plan Applications - Request for Direction Report

Date:	October 27, 2017
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 24 – Willowdale
Reference Number:	16 118618 NNY 24 OZ and 16 245137 NNY 24 SA

SUMMARY

These official plan/zoning by-law amendment and site plan applications propose an 11-storey mixed-use building and a three-storey, six-unit townhouse block at 625-627 Sheppard Ave East and 6, 8 and 10 Greenbriar Road. The development is proposed to have a gross floor area of 13,895 square metres resulting in a density of 3.95 times the area of the lot. The proposal comprises 880 square metres of retail uses fronting on Sheppard Avenue East, 13,016 square metres of residential gross floor area, 178 dwelling units, two levels of underground parking and 150 parking spaces. The application proposes parkland dedication along the Sheppard Avenue East frontage.

The official plan amendment, zoning by-law amendments and site plan control applications have been appealed to the Ontario Municipal Board on the basis that the City failed to make a decision within the prescribed time periods set out in the *Planning Act*. This application represents a significant overdevelopment of the site and is not consistent with the Official Plan policies. The proposal's height, density and scale are not appropriate. The proposed



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built form does not adequately address the existing and planned context and does not provide an appropriate relationship with or transition to the abutting lands.

This report recommends that the City Solicitor, together with City Planning and other appropriate city staff, attend the OMB hearing in opposition to the current proposal. It also recommends that staff continue to work with the applicant in an attempt to resolve the outstanding issues.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and other appropriate staff, to attend the Ontario Municipal Board hearing to oppose the official plan amendment and zoning by-law amendment (16 118618 NNY 24 OZ) and site plan control applications (File No. 16 245137 NNY 24 SA) in their current form.
2. In the event that the Ontario Municipal Board approves the applications in whole or in part, City Council authorize the City Solicitor to request that the OMB withhold its Order approving the application until such time as:
 - a. The Board has been advised by the City Solicitor that the proposed official plan amendment and zoning by-law amendments are in a form satisfactory to the Chief Planner and City Solicitor;
 - b. The City Solicitor confirms the satisfactory execution and registration of a Section 37 Agreement satisfactory to the Chief Planner to secure the Section 37 matters;
 - c. City Planning has issued the Notice of Approval Conditions for site plan approval, and the City Solicitor confirms that all pre-approval conditions for such site plan approval have been met; and
 - d. City staff have confirmed that the applicant has made satisfactory arrangements with Engineering and Construction Services for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, and that the applicant has entered into a financially secured agreement to pay for and construct any necessary improvements to the municipal infrastructure.
3. Should the Ontario Municipal Board approve the applications, City Council direct the City Solicitor to advise the Board that the official plan amendment and zoning by-law amendments should not be approved without the provision of such

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services, facilities or matters pursuant to Section 37 of the Planning Act, as may be considered appropriate by the Chief Planner in consultation with the applicant and the ward councillor.

4. The City Solicitor and appropriate staff be authorized to continue discussions with the applicant to address the issues outlined in this report and to report back to City Council on the outcome, including proposed Section 37 contributions relating to any revised proposal, as appropriate.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

The current official plan and zoning by-law amendment application was received on February 19, 2016 and on May 10, 2016 North York Community Council deferred consideration of the Preliminary Report on the application. North York Community Council requested a report from Urban Forestry on whether any trees on the property have been damaged and/or whether they have been protected, and requested Municipal Licensing and Standards to report on whether there are any outstanding property standards issues.

The Preliminary Report is available at:

<http://www.toronto.ca/legdocs/mmis/2016/ny/bgrd/backgroundfile-92463.pdf>

At its meeting of June 14, 2016 North York Community Council adopted the Preliminary Report and directed City Planning to schedule a community meeting together with the Ward Councillor, and that the applicant be required to resolve any outstanding issues of compliance with City by-laws, to be reviewed by City staff prior to scheduling the meeting. The following report concerning property standards at the subject address was also considered at the June 14, 2016 North York Community Council meeting:

<http://www.toronto.ca/legdocs/mmis/2016/ny/bgrd/backgroundfile-93823.pdf>

At its meeting of June 14, 2016 North York Community Council considered the following report concerning tree protection for 625-627 Sheppard Avenue East and 6, 8 and 10 Greenbriar Road:

<http://www.toronto.ca/legdocs/mmis/2016/ny/bgrd/backgroundfile-94071.pdf>

At its meeting of July 4-7, 2017, City Council directed that staff in Water Infrastructure Management, Toronto Water, in consultation with Engineering and Construction Services and City Planning staff, initiate an assessment of the remaining sanitary sewer capacity along the Sheppard Avenue East corridor between Bayview Avenue and Leslie Street, and report back to North York Community Council in the fourth quarter of 2017 with the results of the assessment.

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Ontario Municipal Board Appeals

The applicant appealed the official plan amendment and rezoning application to the Ontario Municipal Board on October 28, 2016 and referred the site plan application to the Ontario Municipal Board on February 16, 2017. A pre-hearing conference was held on May 8, 2017. The full hearing of the matter is scheduled for nine days beginning on February 20, 2018.

Proposal

The Official Plan and Zoning By-law amendment applications propose an 11- storey mixed-use building on Sheppard Avenue East and a six-unit, three-storey townhouse block, along part of the Greenbriar Road frontage. (See Attachment 1 – Site Plan).

The 11-storey building is proposed to step down to seven storeys along the portion of the building fronting on Sheppard Avenue East, with a three metre stepback above the seventh storey, and a further six metre stepback above the ninth storey. At the southern portion of the 11 storey building, a stepback of 6.5 metres is proposed above the third storey. Seven grade related units are proposed at the base of the building fronting on Greenbriar Road, north of the vehicular access driveway. Six townhouse units are proposed on the southern portion of the site south of the access driveway. (See Attachments 2a-d – Elevations).

The mixed-use building is proposed to have 880 square metres of ground floor retail space and 178 residential units in 13,016 square metres of residential gross floor area. Two levels of below grade parking are proposed, in addition to 141 bicycle parking spaces and 150 vehicular parking spaces. Vehicular access is proposed off of Greenbriar Road between the proposed 11-storey building and six proposed townhouse units. The access to the underground parking garage is located along the west property line and visitor and retail parking spaces are proposed to be located at grade, behind the townhouse units.

The application has been revised from the original application, submitted in February, 2016 by slightly increasing the proposed height and density. The following table provides a comparison of the original and revised submission.

	Original	Revised
	February, 2016	October, 2016
Residential GFA (m ²)	12, 991	13,016
Non-residential GFA (m ²)	482	880
Total GFA (m ²)	13,473	13,895
Overall FSI	3.83	3.95
Max Height (Metres)	36.0 (42.0 including mechanical penthouse)	36.9 (42.9 including mechanical penthouse)
Max. Height (storeys)	11	11
No. of Units	184	178
Vehicular Parking	155	150 including 2 car share spaces
Bicycle Parking	142	141
Indoor Amenity	1.86 m ² /unit	1.93 m ² /unit
Outdoor Amenity	1.98 m ² /unit	2.15 m ² /unit

For further project details see Attachment 1-Site Plan, Attachment 2a-2d – Elevations and Attachment 8-Application Data Sheet.

Site and Surrounding Area

The site is located on the south side of Sheppard Avenue East and the west side Greenbriar Road, between Bayview Avenue and Bessarion Road, where there are TTC subway stations. The site consists of five residential lots: 625 and 627 Sheppard Avenue East and 6, 8, and 10 Greenbriar Road. A single detached home exists on each of the five parcels, and there are a number of mature trees on site. The site area is 3,519 m², with approximately 32.4 metres of frontage on Sheppard Avenue East and 126 metres on Greenbriar Road.

The area context and surrounding land uses are as follows:

- North: two 6/8 storey mixed-use buildings (St. Gabriel Village) directly opposite the site on the north side of Sheppard Avenue East;
- South: a single detached dwelling at 12 Greenbriar Road; single detached dwellings fronting Dervock Crescent (No. 12, 14, and 16) approved for a four-storey townhouse development (File 15 230582 NNY 24 OZ); and a four-storey apartment building at 11 Dervock Crescent;
- East: detached dwelling fronting Sheppard Avenue East and a four-storey condominium apartment building fronting Greenbriar Road; and
- West: Cusack Court development site under construction at eight storeys, stepping down to six storeys at Sheppard Avenue East and three storeys to the south (File 11 317628 NNY 24 OZ). West and south of the site is a single family dwelling at 18 Dervock Crescent.

ISSUE BACKGROUND

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- protection of the natural and built environment;
- building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- residential development promoting a mix of housing types and affordable housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe (GGH) region including:

- setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;

- minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by City Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

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

Official Plan

The north part of the site is designated *Mixed Use Areas* and the south part of the site is designated *Apartment Neighbourhoods* on Land Use Map 16 of the Toronto Official Plan (see Attachment 4 – Official Plan). The *Mixed Use Areas* 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. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. Both designations have development criteria regarding locating and massing new buildings to provide a transition between areas of different development intensity and scale.

Sheppard Avenue East at this location is shown as an Avenue on Map 2-Urban Structure of the Official Plan. Avenues are corridors along major streets where reurbanization can create new housing and jobs while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents.

Section 3.1.2 of the Official Plan identifies the importance of urban design as a fundamental element of city building and contains built form policies intended to minimize the impacts of new development and guide the form of new buildings to fit within the context of the neighbourhood and the City. These policies require new development to be located and organized to fit with its existing and/or planned context. New projects will frame and support adjacent streets, parks and open spaces to improve the safety, pedestrian interest and casual view to these spaces. They will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces. New development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and

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properties. It will be massed to define the edges of streets, parks and open spaces at good proportion. Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of these areas. They will provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians. Also, every significant new multi-residential development will provide indoor and outdoor amenity space for residents of the new development.

Section 5.1.1 of the Official Plan contains Section 37 policies that authorize the City to pass zoning by-laws involving increases in the height and/or density otherwise permitted by the Zoning By-law, in return for the provision of community benefits.

Other policies relevant to this application include Sections 3.1.1 (Public Realm), 4.5(2) (Development Criteria in *Mixed Use Areas*), and 4.2(2) (Development Criteria in *Apartment Neighbourhoods*).

The Toronto Official Plan is available on the City's website at: <http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=03eda07443f36410VgnVCM10000071d60f89RCRD>

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 and a maximum density of 2.0 FSI is assigned to the Mixed Use portion of the site, which is a Key Development Area as indicated on Map 9-2 (see Attachment 5). The Secondary Plan objectives speak to the greatest density, height and mass of new buildings being along Highway 401, at the major intersections, and at locations with the greatest accessibility to public transit.

The Secondary Plan seeks to shape 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 six storeys. The Plan encourages one and two storey base buildings. It goes on to state that exceptions to these heights 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 Bylaws 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://www1.toronto.ca/planning/9-sheppard-subway-east-corridor.pdf>

Mid-Rise Building Performance Standards

City Council on July 6, 7 and 8, 2010, adopted the recommendations of the *Avenues* and Mid-Rise Buildings Study and Action Plan, with modifications. The main objective of this

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City-wide study is to encourage future intensification along Toronto's *Avenues* that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. The report can be viewed at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.PG39.9>.

The *Avenues* and Mid-Rise Buildings Study identifies a list of best practices, categorizes the *Avenues* based on historic, cultural and built form characteristics, establishes a set of Performance Standards for new mid-rise buildings and identifies areas where the Performance Standards should be applied.

The Performance Standards assist in the implementation of Official Plan policies for *Avenues* and *Mixed Use Areas*, ensuring among other matters, quality and comfortable streetscapes along the *Avenues*, which are to be framed and defined by buildings that allow for a minimum of 5 hours of sunlight on the sidewalks from March 21 to September 21; streetwall stepbacks, which mitigate the pedestrian perception of building height along the street; and an acceptable relationship between mid-rise buildings and the adjacent *Neighbourhoods* and *Parks and Open Space Areas*, which the Official Plan policies are explicit in their intent to protect through appropriate transitions. The Performance Standards provide guidance about the size, shape and quality of mid-rise development and are intended to respect Section 2.3.1 of the Official Plan.

Mid-Rise Building Performance Standards: Addendum

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. Among other matters, the Addendum provides clarification regarding use of the Guidelines within Secondary Plan Areas, as well as specific land use and street frontage criteria which must be met prior to applying the Performance Standards to mid-rise proposals not located on an *Avenue*.

The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as City Council considers and adopts updated Mid-Rise Building Design Guidelines. Refer to the Council Decision <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and Attachment 1: Mid-Rise Building Performance Standards Addendum (April 20, 2016) <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

The Addendum was considered together with the Mid-Rise Building Performance Standards in the evaluation of the application.

Zoning

The lands are zoned R4 (One Family Detached Dwelling Fourth Density Zone) on the north portion of the site and RM4 (Multiple Family Dwellings Fourth Density Zone) on the south portion, under North York Zoning By-law No. 7625. The R4 zoning generally permits single detached dwellings and accessory buildings as well as a number of Staff report for action – Request for Direction - 625-627 Sheppard Avenue East and 6, 8 and 10 Greenbriar Road

recreational and institutional uses. The RM4 zoning permits a range of residential uses including low-rise apartment buildings as well as various recreational and institutional uses.

Under the City of Toronto Zoning By-law 569-2013, the site is zoned RD (f15.0 a550) (x5) and RM (f21.0 a925 d0.85). For the northern portion of the lands in the RD zone, detached dwellings, recreational and institutional uses are permitted. The minimum lot frontage is 15 metres and lot area is 550 m² with the site specific exception for a minimum side yard setback of 1.8 metres. On the southern portion of the lands in the RM zone, a range of residential uses are permitted including detached and semi-detached houses to lowrise duplex, triplex, fourplex and apartment buildings. A frontage of 21 metres is required, with a minimum lot area of 925 m² and maximum density of 0.85 times the lot area is permitted. (See Attachments 6 and 7 for the zoning maps).

Tree Preservation

The applicant has provided a Tree Inventory and Preservation Plan Report dated January 5, 2016 in support of the applications. Forestry Staff have reviewed the submitted materials, and provided comments on the proposed tree removal and replacement.

Site Plan Control

This proposal is subject to Site Plan Control under section 114 of the City of Toronto Act. A Site Plan Control application (Application No. 16 245137 NNY 24 SA) has been submitted and is being reviewed concurrently with this official plan amendment/rezoning application.

Community Consultation

At the June, 2016 meeting of North York Community Council, Council directed that City Planning schedule a community consultation meeting together with the Ward Councillor. The applications were appealed to the Ontario Municipal Board before a Community Consultation could be scheduled. As a result, a Community Consultation meeting has yet to be scheduled.

Reasons for the Application

The proposed density of 3.95 times the area of the lot exceeds the Sheppard East Subway Corridor Secondary Plan maximum density of 2.0 times the area of the lot within the key development area, located at the north end of the site. The proposed height of 11 storeys (36.9 metres, 42.9 metres with mechanical penthouse) does not meet the Secondary Plan direction of a maximum height of six storeys. The proposed development therefore requires an Amendment to the Secondary Plan to permit the proposed height and density. The proposed development requires an amendment to the former City of North York Zoning By-law and the City of Toronto Zoning By-law to permit the proposed use, height and density of development. Appropriate standards regarding gross floor area, height, setbacks, indoor and outdoor amenity space, parking and other matters would be established through a site specific exception, should the application be approved.

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COMMENTS

Provincial Policy Statement and Growth Plan

The Provincial Policy Statement, 2014 (PPS) and the Growth Plan for the Greater Golden Horseshoe (2017) are high-level and broad reaching documents. The City is a development area and infill is encouraged under these policies. However, under both the PPS and the Growth Plan, planning authorities are responsible for identifying appropriate locations for growth. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area, and availability of infrastructure and public service facilities that meet projected needs.

Within this framework, the PPS recognizes that the Official Plan is the most important vehicle for implementing PPS requirements and that comprehensive, integrated and long term planning is best achieved through municipal official plans. The City's Official Plan meets the requirements of the PPS.

City Council's planning decisions are required to be consistent with the PPS. The 2014 PPS is implemented through the Official Plan. The applications in their current form do not conform with the policies of the Official Plan and the Sheppard East Subway Corridor Secondary Plan, and therefore are not consistent with the Provincial Policy Statement, nor do they conform with the Growth Plan for the Greater Golden Horseshoe.

Height, Density and Massing

The Official Plan contains policies that provide direction and criteria on site design matters pertaining to the location and organization of buildings. The Official Plan's built form policies indicate that new development should be designed to fit with its existing and/or planned context; frame and support adjacent streets, parks and open spaces; and limit its impacts on neighbouring streets, parks and properties.

Section 4.4.2 (f) of the Sheppard East Subway Corridor Secondary Plan provides that along the Sheppard Avenue frontage, heights and massing should be at a pedestrian scale, and frame the street edge at a scale that balances with the street width. Along those parts of the Sheppard Avenue frontage not in proximity to subway stations, the maximum height will generally be six storeys. It is intended that the greatest density, height and mass of new buildings will be along the Highway 401 corridor, at the major intersections, and at locations with the greatest accessibility to public transit. This site meets none of those locational criteria. Site development is guided by the built form policies found in Sections 3.1.2 (Built Form), of the Official Plan, and Section 4.4 (Urban Design Principles) of the Secondary Plan. These policies speak to the appropriate built form for new buildings and considerations of neighbourhood context and fit. The northern portion of the site is guided by the *Mixed Use* policies in Section 4.5 of the Official Plan, and the southern portion by the *Apartment Neighbourhoods* policies in Section 4.2.2.

Map 9-2 of the Sheppard East Corridor Subway Secondary Plan outlines Key Development areas within close proximity to subway stations. The subject lands are identified in Area B – the Bessarion Node, and a maximum 2.0 floor space index is provided for the *Mixed Use Areas* portion of the lands.

The immediate context in the vicinity of the subject lands includes the project under construction immediately to the west (2-14 Cusack Court, six to eight storeys in height, FSI of 2.66), eight-storey buildings on the north side of Sheppard Avenue East, a single family dwelling to the south at 12 Greenbriar Road, and a single family dwelling on the east side of Greenbriar Road at Sheppard Avenue East. Further to the west along the Sheppard Avenue East frontage is a seven-storey building, along with 9 and 10 storey buildings fronting Rean Drive and Dervock Crescent (combined FSI 4.4) and a seven storey building at 18 Rean Drive fronting on Sheppard Avenue East with an FSI of 3.75.

The surrounding mid-rise buildings in the area are predominantly between six and eight storeys in height. This proposal includes an 11-storey building with a proposed floor space index of 3.95. The 11-storey building does not fit within the height or density parameters of its immediate context. It is significantly taller and more dense than buildings in the immediate context. The Sheppard East Subway Corridor Secondary Plan provides for six-storey buildings along Sheppard Avenue East, with some additional heights subject to certain criteria which stipulate that the treatment of bulk and mass of buildings through creative architectural features including terracing and detailed elevation articulation results in a building form that enhances the Sheppard Avenue street frontage. The proposal does not meet these requirements and therefore does not conform to the Official Plan policies requiring new development to be massed to fit harmoniously into its existing and/or planned context, nor does it conform to the Sheppard Subway Corridor Secondary Plan with respect to permitted height and density.

The proposal should be lower in height and less dense in order to respect its context, location and street proportion. The application of appropriate setbacks, building massing and transition that address Official Plan policies providing for an appropriate fit within the context, would result in reduced height and density and would result in a proposal that responds appropriately to the site and minimizes impacts on surrounding uses. A residential development with a height and density closer in scale to other residential buildings in nearby *Mixed Use Areas* along Sheppard Avenue East would be more in keeping with the Official Plan goal of ensuring compatibility with the existing context. The proposed height and density is considered an overdevelopment of the lands and would set a negative precedent for development of nearby lands. The Official Plan calls for new buildings to frame adjacent streets and open spaces in a manner that respects the existing and/or planned street width. Similarly, section 4.4.2.(e) of the Secondary Plan states new buildings should be designed with a maximum height based on a 1:1 height to street width ratio. Exceptions to this standard may be accommodated through sculpting the height and mass of buildings as well as detailed building articulation. The project does not meet the 1:1 height to street proportion along Greenbriar Road, nor provide appropriate sculpting and terracing along Greenbriar Road, and at the rear of the building

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The building has been designed to maintain a predominantly seven-storey height along Sheppard Avenue East rising to 11-storeys to the west and south on the site. Policy 4.4.2 (f) of the Secondary Plan states that a one to two storey podium expression should be provided along Sheppard Avenue East. No such podium is provided.

Section 4.4.2. c of the Secondary Plan states that development will respond sensitively to the nearby low density residential uses and minimize the adverse impact of built form on homes. This proposal does not provide appropriate transition to the stable low density residential areas to the south and east.

In view of the above, it is staff's opinion the proposed 11-storey height and 3.95 floor space index cannot be supported as the application does not address the built form objectives of the Official Plan and Secondary Plan.

Mid Rise Guidelines

The Mid-Rise Building Performance Standards Addendum and Mid-Rise Building Performance Standards are utilized during the evaluation of development applications where mid-rise buildings are proposed on Avenues.

Section 3.2.1 of the Mid-Rise Guidelines states that the maximum allowable height of buildings on the Avenues will be no taller than the width of the Avenue Right-of-Way. Secondary Plan policy 4.4.2 (e) provides that building should be designed with a maximum height on a 1:1 height to street width ratio. This 11-storey building has a greater frontage on Greenbriar Road than on Sheppard Avenue East, but the building has not been massed to frame and support Greenbriar Road at an appropriate scale, which has a 20 metre right-of-way width. Section 3.2.6. of the Mid Rise Guidelines provide that the maximum height of buildings on corner sites is based on the maximum right-of-way of the main street or Avenue. Sheppard Avenue East has a 36 metre right-of-way at this location. Although the 1:1 ratio along Greenbriar at the corner may be appropriate, the massing has excessive bulk south along Greenbriar Road, particularly on the lands at 6 and 8 Greenbriar Road, which are not considered corner lots. The articulation of the building does not achieve the intent of Secondary Plan policy 4.4.2 (e), or Section 3.2.1 or 3.2.6 of the Mid Rise Guidelines, which calls for a 1:1 height to street ratio width along Greenbriar Road. New development should provide transition between areas of different development intensity and scale, by stepping down heights towards lower scale development. The proposed massing along Greenbriar Road should be amended to respect the 20 metre width of the right-of-way and provide transition in scale down to the adjacent *Apartment Neighbourhoods* to the south and east.

The applicant has not provided sections showing an accurate 45 degree angular plane from the proposal to the neighbouring properties on the east side of Greenbriar Road. Staff have concerns that the proposal does not meet the angular plane, and does not provide appropriate transition to *Apartment Neighbourhood* to the east on Greenbriar Avenue.

Setbacks

Section 3.1.2.1. of the Official Plan requires that new development be located parallel to the street or along the edge of a park or open space with a consistent front yard setback. The building setback along the Sheppard Avenue East frontage is proposed at five metres. Staff have recommended a building setback of 5.5 metres along Sheppard Avenue East to provide a better fit for the development within its existing context and to be consistent with the 5.5 metre setback for the development to the west at 2-14 Cusack Court. This would provide for an attractive streetscaping opportunity and place-making with street trees, landscaping and spill-out retail amenity.

The proposed setback to the driveway and ramp along the west property line is less than 0.5 metres to the west property line. Section 4.5.2. (j) of the Official Plan states that development should locate and screen service areas, ramps and garbage storage to minimize impacts on adjacent streets and residences. The ramp and driveway setback should be increased to two metres to accommodate landscape screening along the entire edge of the driveway and ramp.

Public Park

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provision across the City. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provisions of parkland. The site is in a parkland acquisition priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

At an alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III, of the Toronto Municipal Code, the parkland dedication requirement is 2,373 square metres, or 67.5% of the site area. However, for sites less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use while non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication is 334 square metres or 9.5% of the net site area.

The site is subject to the Sheppard East Subway Corridor Secondary Plan which states in section 6.1 that the City will maximize its opportunities to provide a combination of public and private open space to meet the needs of the present and future community residents. Accordingly, Parks, Forestry and Recreation staff have requested that the applicant satisfy the parkland dedication requirement through an unencumbered on-site dedication of 334 square metres along the Sheppard Avenue East frontage. However, the applicant is showing only a portion of the required parkland dedication along the Sheppard Avenue East frontage, with the remainder of the dedication proposed to be realized through a cash-in-lieu payment.

Incorporating 12 Greenbriar Road Into The Development

The preliminary report raised the possibility of incorporating the remaining lot on the block, 12 Greenbriar Road, into the development. This would provide for a consolidated development block, more orderly development of the subject lands, and avoid the situation of a remnant parcel at the end of a potential development block. This proposal has not incorporated 12 Greenbriar Road into the proposal.

Shadows

The Official Plan sets out development criteria in the Built Form Section 3.1.2.3 which states that new development will be massed and its exterior façade designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbourhood streets parks open spaces and property by adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties and open spaces. Section 4.4.2 (b) of the Secondary Plan states that building heights and massing should minimize excessive shadowing along streets and within open space areas.

The applicant has submitted a shadow study as part of the application requirements. The 11-storey building would cast shadows on the north boulevard and sidewalk of Sheppard Avenue East in the morning at the spring and fall equinoxes (March 21 and September 21). The adjacent 6-8 storey building under construction at 2-14 Cusack Court (now 621 Sheppard Avenue East) will not cast shadows on the north boulevard and sidewalk at these times. The 11-storey building would cast shadows in the afternoon at the spring and fall equinoxes on the east side of Greenbriar Road. Although some intensification on the site may be appropriate, the current height and massing of the buildings does not adequately limit shadowing on neighbouring streets, properties and open spaces.

Wind Impact and Weather Protection

The applicant submitted a Pedestrian Level Wind Study dated February 12, 2016, and addendum dated October 20, 2016, prepared by Theakson Environmental Consulting Engineers. The submissions provide a preliminary wind assessment of the development in the context of the local wind climate and current building design.

City staff have asked for a more fulsome, expanded examination of wind conditions and potential mitigation measures, including additional sensor locations at all shared outdoor amenity areas and pedestrian areas at grade, and on the roof. The applicant has questioned the necessity and feasibility of the additional sensor locations requested. Additional testing may also be required based on the comments concerning height and massing.

Weather protection elements such as overhangs and canopies should be well integrated into building design, designed at street scale and positioned for pedestrian comfort. To support the public realm and retail commercial uses pedestrian weather protection in addition to building overhang should be provided along the entire Sheppard Avenue East frontage, and a covered pick up drop off area at the rear as described below.

Staff report for action – Request for Direction - 625-627 Sheppard Avenue East and 6, 8 and 10 Greenbriar Road

Access/Loading

Section 3.1.2.2 of the Official Plan provides direction for new development to locate and organize vehicular parking, access, service areas and utilities to minimize their impact on the subject site and surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces. Parking should be provided underground where appropriate.

The underground parking is accessed near the rear of the site, with vehicular access proposed off of Greenbriar Road at the south of the site, leading to the underground parking ramp adjacent to the west property line. Seven visitor/retail parking spaces are proposed near the rear of the site, facing the west property line, behind the proposed townhouses.

The parking and access functions take up a large portion of the site at this location, reducing opportunities for soft landscaping. The surface parking at this location should be relocated underground. This surface parking area will act as a pick-up and drop off area, and should be redesigned to reflect that function by having a secondary covered entrance to the building to provide arriving and departing vehicles and pedestrians protection from the elements.

Site Plan Application

A site plan application was submitted in October, 2016 with the revised official plan/rezoning application. It has been processed concurrently with the official plan/rezoning application.

Once the applicable zoning regulations are agreed upon, this will further inform the details of site plan approval respecting site specific matters such as landscaping, walkways, loading and parking facilities, tree removal and replacement, amenity space and adherence to the Toronto Green Standard, among other matters.

Servicing

Engineering and Construction Services staff have requested additional information and have concerns respecting a number of engineering issues. This includes the provision of a flow test and water distribution analysis to verify that water pressures and flows are adequate to service this development from the Sheppard Avenue East watermain. This analysis is required to identify that the minimum required fire flows can be met for this development.

Toronto Water has indicated that the Sheppard Avenue East sanitary sewer is over capacity where it meets the Sanitary Trunk Sewer at Leslie Street. Toronto Water will not accept any additional flows from developments until the over capacity sewer problem is resolved. At its meeting of July 4-7, 2017, City Council directed that staff in Water Infrastructure Management, Toronto Water, in consultation with Engineering and Construction Services and City Planning staff, initiate an assessment of the remaining sanitary sewer capacity along the Sheppard Avenue East corridor between Bayview
Staff report for action – Request for Direction - 625-627 Sheppard Avenue East and 6, 8 and 10 Greenbriar Road

Avenue and Leslie Street, and report back to North York Community Council in the fourth quarter of 2017 with the results of the assessment. To date, this assessment has not been completed.

The applicant is required to update the Functional Servicing and Stormwater Management Reports to indicate whether or not groundwater will need to be pumped as part of the design of the buildings. An updated Hydrogeology report is also required to determine groundwater levels in relation to the elevation of the lowest footings of the proposed buildings as well as the quality and quantity of the groundwater.

Should it be determined that upgrades are required to the infrastructure to support this development, the applicant will be required to enter into financially secured agreements to pay for and construct any necessary improvements to the municipal infrastructure, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, prior to any OMB order being issued, if the application is permitted in whole or in part.

TTC

The subject development is located within the development review zone of the Sheppard Subway line. Accordingly the development will require more detailed review by TTC to determine the potential impact, if any, on TTC structures, operations or facilities.

Prior to any possible OMB approvals on the subject site, the TTC requires the applicant to provide plans clearly showing that there is a three-metre setback between the proposed development, including shoring, piles and tiebacks and all TTC structures by providing drawings in cross section and plan view to the TTC. If this setback cannot be met, the applicant shall contact TTC immediately and obtain TTC's written concurrence that a reduced setback is agreeable.

Prior to starting any demolition or construction, or the issuance of the first below grade permit, the Owner shall complete a TTC Technical Review of the proposed development and obtain the TTC's written acknowledgment that all of the conditions arising out of the review have been addressed. As part of the review process, the owner shall provide the required information, and pay the associated review fee to the TTC. To date, no such technical review has been provided by the applicant.

Tree Preservation

The Arborist Report and Planting Plan submitted show that the development proposes the removal of 11 City owned trees to permit the proposed development. Urban Forestry is not in agreement with the removal of eight of these healthy trees. Three healthy Norway Maples fronting Greenbriar Road could potentially be retained. A Kentucky Coffeetree and two Norway Maples, healthy city trees fronting Sheppard Avenue East, can be retained as part of the proposed development. Plans also show the removal of two Blue Colorado spruce trees fronting Greenbriar Road which Urban Forestry does not support.

The submitted plans show the removal of eight privately owned trees 30 cm or greater to facilitate the proposal. Based on standard requirements, Urban Forestry requires a total of 24 new trees to replace the eight private trees protected under the provisions of the Private Tree- By-law proposed for removal at a replacement ratio of 3:1. The Planting Plan proposes the planting of only six new trees on private property. The applicant will have to either plant more new trees on the subject lands, or pay cash-in-lieu for the remaining required 18 replacement trees on private property.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for an increase in height and/or density pursuant to Section 37 of the *Planning Act*. As the application is seeking a significant increase in height and density, a Section 37 contribution would be warranted if this application were approved in some form.

To date, staff have not had any discussions with the applicant or local Councillor regarding a Section 37 contribution due to the outstanding issues discussed above. In the event that the OMB considers granting additional density and/or height beyond that which is permitted by the zoning by-laws, the City will request that the OMB withhold any order to allow the owner and the City an opportunity to discuss and settle on an appropriate Section 37 contribution, including appropriate provisions for any zoning by-law amendment and to allow a Section 37 agreement to be entered into and registered on title. City staff recommend that the Board not approve any official plan or zoning by-law amendment or site plan approval without the provision of Section 37 community benefits as are appropriate in the opinion of the Chief Planner and Executive Director, City Planning, in consultation with the applicant and the local councillor.

Conclusion

This application does not represent an appropriate redevelopment of the site and does not represent good planning. It is not consistent with the Provincial Policy Statement and does not conform with the Growth Plan for the Greater Golden Horseshoe. In its current form, it represents a significant overdevelopment of the site and is not consistent with the Official Plan policies. The proposal's height, density and scale are not appropriate. The proposed density is approximately double what is permitted under the Sheppard East Subway Corridor Secondary Plan. The proposed built form does not adequately address the existing and planned context and does not provide an appropriate relationship with or transition to the abutting lands.

While a mixed-use residential development is a permissible use for these lands, the desire to achieve residential intensification through redevelopment on the site must be balanced with a respect for the built form and character of the community in the surrounding *Mixed Use Areas* and *Apartment Neighbourhoods*.

It is recommended that City Council authorize the City Solicitor and appropriate staff to attend any Ontario Municipal Board hearing in opposition to the current proposal. It is also recommended that City Council direct staff to continue discussions with the

Staff report for action – Request for Direction - 625-627 Sheppard Avenue East and 6, 8 and 10 Greenbriar Road

applicant to address the issues raised in this report, including an appropriate Section 37 contribution for a revised proposal.

CONTACT

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Fax No. (416) 395-7155
E-mail: John.Lyon@toronto.ca

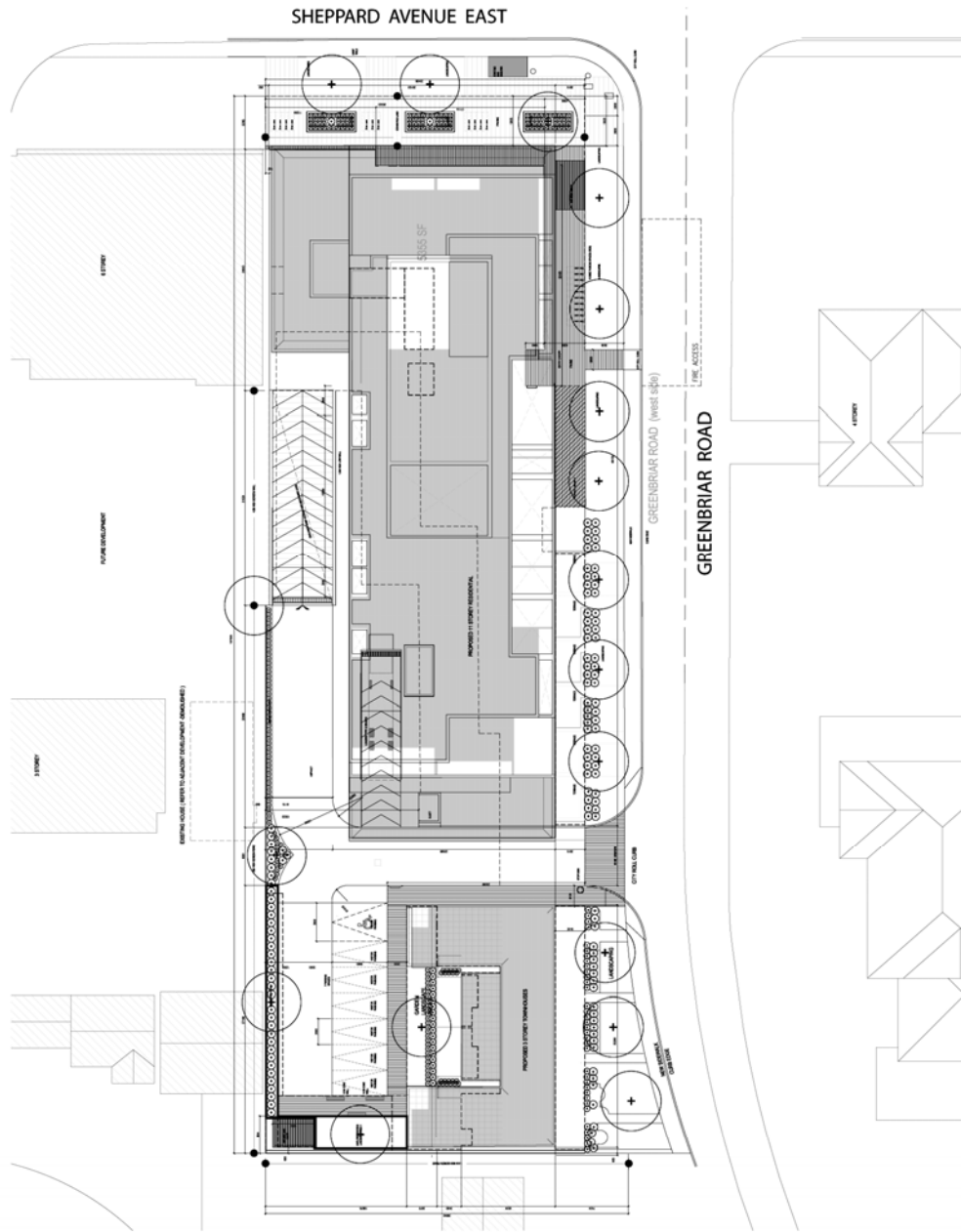
SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1:	Site Plan
Attachment 2a:	East Elevation
Attachment 2b:	North Elevation
Attachment 2c:	South Elevation
Attachment 2d:	West Elevation
Attachment 3:	Applicant's Perspective Rendering
Attachment 4:	Official Plan
Attachment 5:	Sheppard East Subway Corridor Secondary Plan
Attachment 6:	Zoning By-law 7625
Attachment 7:	Zoning By-law 569-2013
Attachment 8:	Application Data Sheet

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale 

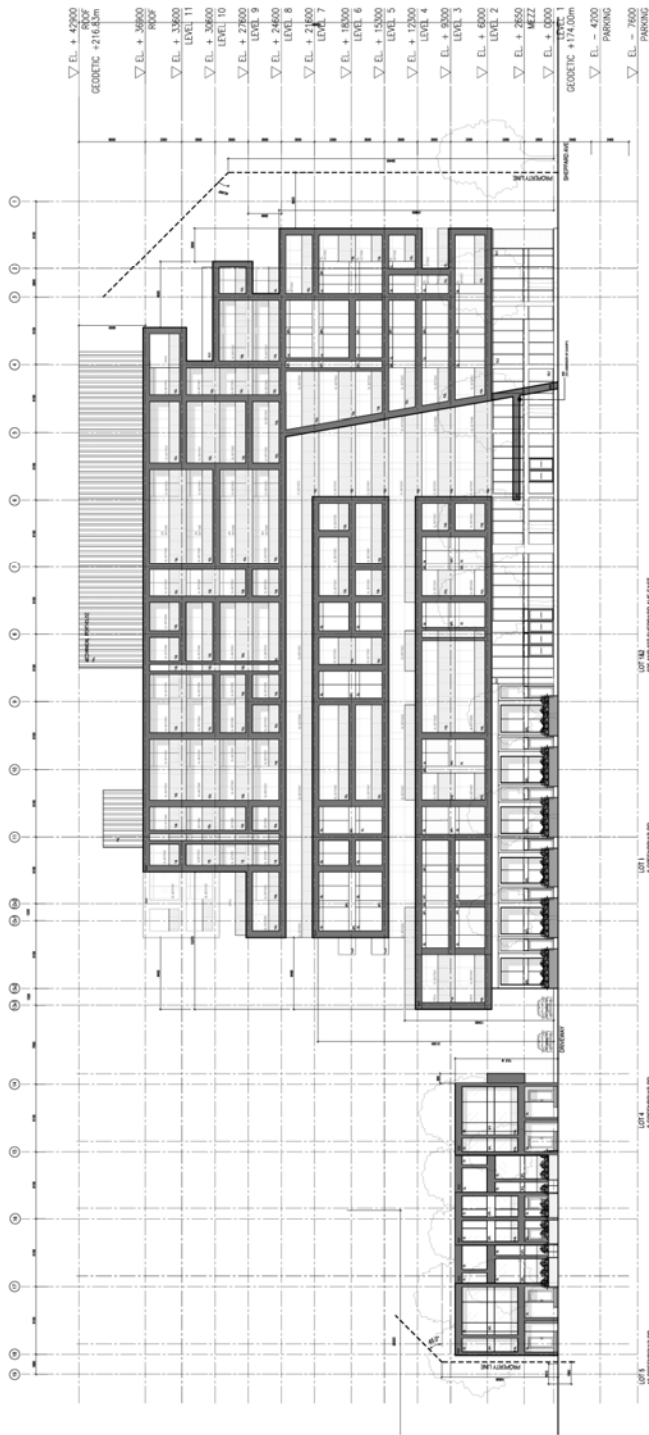
03/23/2017

625 & 627 Sheppard Avenue East
and 6, 8 & 10 Greenbriar Road

File # 16 118618 NNY 24 0Z

Staff report for action – Request for Direction - 625-627 Sheppard Avenue East and 6, 8 and 10 Greenbriar Road

Attachment 2a: East Elevation (Side)

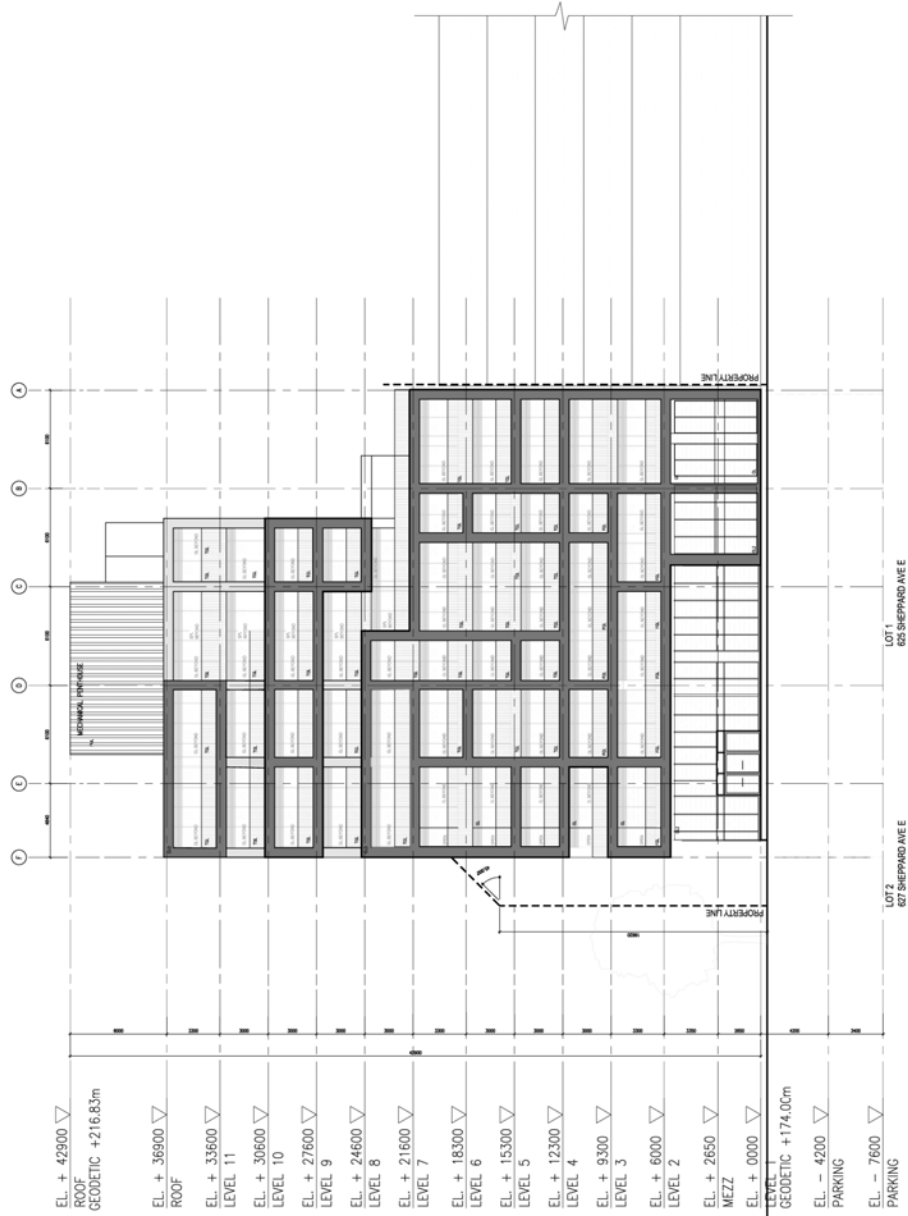


**625 & 627 Sheppard Avenue East
and 6, 8 & 10 Greenbriar Road**
File # 16 118618 NNY 24 0Z

East Elevation
Applicant's Submitted Drawing
Not to Scale
03/23/2017

Staff report for action – Request for Direction - 625-627 Sheppard Avenue East and 6, 8 and 10 Greenbriar Road

Attachment 2b: North Elevation (Front)

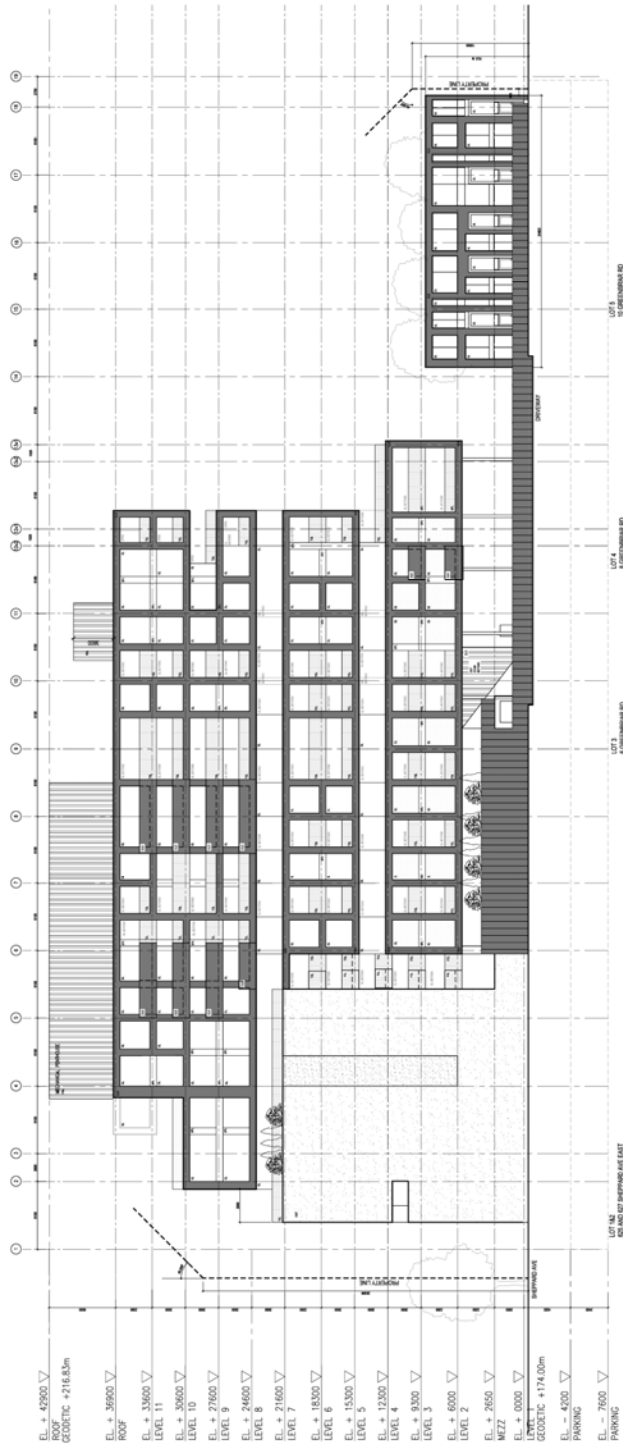


**625 & 627 Sheppard Avenue East
and 6, 8 & 10 Greenbriar Road**

File # 16 118618 MNY 24 0Z

North Elevation
Applicant's Submitted Drawing
Not to Scale
03/23/2017

Attachment 2d: West Elevation (Side)



625 & 627 Sheppard Avenue East
and 6, 8 & 10 Greenbriar Road
File # 16 118618 MNY 24 0Z

West Elevation
Applicant's Submitted Drawing
Not to Scale
03/23/2017

Attachment 3: Applicant's Perspective Rendering (View Looking Southwest)



Applicant's Perspective Rendering

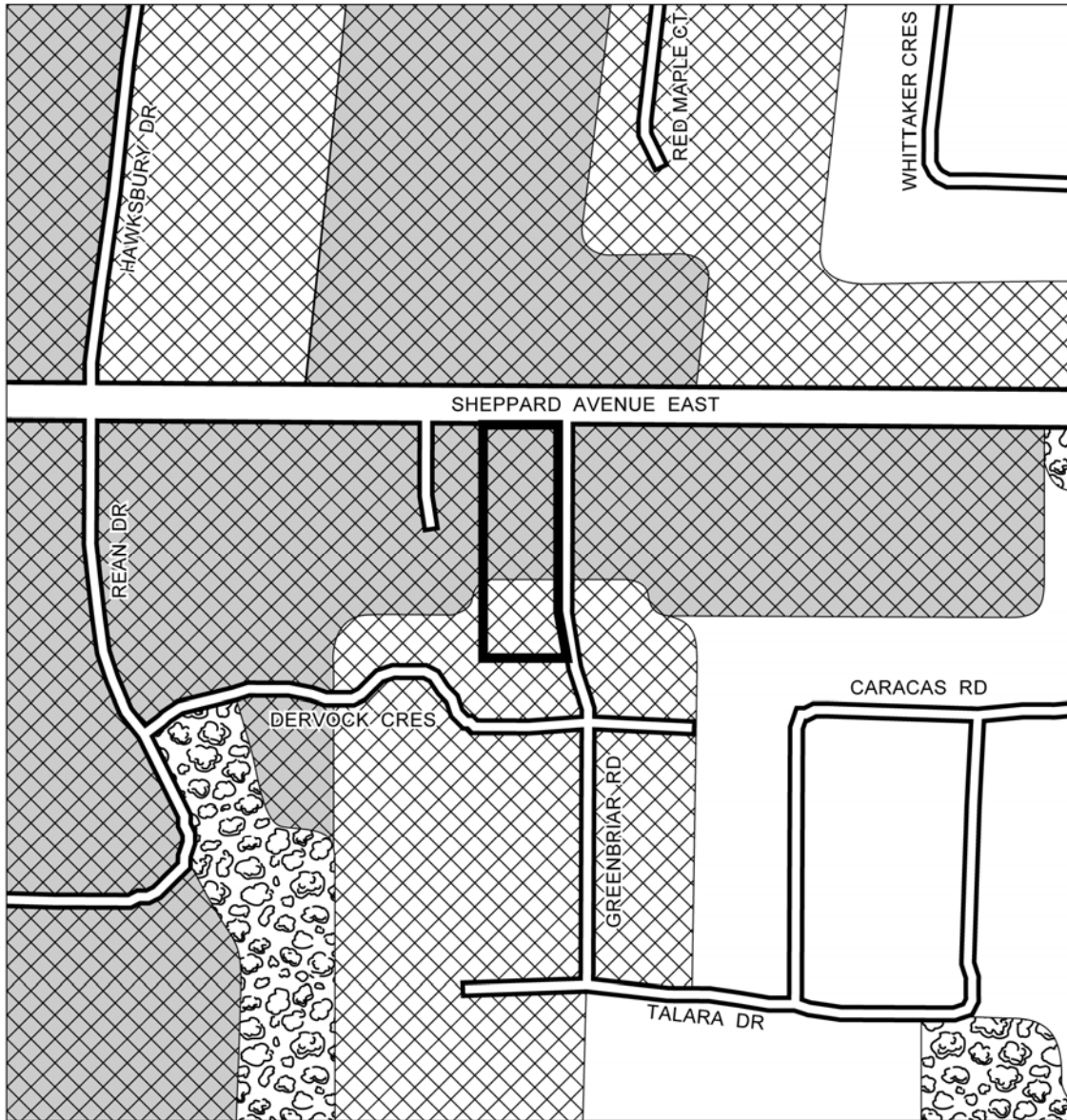
Applicant's Submitted Drawing

Not to Scale
03/23/2017

**625 & 627 Sheppard Avenue East
and 6, 8 & 10 Greenbriar Road**

File # 16 118618 NNY 24 0Z







Attachment 4: Official Plan



Toronto
 Extract from Official Plan

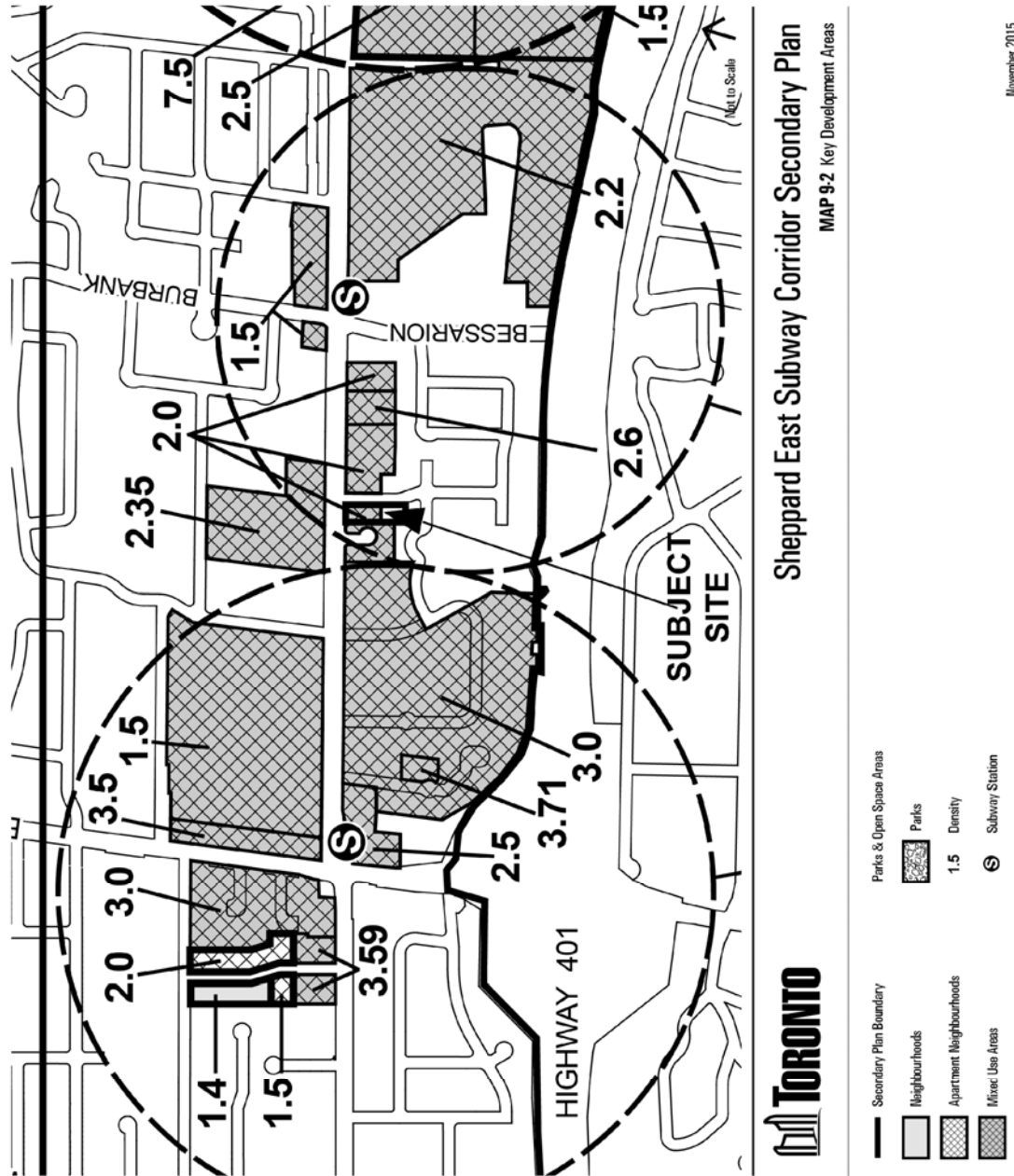
625 & 627 Sheppard Avenue East
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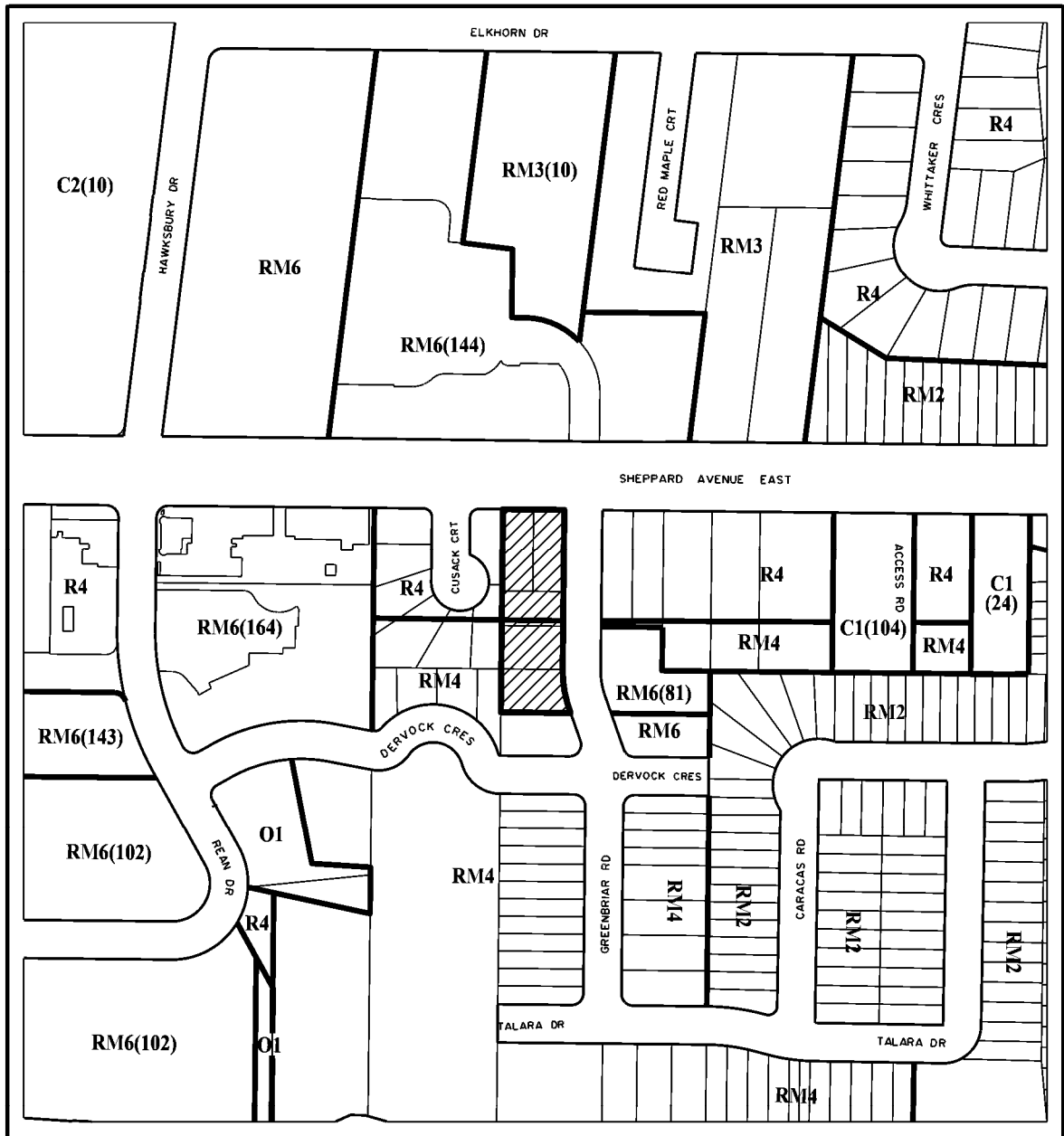
- | | |
|--|--|
|  Site Location |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Apartment Neighbourhoods | |
|  Mixed Use Areas | |


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 04/01/2016

Attachment 5: Sheppard East Subway Corridor Secondary Plan



Attachment 6: Zoning By-law No. 7625



Zoning By-Law No. 7625

625 & 627 Sheppard Avenue East
and 6, 8 & 10 Greenbriar Road

File # 16 118618 NNY 24 02

Location of Application

- R4 One-Family Detached Dwelling Fourth Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone
- RM3 Multiple-Family Dwellings Third Density Zone

RM4 Multiple-Family Dwellings Fourth Density Zone O1 Open Space Zone

RM6 Multiple-Family Dwellings Sixth Density Zone

C1 General Commercial Zone

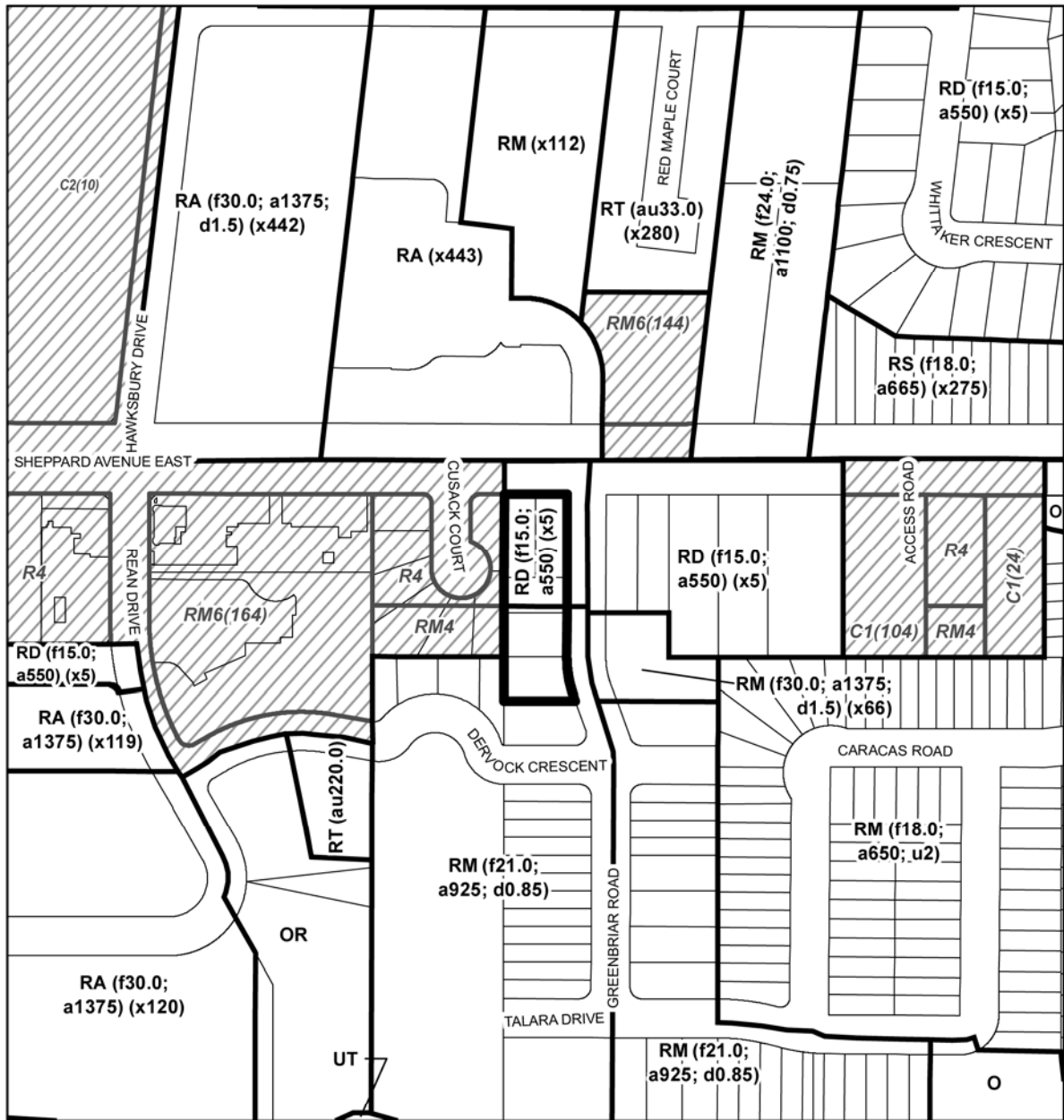
C2 Local Shopping Centre Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale
Extracted 03/30/2016

Attachment 7: Zoning By-law No. 569-2013



Zoning By-Law No. 569-2013

**625 & 627 Sheppard Avenue East
and 6, 8 & 10 Greenbriar Road**

File # 16 118618 NNY 24 0Z

Location of Application

RD Residential Detached
RS Residential Semi-Detached
RT Residential Townhouse
RM Residential Multiple
RA Residential Apartment
O Open Space
OR Open Space Recreation
UT Utility and Transportation

See Former City of North York By-Law No. 7625

R4 One-Family Detached Dwelling Fourth Density Zone
RM4 Multiple-Family Dwellings Fourth Density Zone
RM6 Multiple-Family Dwellings Sixth Density Zone
C1 General Commercial Zone
C2 Local Shopping Centre Zone



Not to Scale
Extracted: 03/31/2016

Attachment 8: Application Data Sheet

Application Type Official Plan Amendment & Application Number: 16 118618 NNY 24 OZ
 Rezoning
 Details OPA & Rezoning, Standard Application Date: February 19, 2016

Municipal Address: 625-627 SHEPPARD AVE E, and 6, 8 and 10 Greenbriar Road
 Location Description: PLAN 4600 PT LOT 2 RP 64R3213 PART 2 **GRID N2406
 Project Description: Official Plan and Zoning By-law Amendment applications to permit a mixed use building containing: 879 square metres of retail fronting on Sheppard Avenue; 13,016 square metres of residential gross floor area (178 dwelling units) with a 3 storey, 6 unit townhouse block and mixed-use building which steps from 6 to 11 storeys.

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC c/o Peter Smith 3 Church Street Toronto, ON M5E 1M2	Same as applicant	Teeple Architects 5 Camden St, Toronto, ON M5V 1V2	625 SHEPPARD BAYVIEW VILLAGE INC

PLANNING CONTROLS

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

PROJECT INFORMATION

Site Area (sq. m):	3,518.8	Height:	Storeys:	11
Frontage (m):	32.41		Metres:	36.9
Depth (m):	107.51			
Total Ground Floor Area (sq. m):	1,372			Total
Total Residential GFA (sq. m):	13,016		Parking Spaces:	150
Total Non-Residential GFA (sq. m):	879		Loading Docks	1
Total GFA (sq. m):	13,895			
Lot Coverage Ratio (%):	39			
Floor Space Index:	3.95			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	13,016	0
Bachelor:	0	Retail GFA (sq. m):	879	0
1 Bedroom:	75	Office GFA (sq. m):	0	0
2 Bedroom:	92	Industrial GFA (sq. m):	0	0
3 + Bedroom:	11	Institutional/Other GFA (sq. m):	0	0
Total Units:	178			

CONTACT: **PLANNER NAME:** **John Lyon, Senior Planner**
TELEPHONE/Email: **(416) 395-7095/john.lyon@toronto.ca**