

110 and 112 Sheppard Avenue West– Official Plan Amendment, and Zoning Amendment Applications – Final Report

Date: May 3, 2019

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 18 - Willowdale

Planning Application Number: 18 265487 NNY 18 OZ

SUMMARY

This application proposes to amend the Official Plan and Zoning By-law at 110 and 112 Sheppard Avenue West to permit a mixed use building with a height of 24 metres and 7-storeys, containing 30 residential units and 53 square metres of commercial gross floor area. The application proposes a gross floor area of 2,981 square metres resulting in a Floor Space Index of 2.73 times the lot area. Vehicular access to the subject site is proposed along the western limit of the site. A total of 29 parking spaces are proposed within a two-level underground garage and 24 bicycle parking spaces are proposed.

The Official Plan Amendment proposes to amend the in-force Sheppard Avenue Commercial Area Secondary Plan (SACASP) to permit a density of 2.73 times the lot area and a height of 7-storeys. The Zoning By-law Amendment proposes to amend the former City of North York Zoning By-law No. 7625 and will bring the site into the City of Toronto Zoning By-law No. 569-2013 to permit the proposed mixed use development and establish appropriate performance standards. The recommended Official Plan and Zoning By-law Amendments are consistent with the Provincial Policy Statement (2014), conform to and do not conflict with the Growth Plan for the Greater Golden Horseshoe (2017), and are consistent with the general intent and purpose of the City's Official Plan.

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-laws. Staff are recommending City Council approve a maximum gross floor area of 2,731 square metres resulting in a Floor Space Index of 2.5 times the lot area. The proposed development, with staff's recommended maximum density, is in keeping with the objectives of the Council-adopted Sheppard Lansing Secondary Plan to create a mixed use avenue with a vibrant and attractive streetscape with greening and pedestrian amenity while protecting the abutting lower density residential uses. The draft zoning by-laws recommend the lands be zoned with a holding provision ("H") until such time as a Functional Servicing and Stormwater Management Report is deemed acceptable by the Chief Engineer and Executive Director, Engineering and Construction Services.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 110 and 112 Sheppard Avenue West substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5 to this report.
2. City Council amend Zoning By-law 7625 for the lands at 110 and 112 Sheppard Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
3. City Council amend City of Toronto Zoning By-law 569-2013 by adding the lands at 110 and 112 Sheppard Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.
4. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendments as may be required.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

In April of 2011, City Council adopted site specific by-laws to amend the Sheppard Avenue Commercial Area Secondary Plan and Zoning By-law No. 7625 for 110 Sheppard Avenue West (File No. 10 111140 NNY 23 OZ). The Official Plan and Zoning By-law amendment permitted a 3-storey professional office building with a Floor Space Index (FSI) of 1.1 times the lot area.

On July 23, 2015, an application to further amend the Sheppard Avenue West Commercial Area Secondary Plan and Zoning By-law No. 7625 was submitted (File No. 15 195788 NNY 23 OZ). The application proposed a 3-storey professional medical office with a FSI of 1.39 times the lot area. A Preliminary Staff Report was considered by the North York Community Council on October 6, 2015 directing staff to hold a community consultation meeting. A community consultation meeting was held on November 30, 2015. Staff continued processing the application, however, the application was deemed inactive in March of 2017 and was subsequently closed.

Following a review of the west part of the Sheppard Avenue Commercial Area Secondary Plan (SACASP), City Council adopted Official Plan Amendment (OPA) 367 amending the SACASP, west of Yonge Street, and renamed it the Sheppard Lansing Secondary Plan adopted on January 31, 2017, and enacted on February 16, 2017. The Secondary Plan review examined the permitted land uses, density and development standards within the western segment of the SACASP area located west of the North York Centre between Beecroft Avenue and Brentwood/Easton Avenues. The Official

Plan Amendment adopted by Council updated the density permissions, built form types, setbacks, heights, massing and transitions to neighbouring properties, parking and transportation demand management strategy, and outlined improvements to the public realm of the Sheppard Avenue West right-of-way. OPA 367 was appealed to the Local Planning Appeal Tribunal in March of 2017 and a five week hearing commenced in April of 2019. OPA 367 as adopted by City Council can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.NY19.33>

The current application was submitted on December 6, 2018 and deemed complete on January 9, 2019. A Preliminary Report on the application(s) was adopted by North York Community Council on February 14, 2019 authorizing staff to conduct a community consultation meeting with an expanded notification area. Concerns raised at the community consultation meeting are summarized in the Comments section of this report. The Preliminary Report is available on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.NY3.10>

PROPOSAL

The subject application proposes a 7-storey (24 metres, excluding the mechanical penthouse) mixed use building, containing 30 residential units and 53 square metres of commercial gross floor area (GFA) at-grade. The application proposes a GFA of 2,981 square metres resulting in a FSI of 2.73 times the lot area. Of the 30 residential units, the application proposes 8 one bedroom units, 19 two bedroom units, and 3 three bedroom units. The units located on the sixth and seventh storeys would be two-storey units, containing three bedrooms. The proposed ground floor height is 4.0 metres.

The proposed building would be setback 0 metres from the side lot lines, and 7.5 metres from the rear lot line. The draft by-laws require that the seventh storey be setback a minimum of 3.0 metres from the side lot lines. The application proposes rear outdoor amenity space and a 2.0 metre wide landscape strip within the 7.5 metre rear setback.

The building would be subject to a 45 degree rear angular plane to limit the maximum height, ensure appropriate transition to the abutting *Neighbourhoods* north of the subject site, maintain natural light and sky views, and to minimize overlook and shadowing. The angular plane is measured from a height of 10.5 metres from the rear yard setback. All components of the building, excluding the mechanical penthouse, rooftop stair enclosure, and balcony railings, are required to fall beneath the angular plane. In order for the building massing to fall beneath the angular plane, all storeys above the fourth storey incorporate a rear step back and the mechanical penthouse and rooftop stair enclosure will have a maximum projection of 3.3 metres.

Vehicular access would be provided via a 6.0 metre wide two-way driveway along the western limit of the site. The proposed driveway would pass under the second storey of the building and access two levels of underground parking, containing 29 parking spaces. The application proposes 24 bicycle parking spaces, of which 21 are long-term spaces and 3 are short-term spaces. The long term bicycle parking spaces are located

on the ground floor and the short term parking spaces are located outside the building, adjacent to the building's front entrance.

The ground floor of the building would consist of the proposed commercial unit, residential lobby, indoor amenity space, long term bicycle parking spaces, and access to outdoor amenity space.

For additional site statistics, please refer to Attachment 1: Project Data Sheet.

Site and Surrounding Area

The site is located on the north side of Sheppard Avenue West, approximately 450 metres west of Yonge Street. The subject site is comprised of two parcels of land, 110 and 112 Sheppard Avenue West. The site is rectangular in shape and has a gross lot area of approximately 1,092 square metres, a lot frontage of 30 metres along Sheppard Avenue West, and a lot depth of 31 metres.

There is a significant grade change between the rear of the subject site and the site's Sheppard Avenue West frontage, with the rear of the property at a higher grade. The grade changes 2.2 metres between the rear and the front of the site along the western property limit and 1.0 metre between the rear and the front of the site along the eastern property limit.

The property at 110 Sheppard Avenue West currently contains a vacant one-storey detached dwelling and 112 Sheppard Avenue West currently contains a one-storey detached dwelling with a commercial office. Each property has individual vehicular access and paved rear yards to accommodate additional parking. There is a wooden retaining wall that runs across the entirety of the Sheppard Avenue West frontage of the subject site and breaks to allow vehicular and pedestrian access onto each property.

The property at 110 Sheppard Avenue West previously conveyed a road widening to the City of 4.94 metres of land along the property's frontage as part of the previous application to re-zone the property to permit a professional office building. 112 Sheppard Avenue West is required to convey 4.94 metres of land along the property's frontage as part of the subject application in order to satisfy the Official Plan's requirement for a 36 metre wide right-of-way along Sheppard Avenue West.

The following uses surround the subject property:

North: Established low-rise residential neighbourhood, containing one and two-storey detached dwellings;

South: One and two-storey commercial buildings fronting Sheppard Avenue West;

East: One-storey medical office building; and

West: Two-storey medical office building.

To view the subject site and the surrounding area, please refer to Attachment 2: Location Map.

Reasons for Application

An Amendment to the in-force Sheppard Avenue Commercial Area Secondary Plan is required in order to permit the proposed height and density.

An amendment to Zoning By-law No. 7625 is required to permit the proposed 7-storey mixed use building and to develop the appropriate development standards for the proposal. In addition, the subject site will be brought into Zoning By-law No. 569-2013.

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted in support of the application:

- Planning Rationale;
- Public Consultation Strategy;
- Stage 1 and 2 Archaeological Assessment;
- Landscape Plans;
- Sun/Shadow Study;
- Arborist Report and Tree Preservation Plan;
- Toronto Green Standard Checklist;
- Phase 1 Environmental Site Assessment;
- Energy Efficiency Report;
- Transportation Operations Assessment;
- Sanitary Capacity Analysis Report;
- Hydrogeological Assessment;
- Geotechnical Investigation; and
- Draft Official Plan and Zoning By-law Amendments.

A copy of all the reports and studies submitted for the application are available at the Application Information Centre (AIC): <https://www.toronto.ca/city-government/planning-development/applicationinformation-centre>.

Agency Circulation Outcomes

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Official Plan amendments and Zoning By-law standards.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting

held by the North York Community Council for this application, as these submissions are broadcast live over the internet.

Community Consultation

City Planning staff in consultation with the Ward Councillor hosted a community consultation meeting on April 3, 2019 at Lansing United Church to discuss the subject application. Approximately 6 members of the community attended as well as the applicant, and local Councillor. Residents raised questions related to the location of the proposed parking, storage of garbage bins, site servicing, and treatment of the City's right-of-way. Members of the public also raised concerns related to tree preservation, shadow impacts, and privacy for those properties located within the existing neighbourhood north of the subject site.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) and the Growth Plan for the Greater Golden Horseshoe (2017), along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "PPS") 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; 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 provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

- Establishing minimum density targets within strategic growth 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.

The Growth Plan builds upon the policy foundation provided by the PPS 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.

In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

Section 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must

still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of the report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan, the in-force Sheppard Avenue Commercial Area Secondary Plan (SACASP), and the Council-adopted Sheppard Lansing Secondary Plan as follows.

Chapter 2- Shaping the City

The Official Plan states that future growth within Toronto will be steered to areas that are well served by transit, the existing road network, and which have a number of properties with redevelopment potential. Growth areas in the City are locations where good transit access can be provided along bus and rapid transit routes. Areas that can best accommodate this growth are shown on Map 2 of the Official Plan. Map 2 designates the segment of Sheppard Avenue West in which the subject site is located as an *Avenue*.

The Plan also protects the integrity of the City's transportation network and provides for its planned expansion through the designation of public rights-of-way and transit corridors. Map 3 of the Official Plan designates Sheppard Avenue West as having a planned right-of-way width of 36 metres. In addition, Map 4 of the Official Plan identifies Sheppard Avenue, west of Yonge Street to Dufferin Street, as a transit corridor expansion element. The integration of transportation and land use planning is critical in achieving the overall aim of increasing accessibility throughout the City.

The proposed development is located on an *Avenue*. *Avenues* are important corridors along major streets where urbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the look of the street, shopping opportunities, and transit services for community residents.

The Plan states that *Avenues* will be transformed incrementally by changing building-by-building over a number of years. The growth and redevelopment of the *Avenues* should be supported by high quality transit services, including priority measures for buses and streetcars, combined with urban design and traffic engineering practices that promote a street that is safe, comfortable, and attractive for pedestrians and cyclists.

Chapter 3- Building a Successful City

The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. Built Form policies of the Official Plan state new development will be located and organized to fit with its existing and/or planned context by generally locating buildings parallel to the street with a

consistent front yard setback, and locating entrances so they are clearly visible and provide ground floor uses that have views into and access from the streets. New development will also locate and organize vehicle parking and vehicular access to minimize their impacts on the public realm, provide underground parking where appropriate, integrate service and utility functions within the building where possible, and limit surface parking between the front face of the building and the public street or sidewalk. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, provide adequate light and privacy, limit shadowing on streets, properties and open spaces, and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility. New development will also provide public amenity and adequate amenity for its residents of the new development, and enhance the public realm through improvements to adjacent boulevards and sidewalks through tree plantings.

Chapter 4- Land Use Designations

The subject site is designated *Mixed Use Areas* on Map 16 of the Official Plan. *Mixed Use Areas* are intended to provide a broad range of commercial, residential, and institutional uses in single-use or multi-use buildings. Development within *Mixed Use Areas* will provide for new jobs and homes on underutilized lands, while locating and massing new buildings to provide a transition between areas of different development intensity and scale. Furthermore, development in *Mixed Use Areas* should be located and massed to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks, and open spaces.

Development in *Mixed Use Areas* will provide attractive, comfortable, and safe pedestrian environments, have access to schools, parks, and community centres as well as libraries and childcare.

Development in *Mixed Use Areas* will also take advantage of nearby transit services, provide good site access and circulation as well as an adequate supply of visitor parking. In addition, service areas should be located to minimize impacts on adjacent streets.

The outcome of staff analysis and review of relevant Official Plan policies are summarized in the Comments section of this report. The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Sheppard Avenue Commercial Area Secondary Plan (SACASP)

The subject site is located within the in-force Sheppard Avenue Commercial Area Secondary Plan. The general objective of the SACASP is to permit and encourage development and redevelopment which will create a professional office and commercial district accommodating primarily office and health care uses. Although the SACASP remains in-force and effect, City Council adopted Official Plan Amendment (OPA) 367 on January 31, 2017 which approved updates to the Plan. Details of the Sheppard

Avenue Commercial Area Secondary Plan Review are discussed in greater detail later in this report.

The SACASP designates the subject site as *Mixed Use Area 'A'* on Map 29-1 which permits detached dwellings, financial institutions, institutional uses, office uses, necessary public utilities and accessory uses. Building heights in the SACASP are not to exceed 8.0 metres. The Secondary Plan provides for a maximum Floor Space Index (FSI) of 1.0 times the lot area for all permitted uses.

The Plan includes development criteria to protect adjacent designated residential areas from the adverse impacts of noise, odour and visual impacts from uses within the Sheppard Avenue Commercial Area. The criteria includes the use of suitable opaque fencing, a 1 metre landscape strip along the rear property line, illuminated signs and lighting that do not shine directly into windows of residential units, and garbage receptacles located behind the principal structure and screened from view.

The property at 110 Sheppard Avenue West is also subject to Site and Area Specific Policy 4.6 of the Secondary Plan which allows for a maximum building height of 3-storeys and 11.0 metres, and a maximum FSI of 1.1 times the lot area. The policies related to house form character do not apply.

The Sheppard Avenue Commercial Area Secondary Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Sheppard Lansing Secondary Plan

On January 31, 2017, City Council adopted OPA 367 following the completion of the SACASP Review. The intent of OPA 367 is to provide a policy framework to address land uses, density, maximum building heights, setbacks, and appropriate angular planes along Sheppard Avenue West.

The amended Secondary Plan is not yet in- force and effect as it has been appealed to the Local Planning Appeal Tribunal (LPAT). However, it represents City Council's direction for this segment of Sheppard Avenue West. The designation of the subject site in the amended Secondary Plan is *Mixed Use Area 'B'*. This designation permits financial institutions, institutional uses, office uses, retail and service commercial uses, residential uses in a townhouse or apartment building form, and parks and open spaces.

The amended Secondary Plan permits a maximum height of 6-storeys and a maximum density of 2.5 times the lot area. A transition in scale will be provided to maintain natural light and views and to ensure privacy, while minimizing overlook and shadows to neighbourhood properties. No part of any building, except balcony railings and landscape elements, should project into a 45 degree angular plane measured from a height of 10.5 metres at the minimum required 7.5 metre rear yard setback.

The Built Form policies of the Secondary Plan encourage consolidation of lots along Sheppard Avenue West to have a minimum frontage of 30 metres to reduce curb cuts,

provide active frontages, and support the public realm. Comprehensive assemblies are encouraged to prevent piecemeal development and to achieve the public realm objectives of the Secondary Plan. The Secondary Plan also requires that pedestrian entrances to new developments be directly connected to the public sidewalk and all principal entrances be taken from Sheppard Avenue West. The Secondary Plan requires a minimum 2.0 metre front yard setback where residential uses are provided at-grade to provide appropriate separation between residential uses and street activity and a minimum 7.5 metre rear yard setback to provide appropriate separation from the adjacent *Neighbourhoods*.

The Secondary Plan requires step-backs be provided to create a consistent street wall at a comfortable scale for pedestrians and to integrate new buildings into the existing context. New buildings are to provide overlook and animation to Sheppard Avenue West and be articulated with high-quality materials, glazing, and design elements that contribute to the pedestrian scale and the public realm. Transition in scale will be provided to maintain natural light and views to ensure privacy, while minimizing overlook and shadows to neighbouring properties. Mechanical equipment will be incorporated into the building massing and screened from view along Sheppard Avenue West, adjacent to public spaces, and neighbouring properties. New development will be massed to minimize and limit impacts of overlook and shadowing and ensure privacy is maintained.

The Servicing and Screening policies of the Secondary Plan require an opaque fence and a 1.5 metre wide landscape strip with intensive landscaping be provided along the rear property line, exterior lighting be located to direct light downward onto the site and away from adjacent properties, and all garbage receptacles be located behind the principal structure and screened from view within a building.

The Sheppard Avenue West public realm will include boulevard improvements consisting of wider pedestrian sidewalks, installation of street furniture, and tree planting. Landscaped setbacks on Sheppard Avenue West will be used to screen residential uses located at-grade from street activity and provide at-grade amenity for non-residential uses where provided.

The Council-adopted Sheppard Lansing Secondary Plan can be found here: <https://www.toronto.ca/legdocs/bylaws/2017/law0123.pdf>.

The LPAT hearing for OPA 367 commenced on April 30, 2019.

Zoning

The property at 112 Sheppard Avenue West is zoned C6 under the former City of North York Zoning By-law No. 7625. The C6 (Special Commercial Area) Zone permits business, professional and medical office uses, financial institutions, places of worship, and existing detached dwellings. The C6 zone permits a maximum height of 8 metres and requires a minimum 1.0 metre landscape strip along the rear property line.

The property at 110 Sheppard Avenue West is zoned C6(7) under the former City of North York Zoning By-law No. 7625. Exception 7 permits all uses permitted in the C6

zone which includes business, professional and medical office uses, financial institutions, places of worship, and existing detached dwellings. Exception 7 to the C6 zone also permits a maximum height of 11 metres or three-storeys, a maximum gross floor area of 680 square metres, and requires a minimum 1.6 metre landscape strip along the rear property line.

Zoning By-law No. 569-2013 does not apply to the subject lands.

Avenues and Mid-rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods* and Parks and Open Space Areas and corner sites. The link to the guidelines can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/>.

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and;

<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

Site Plan Control

This proposal is subject to the Site Plan Control By-law. An application for Site Plan Control (File No. 18 265517 NNY 18 SA) was concurrently reviewed with this application.

COMMENTS

The subject application proposes a height and density that exceeds the maximum permissions of the Council-adopted Sheppard Lansing Secondary Plan. Through staff's review of the application and community consultation, it was determined that the proposed height, although greater than the Secondary Plan permissions, was appropriate given the site specific characteristics of the subject site as described in the Site and Surrounding Area section of this report. Staff, however, determined that the proposed density should be reduced from a FSI of 2.73 times the lot area to a FSI of 2.5 times the lot area in order to conform to the Council-adopted Sheppard Lansing Secondary Plan. Staff are of the opinion that the density of 2.5 times the area of the lot is consistent with the PPS and conforms to the Growth Plan, Official Plan, and Sheppard Lansing Secondary Plan. The density is appropriate given the existing and planned context of Sheppard Avenue West and allows for an appropriate transition to

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the adjacent *Neighbourhoods*. Details of the proposed development, as recommended by staff are described below.

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Section 5.1 of the Growth Plan as described in the Issue Background section of this report.

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan as follows.

The PPS (2014) requires provisions be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. Policy 1.1.1 states that healthy, liveable, and safe communities are achieved by accommodating a range of residential, employment, institutional, and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and supporting the use of public transit. Specifically, the PPS requires growth and development to focus in settlement areas, and promote the use of appropriate development standards to support intensification and redevelopment while mitigating risks to public health and safety.

Policy 1.4.3 outlines that one of the ways planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents is by directing development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to those current and future needs.

The proposed development, as modified by the density recommended by staff, supports provincial policy objectives to focus growth in existing settlement areas. The proposal would provide the area in which the subject site is located with a range of housing types, reduce land consumption related to residential development, promote efficient use of existing infrastructure, and would be transit supportive. The proposed draft by-laws would apply appropriate development standards to support intensification and redevelopment of the subject site. Staff's recommendations in relation to the proposed development are therefore consistent with the PPS.

Policy 4.7 of the PPS refers to the Official Plan as the most important vehicle for implementing the PPS. The Land Use section of this report evaluates the appropriateness of the subject site for intensification.

The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe. Section 2.2.1.2 of the Growth Plan directs the vast majority of growth to occur within settlement areas that have a delineated built-up boundary, have existing or planned municipal infrastructure including water and waste water systems, and that can support the achievement of complete communities.

Section 2.2.1.4 of the Growth Plan provides further direction on the achievement of complete communities. It articulates a set of objectives including a diverse mix of land uses, and range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes. Convenient access to a range of transportation options, public service facilities, and open spaces and recreational facilities is also highlighted as a key component of complete communities. Furthermore, this section directs complete communities to ensure the development of high quality, compact built form, an attractive and vibrant public realm, including open spaces, through site design and urban design standards.

The policies of the Growth Plan encourage the achievement of complete communities while directing the vast majority of growth to occur within settlement areas that have a delineated built-up boundary. The proposed development, as modified by the density recommended by staff, advances the Growth Plan's direction for complete communities and directing growth to occur within settlement areas. The proposed residential and commercial uses provide a mix of uses in a location that offers convenient access to a range of transportation options. The proposed residential use and mix of unit types can accommodate people at all stages of life and the needs of different household sizes. The proposed development offers a compact built form and improvements to Sheppard Avenue West which will ensure the development of an attractive and vibrant public realm.

Policy 2.2.2.4 directs municipalities to develop a strategy to achieve the minimum intensification targets and intensification throughout the delineated built-up area to achieve the desired urban structure, identify appropriate type and scale of development and transition of built form to adjacent areas, ensure that lands are zoned and development is designed in a manner that supports the achievement of complete communities and be implemented in the City's Official Plan policies and land use designations. The City's Urban Structure Map 2 identifies this site along an *Avenue* which is one of the areas where growth is directed. The site is designated *Mixed Use Areas* which promotes intensification. As discussed in the Official Plan section of this report, the City's Official Plan contains policies regarding transition to adjacent areas, such as the low-rise residential *Neighbourhoods* to the north of the subject site. The adoption of the Sheppard Lansing Secondary Plan achieves these same objectives. Each of these elements assist in demonstrating whether a proposal conflicts and does not conform to this objective as outlined in Policy 2.2.2.4 of the Growth Plan. In staff's opinion, the proposal, with the modified density, does not conflict with this objective and, conforms to the City's Official Plan.

As directed in Section 5.1 of the Growth Plan, staff have considered the impact of the recommendation to approve this development as it relates to the policies of the Growth Plan that require comprehensive municipal implementation that may be applicable to the subject site. The site is within 500 metres of the Yonge-Sheppard subway station. The Growth Plan, through Policies 2.2.4.2 and 5.2.5.3 requires municipalities to delineate the boundaries of Major Transit Station Areas (MTSAs) around subway stations in a transit supportive manner and demonstrate how the MTSAs are planned to achieve appropriate densities, through a municipal comprehensive review (MCR) to be approved by the Minister. Municipalities are expected to update their official plans through a MCR by 2022. The approval of this development application will not impact

the implementation of these policies regarding Major Transit Station Areas that require municipal comprehensive implementation. Staff's recommendation for approval supports a level of intensification, appropriate for this site and its local context, as well as promotes a level of intensification greater than what currently exists on the subject site and that the in-force SACASP permits.

The proposed development, as modified by the density recommended by staff, is consistent with the PPS and conforms to the Growth Plan for the Greater Holden Horseshoe as it promotes residential intensification through the efficient use of land to meet the long-term housing needs of the settlement area. The proposal would also contribute to a healthy, liveable, and safe community.

Land Use

This application has been reviewed against the Official Plan policies and Secondary Plan policies described in the Issue Background Section of this report. The City of Toronto Official Plan directs future growth in the City to areas that are well served by public transit. Specifically, residential growth is intended to be directed to major arterial corridors identified by the *Avenues* overlay on Map 2.

The proposed residential and commercial uses within an apartment building form is consistent with the uses and building types permitted and encouraged within the City's *Avenues* and *Mixed Use Areas* which permits a broad range of residential and commercial uses intended to absorb much of the future residential growth in the City. Policy 2.2.1 of the Official Plan identifies that growth will be directed to the *Centres*, *Avenues*, *Employment Areas*, and the *Downtown* in order to concentrate jobs and people in areas well served by surface transit and rapid transit stations and to promote mixed use development to increase opportunities for living close to work and to encourage walking and cycling for local trips.

The subject site is well served by surface transit and rapid transit. The Toronto Transit Commission (TTC) operates surface transit routes within walking distance of the subject site and the subject site is approximately 450 metres from the TTC's Sheppard-Yonge Station which provides access to the TTC's Line 1 Yonge-University and Line 4 Sheppard.

The subject site is located within the Council-adopted Sheppard Lansing Secondary Plan area which promotes intensification, a mix of uses, and comprehensive redevelopment. The proposed mid-rise building is an appropriate use for lands designated *Mixed Use Area 'B'* in the Sheppard Lansing Secondary Plan. As modified by the density recommend by staff, it will be consistent in form, scale and intensity to the permissions of the Secondary Plan. The proposed commercial GFA at grade will provide a lively pedestrian amenity with an improved streetscape. The proposed development would promote additional ridership on public transit. The proposed development, therefore, conforms to the land use provisions of the Official Plan and the site is appropriate for the intensification as recommended by staff.

Density, Height, and Massing

The subject application proposes a mixed use building with a height of 7-storeys and 24 metres, excluding the mechanical penthouse, and a density of 2.73 times the lot area. As identified above, the subject site is located within the *Mixed Use Areas* land use designation within the Official Plan and is located within the Council-adopted Sheppard Lansing Secondary Plan. The subject site's designation in the Official Plan encourages growth and intensification, however, the Official Plan defers to the Secondary Plan to develop the appropriate standards for scale and density which reflect the context of the surroundings and transportation infrastructure. The Sheppard Lansing Secondary Plan permits a maximum height of 6-storeys and a density of 2.5 times the lot area. Although under appeal, staff are of the opinion that the Secondary Plan policies are consistent with the PPS, conform to the Growth Plan, and allow for an appropriate level of intensification along this segment of Sheppard Avenue West. As such, staff are recommending Council approve a maximum density of 2.5 times the lot area for the subject site. Staff are recommending the approval of 7-storeys, whereas 6-storeys are permitted, because of characteristics that are specific to the subject site. As this report previously identifies, there is a significant grade change within the subject site that allows for an additional storey to fit below the required rear angular plane. The proposed sixth and seventh storeys are comprised of two-storey family-sized units that each contain three bedrooms.

The Built Form Policies of the Official Plan require that new development be massed and its exterior façade be designed to fit harmoniously into its existing and/or planned context. The proposed building appropriately responds to the existing context, particularly the *Neighbourhoods* to the north of the subject site, and fits within the planned context of Sheppard Avenue West. The building is massed to frame Sheppard Avenue West and is of a height that respects the street proportion. The Mid-rise Building Performance Standards use the height of 80% of the right-of-way as a measure for the appropriate street wall height and building envelope to maximize sunlight on the sidewalk and pedestrian scale. The building height of the front elevation at 24 metres would have a height less than 80% of the required right-of-way width for Sheppard Avenue West.

Policies within the Built Form and *Mixed Use Areas* sections of the Official Plan require that new development transition appropriately between areas of different development intensity and scale. Similarly, the Sheppard Lansing Secondary Plan and Mid-rise Building Performance Standards include transition policies to ensure development transitions to limit impacts on adjacent *Neighbourhoods*. The massing of the proposed building falls beneath the required 45 degree angular plane, measured from a height of 10.5 metres above the 7.5 metre setback to the rear lot line except for a portion of the rooftop stair enclosure, mechanical penthouse, and balcony railings. In order for the building massing to fall beneath the angular plane, all storeys above the fourth storey incorporate a rear step-back. The step-backs of the proposed building limit impacts of overlook to adjacent properties.

The proposed building setbacks are consistent with the setback requirements of the Sheppard Lansing Secondary Plan and the Mid-rise Building Performance Standards. The proposed building is setback 7.5 metres from the rear property line. The rear yard

setback would contain a 2.0 metre wide landscape strip and outdoor amenity space. The building would have a 0 metre setback from both the east and west property lines. The 0 metre side yard setbacks for the first six-storeys create a continuous façade along Sheppard Avenue West. The seventh storey is required to be setback a minimum of 3.0 metres from the side lot lines. Due to the proposed 0 metre side yard setbacks for the first six-storeys, the east and west elevations are blank. To mitigate the impact of the exposed blank walls, the east and west elevations will be designed with a material finish and articulation that complements the architectural character of the building's front façade. The seventh storey side stepback will allow for additional glazing to reduce the extent of the blank side elevations. A 2.0 metre front yard setback is required for residential units located on the ground floor and there is no minimum setback for the commercial uses located on the ground floor. The 2.0 metre front yard setback from the residential units allows for appropriate separation between the entrance of the residential unit and activity on the street. The 0 metre setback for all other components of the ground floor, including the commercial uses, brings the front elevation to the street which contributes to an animated and active streetscape. The proposed front yard setbacks will allow for a continuous and consistent street wall in the future as Sheppard Avenue West continues to redevelop.

The mechanical penthouse and enclosed exterior stairs project 3.3 metres above the height of the 24 metres and are massed to limit the visibility of the structure from the street which is a requirement of the Sheppard Lansing Secondary Plan.

The development will provide a minimum of 60 square metres of indoor amenity space and 400 square metres of outdoor amenity space. The indoor amenity space is located on the ground floor and the outdoor amenity space is located at the rear of the property and is accessed from the ground floor.

The development has been designed to conform to the Built Form policies of the Official Plan and Sheppard Lansing Secondary Plan and appropriately apply the Mid-rise Building Performance Standards. The proposed building has a height and massing that is appropriate on the subject site and respects the existing and planned context of Sheppard Avenue West. The building employs various measures to appropriately transition to the adjacent *Neighbourhoods* to the north of the subject site. The density, as recommend by staff, is consistent with the PPS, conforms to the Growth Plan, conforms to the Official Plan, and represents an appropriate level of intensification along this segment of the Sheppard Avenue West corridor.

Sun, Shadow, Wind

Built Form policies in Section 3.1.2 of the Official Plan require new development fit harmoniously into the existing and/or planned context by, among other things, providing adequate light and privacy and limiting any resulting shadowing on neighbouring streets, properties, and open space.

In order for the massing of the proposed building to fall beneath the 45 degree angular plane, the building design incorporates the use of rear step-backs. The proposed step-backs and rear angular plane assist in limiting the shadow impacts on neighbouring properties.

The applicant's architect conducted a shadow analysis of the proposed 7-storey building. This analysis illustrated the shadow impact during sunlight hours for the months of March and September. There is minimal shadow impact to the existing stable residential neighbourhood to the north of the subject property between noon and 6:00 p.m. for the months of March and September. There is minimal shadow impact on the neighbouring properties on Sheppard Avenue West between 11:00 a.m. and 3:00 p.m., for the months noted above. There are also no new shadows on the Sheppard Avenue West public realm during this period.

Traffic Impact, Access, Parking

In order to assess the traffic impacts associated with the proposed development, the applicant's transportation consultant prepared a Traffic Operations Assessment. The consultant estimates that the proposed development will generate approximately 10 and 12 two-way trips during the a.m. and p.m. peak hours, respectively. Given the estimated number of peak hour trips, the consultant concludes that the proposed development will have minimal impacts on the operations of the surrounding intersections. Transportation Services staff accept the conclusions of the Traffic Operations Assessment.

Due to the subject site's location mid-block, vehicular access would be provided by a 6.0 metre wide two-way driveway located along the western limit of the site that would pass beneath the second storey. The proposed access will remove one of the two existing curb cuts that currently provides access to the subject site which is consistent with the direction of the Sheppard Lansing Secondary Plan. Minimizing curb cuts contributes to maximizing pedestrian and cycling comfort and safety along the Sheppard Avenue West corridor.

The subject application proposes 29 vehicular parking spaces, of which 3 spaces will be dedicated to residential visitors. Zoning By-law 569-2013 does not require parking spaces for commercial uses when the gross floor area is less than 200 square metres. The proposed parking spaces will be located within a two-level underground garage, however, due to the significant grade changes on site, a portion of the first level partially protrudes above grade at the rear of the building. The proposed outdoor amenity space is located above the underground parking level so as to not create any visual impacts. The proposed outdoor amenity to be constructed above the underground parking would be flush with the grade of the abutting property to the north of the subject site. The Sheppard Lansing Secondary Plan indicates that a reduction of parking will be considered and given the subject site's proximity to transit, Transportation Services has accepted the proposed parking supply. The application also proposes 24 bicycle parking spaces, of which 21 are long-term spaces and 3 are short-term spaces. The long-term spaces would be located within the ground floor in a bike storage room. The 3 short-term parking spaces would be located outside of the main entrance and are weather protected.

A garbage room that will store the tri-sorted bins is located within the first parking level. These bins would be moved to the curb on collection day by a trained staff person and returned to the garbage room following public pick-up. The integration of the garbage room in the building is consistent with the Sheppard Lansing Secondary Plan's direction to screen servicing and locate servicing activities within the principal structure.

The size of the proposed development does not trigger the need for a loading space and one is not proposed.

Streetscape

The subject application responds appropriately to the Public Realm policies of the Official Plan and Sheppard Lansing Secondary Plan. The application proposes to convey land to satisfy the Official Plan's requirement for a 36 metre wide right-of-way along this segment of Sheppard Avenue West. The 4.94 metre strip of land that is to be conveyed to the City will assist in improving the public realm and streetscape of Sheppard Avenue West.

The draft zoning by-laws require a minimum 2.0 metre front yard setback for residential units located on the ground floor and a 0 metre front yard setback for all other components of the ground floor. The 2.0 metre setback for residential units on the ground floor is consistent with the Sheppard Lansing Secondary Plan's front yard setback requirement and allows for appropriate separation between those residential units and street activity. The 0 metre setback will allow for a consistent front yard setback along Sheppard Avenue West in both the interim, as it generally aligns with the neighbouring properties, and in the future as properties continue to redevelop.

The Sheppard Lansing Secondary Plan requires pedestrian entrances for new development be directly connected to the public sidewalk. The main pedestrian entrance is located off Sheppard Avenue West with a direct connection to the public sidewalk and is located within the centre of the proposed building. The entrance is recessed which provides a break in the front elevation and adds articulation to the façade.

The application proposes streetscape and boulevard improvements which include a wider pedestrian sidewalk that satisfies accessibility standards, increased areas of soft landscaping, planting of three new City trees, dark sky compliant pedestrian lighting that minimizes glare, reduces light trespass, and does not pollute the night sky, removal of the existing wooden retaining wall, and direct pedestrian access to the building's entrance. These improvements are consistent with the Public Realm policies of the Official Plan and Sheppard Lansing Secondary Plan. The Official Plan requires sidewalk and boulevards be designed to provide safe, attractive, interesting, and comfortable spaces for pedestrians by providing well designed and co-ordinated tree planting and landscaping, pedestrian scale lighting, and quality street furnishings.

These streetscape improvements will be secured through the site plan approval process.

Servicing

Pursuant to comments from Engineering and Construction Services staff dated January 19, 2019, the sanitary sewer requires upgrades in order to support the proposed development. Comments from Engineering and Construction Services staff indicate Toronto Water has scheduled sanitary sewer upgrades as part of their capital project in the years 2021 through to 2023, however, should the owner choose to proceed with the

proposed development in advance, the upgrades would be required to be completed by the owner. Engineering and Planning staff met with the applicant and their engineering consultant on March 29, 2019 to discuss the site's servicing issues. The applicant's engineering consultant has identified they are assessing alternate sanitary sewer connections with sufficient capacity to service the proposed development. Engineering and Construction Services staff identified that an alternate sanitary sewer connection could be an appropriate solution to the servicing issues, however, the applicant is to conduct and submit further analysis.

In accordance with Policy 5.3.1.2 and 5.3.1.4 of the City's Official plan, requiring that amendments to the Plan be consistent with its general intent, development proposals also must ensure that the intensity and scale of the proposed development can be accommodated by the City's infrastructure, in particular, servicing. Further, Policy 5.1.2.1 and 5.1.2.2 permit Council to include a holding provision to address certain matters before development can proceed.

The draft by-laws attached to this report requires that the zoning be subject to a holding provision ("H") until such time as a servicing solution is accepted to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. The recommended holding provision within the draft by-laws requires the owner submit Functional Servicing and Stormwater Management Reports acceptable to the Chief Engineer and Executive Director, Engineering and Construction Services and enter into a development agreement between the owner of the lands and the City, securing the financing and construction of any improvements that may be required to the City's sanitary sewer, storm sewer and water supply systems to accommodate the proposed development.

Tree Preservation

An Arborist Report, Tree Preservation Plan, and Landscape Plan were submitted by the applicant and reviewed by Urban Forestry, Tree Protection and Plan Review.

The application proposes the removal of 31 trees, 7 of which require a permit because the trees are larger than 30 centimetres in diameter. Of the 7 trees that require a permit for removal, 3 are located on properties abutting the subject site; 2 are located on 106 Sheppard Avenue West, and 1 is located on 115 Harlandale Avenue. As a result of the proposed tree removals, the applicant is required to plant replacement trees. When it is not physically possible to replace all trees on site, cash-in-lieu of planting can be accepted at a replacement ratio of 3:1. The application proposes to replant 3 trees on private property, pay cash-in-lieu for the replacement of 12 trees off-site, and replant 3 trees on City property.

The applicant is required to submit the following items to Urban Forestry: applications to injure or destroy trees on private property, tree planting deposits to ensure the planting of the 3 new City trees, and payment for the replacement of 12 trees off-site.

Staff will continue to work with the applicant during the site plan approval process to ensure the loss of trees on-site is mitigated through appropriate replanting measures.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision, and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. The draft zoning by-law will secure performance measures that are consistent with Tier 1 development features, including: landscaped open space and bicycle parking spaces.

Other applicable TGS performance measures such as tree planting and species-type, soil volumes, stormwater management, and solid waste storage space will be secured through the site plan approval process.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limits of the existing Zoning By-law. The proposal will not be subject to the Official Plan policies for the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act* as the development would not exceed the 10,000 square metres threshold set out in the Official Plan.

Conclusion

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2017), and the Toronto Official Plan. Staff are of the opinion that the proposal, as modified by the density recommended by staff, is consistent with the PPS (2014) and conforms to, and does not conflict with, the Growth Plan (2017). Furthermore, the proposal conforms to and maintains the intent of the Toronto Official Plan, particularly as it relates to new development intensification within the City's *Avenues and Mixed Use Areas*. The development promotes the efficient use of land, resources, infrastructure and public services, and supports the use of public transit.

The zoning by-law amendments, as modified by the density recommended by staff, present an appropriate redevelopment of the subject site which is currently underutilized. It conforms to all the applicable Sheppard Lansing Secondary Plan policies, with the exception of height. The massing, built form, and exterior façade ensure a harmonious relationship with the surrounding area. The proposal also provides improvements to the streetscape.

Although staff are satisfied with the proposal, the draft by-laws require a holding provision ("H") be added until such a time as a servicing solution is accepted to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

CONTACT

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E-mail: Victoria.Fusz@toronto.ca

SIGNATURE

Joe Nanos, Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map
- Attachment 5: Draft Official Plan Amendment
- Attachment 6: Draft Zoning By-law No. 7625 Amendment
- Attachment 7: Draft Zoning By-law No. 569-2013 Amendment

Applicant Submitted Drawings

- Attachment 8: Site Plan
- Attachment 9: North and South Elevations
- Attachment 10: East and West Cross-Sections

Attachment 1: Application Data Sheet

Municipal Address: 110 & 112 SHEPPARD AVE W **Date Received:** December 6, 2018

Application Number: 18 265487 NNY 18 OZ

Application Type: OPA & Rezoning

Project Description: 7 storey mixed use, mid-rise building with 52.84 square metres of retail uses at grade, 30 residential units and 2 levels of below grade parking with 29 parking spaces. Vehicular access to the building is to occur via a driveway located at the western edge of the site, which will pass under the second storey of the building.

Applicant	Agent	Architect	Owner
THE BIGLIERI GROUP 20 LESLIE ST TORONTO, ON M4M 3L4	THE BIGLIERI GROUP 20 LESLIE ST TORONTO, ON M4M 3L4	OPTIONS ARCHITECTS 31 SCARSDALE RD TORONTO, ON M3B 2R2	KENSINGTON HOMES INC 31 SCARSDALE RD TORONTO, ON M3B 2R2

EXISTING PLANNING CONTROLS

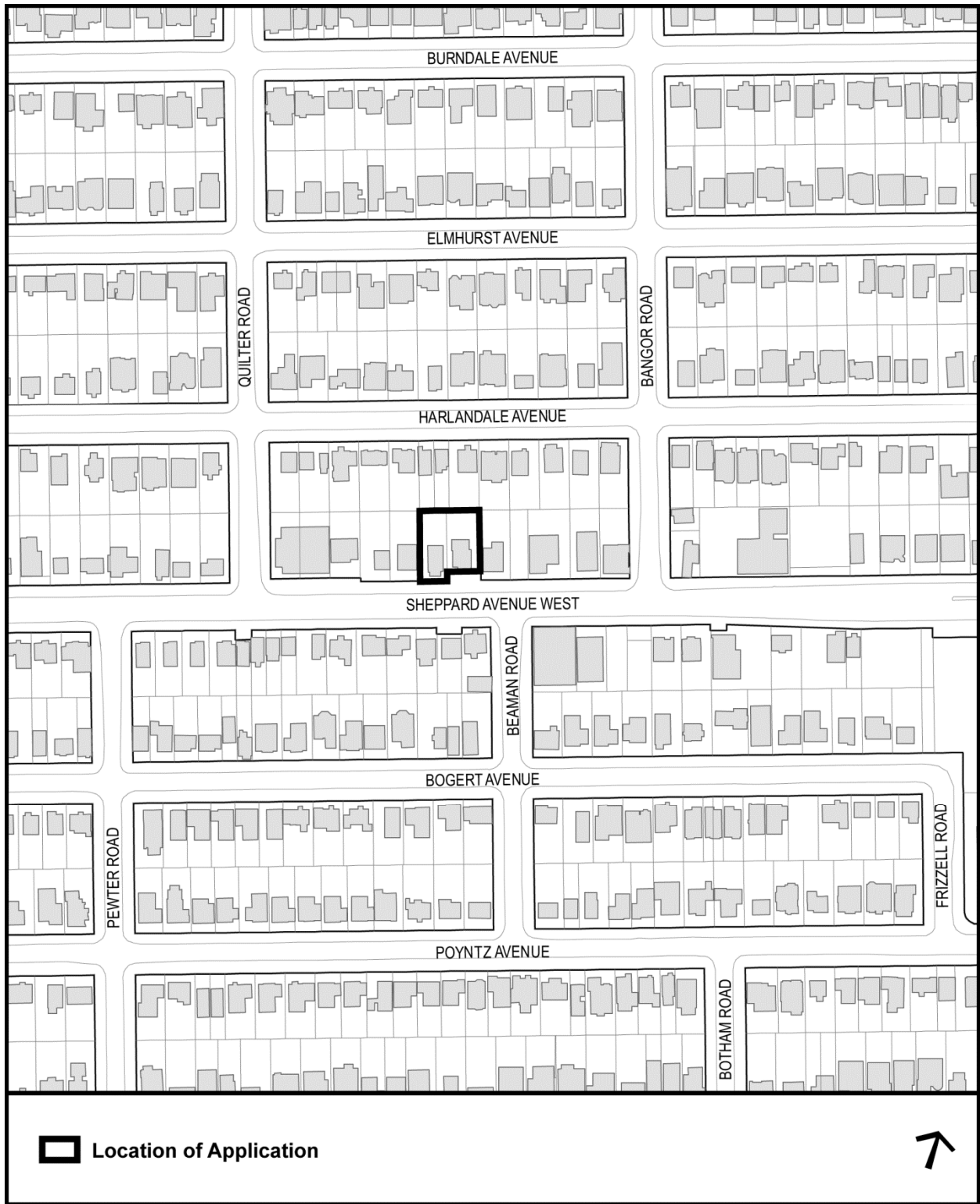
Official Plan Designation: Mixed Use Areas Site Specific Provision: C6(7)
 Zoning: C6 & C6(7) Heritage Designation: N
 Height Limit (m): 11 Site Plan Control Area: Y

PROJECT INFORMATION

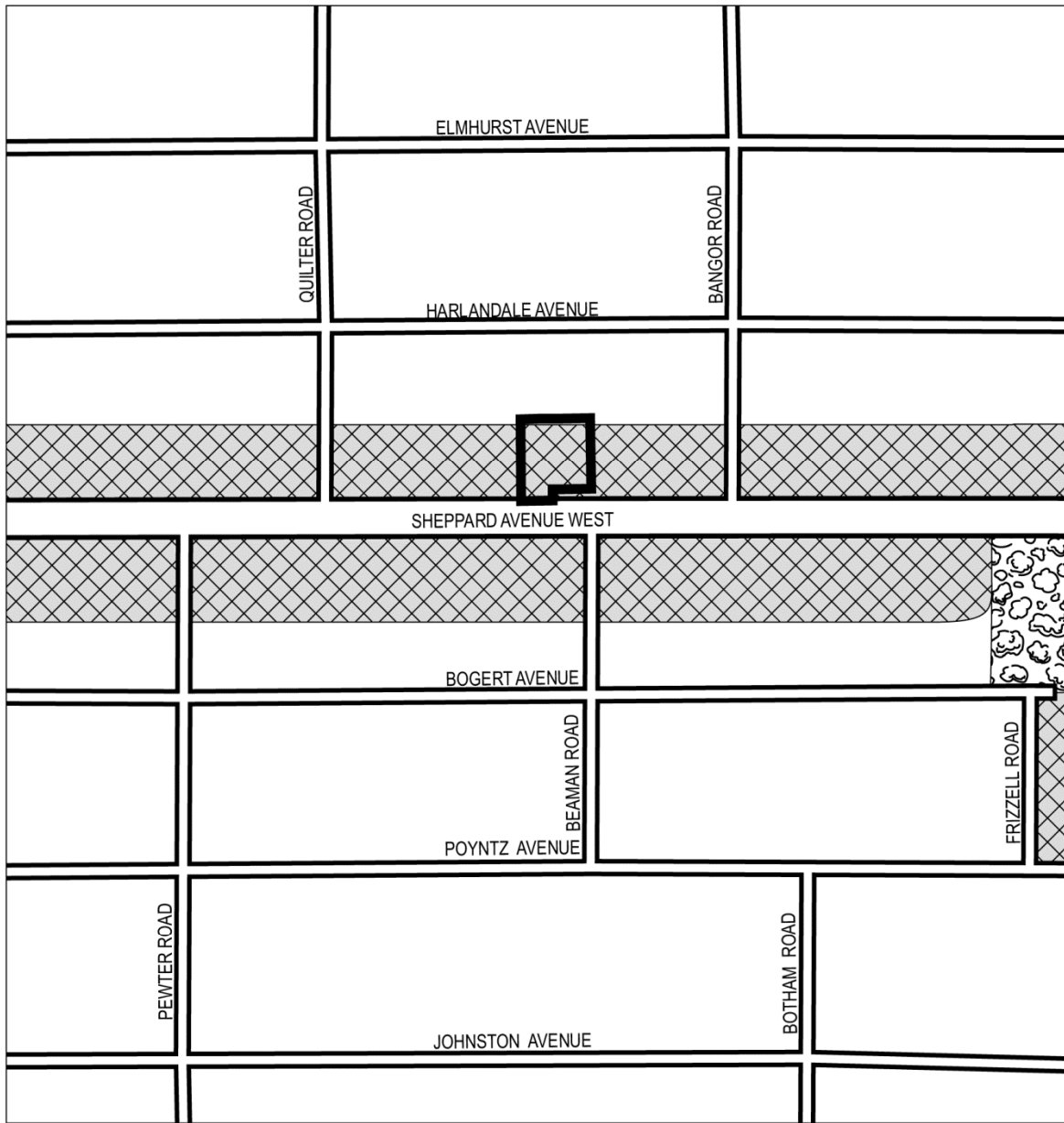
Site Area (sq m): 1,092 Frontage (m): 30 Depth (m): 31

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	202		220	220
Residential GFA (sq m):	202		2,928	2,928
Non-Residential GFA (sq m):			53	53
Total GFA (sq m):	202		2,981	2,981
Height - Storeys:	1		7	7
Height - Metres:			24	24
Lot Coverage Ratio (%): 75		Floor Space Index: 2.73		

Attachment 2: Location Map








Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #16

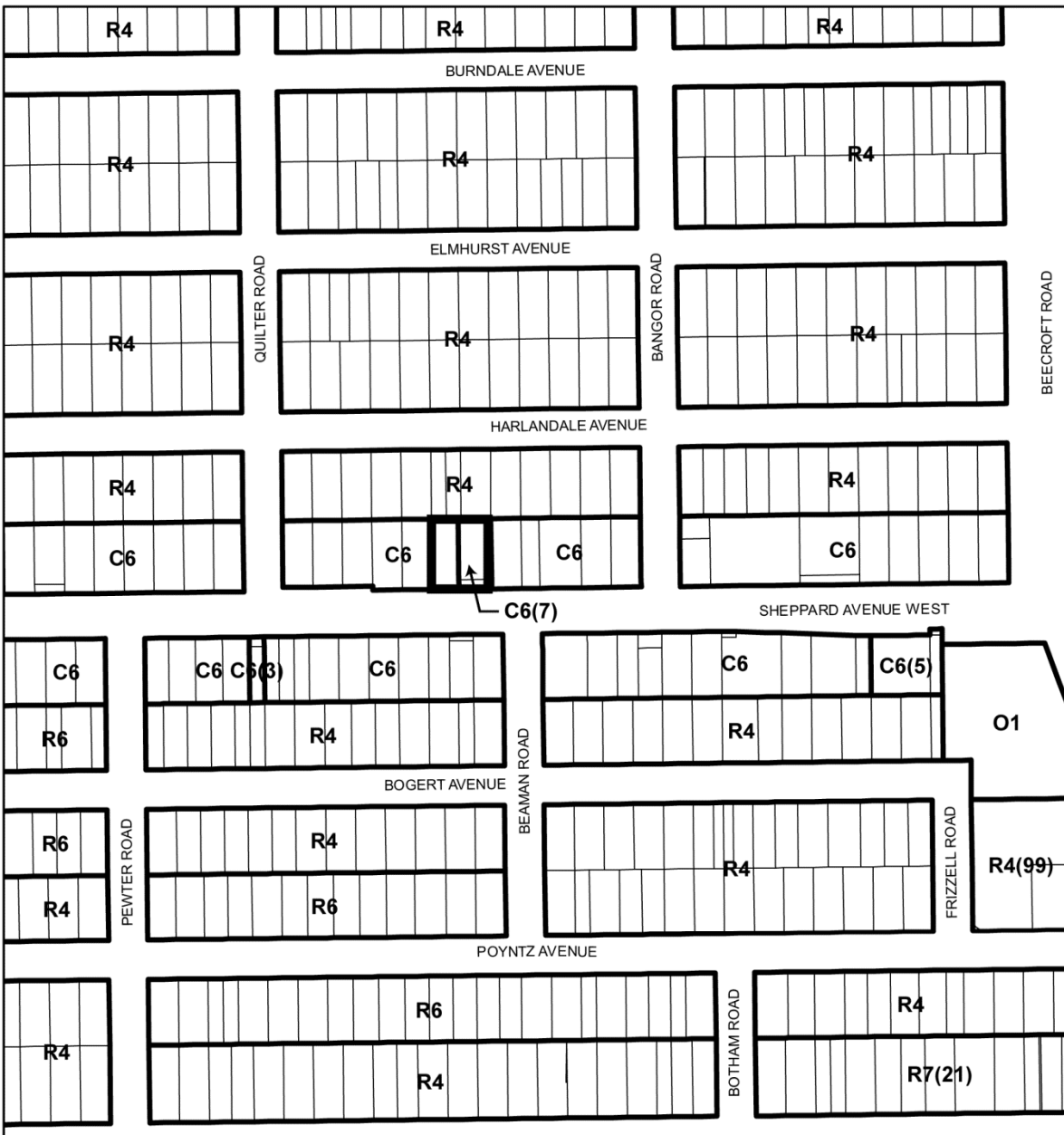
110-112 Sheppard Ave W

File # 18 265487 NNY 18 0Z

- | | |
|---|--|
|  Location of Application |  Parks & Open Space Areas |
|  Neighbourhoods |  Parks |
|  Mixed Use Areas | |

↑
Not to Scale
01/09/2019

Attachment 4: Existing Zoning By-law Map



Zoning By-law 7625

110 -112 Sheppard Avenue West

File # 18 265487 NNY 18 0Z

Location of Application

R4 One-Family Detached Dwelling Fourth Density Zone
R6 One-Family Detached Dwelling Sixth Density Zone

R7 One-Family Detached Dwelling Seventh Density Zone
C6 Special Commercial Area Zone
O1 Open Space Zone



Not to Scale
 Extracted: 04/03/2019

Attachment 5: Draft Official Plan Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill XXX

BY-LAW XXX

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2018, as
110 and 112 Sheppard Avenue West**

Whereas authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*,

The Council of the City of Toronto enacts:

1. The attached Amendment No. 449 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

Enacted and Passed this ~ day of ~, A.D. 20~.

Frances Nunziata,
Speaker

ULLI S. WATKISS,
City Clerk

(Seal of the City)

AMENDMENT NO. 449 TO THE OFFICIAL PLAN

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2018 AS
110 and 112 SHEPPARD AVENUE WEST**

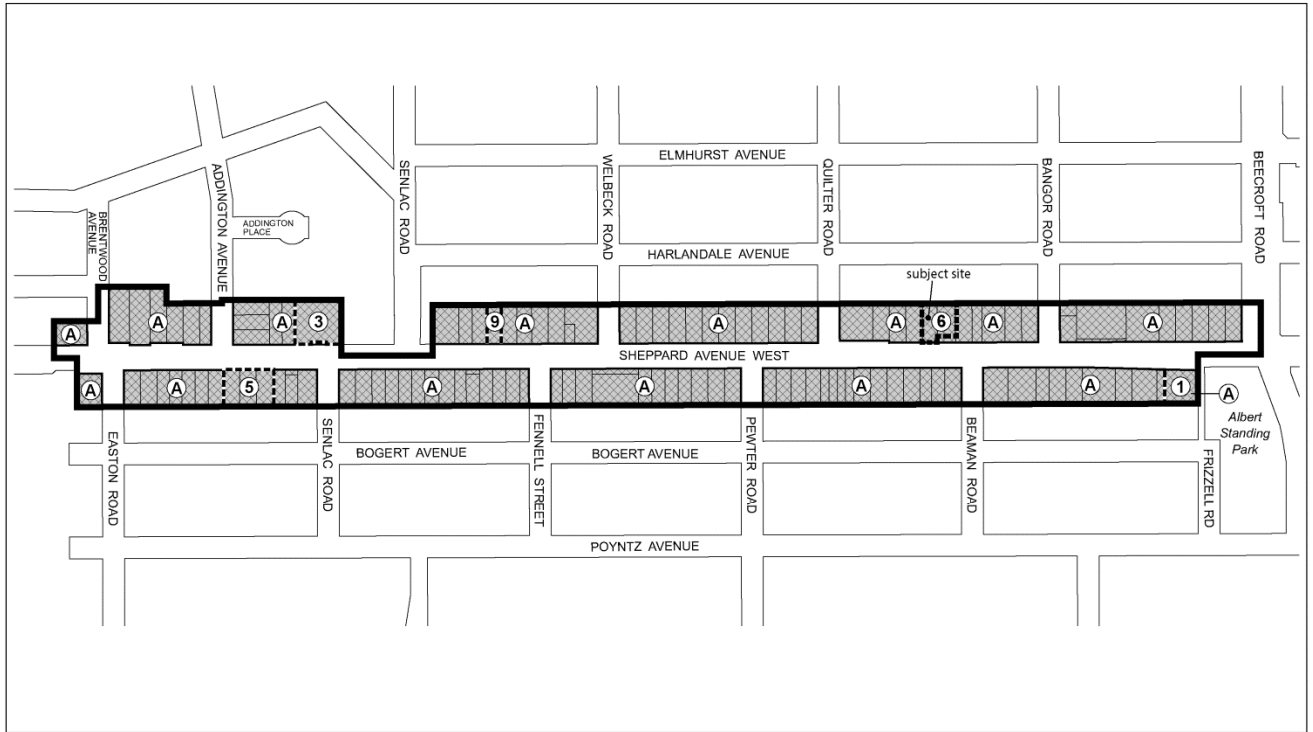
The Official Plan of the City of Toronto is amended as follows:

1. Chapter 6, Section 29, Sheppard Avenue Commercial Area Secondary Plan is amended by deleting subsection 4.6 of Section 4, Site and Area Specific Policies, and replacing it with the following for the lands known municipally in 2018 as 110 and 112 Sheppard Avenue West:

6. Lands located on the north side of Sheppard Avenue West, known municipally as 110 and 112 Sheppard Avenue West (6 on Map 29-1):

A 30-unit residential apartment with commercial uses on the ground floor, a maximum building height of 7 storeys and a maximum Floor Space Index (F.S.I.) of 2.5 times the lot area are permitted. No portion of the building, with the exception of the mechanical penthouse, rooftop stair enclosure, and balcony railings, shall project above a 45 degree angular plane measured from a line located 7.5 metres south of the rear (north) lot line and 10.5 metres above grade. The policies of Section 3.2.2 do not apply.




2. Map 29-1, Sheppard Avenue Commercial Area Secondary Plan, Land Use Areas, is amended to show the lands known municipally in 2018 as 110 and 112 Sheppard Avenue West as Site and Area Specific Policy Area Number 6, as shown on the attached Schedule A.




Official Plan Amendment #449 - Schedule A

110-112 Sheppard Avenue West

File # 18 265487 NNY OZ

-  Secondary Plan Boundary
-  Mixed Use Areas
-  Site and Area Specific Policy Areas

 Subject Site

Map 29-1, Sheppard Avenue Commercial Area Secondary Plan - Land Use Areas, Site and Area Specific Policy Area No. 6 is added to apply to the lands at 110-112 Sheppard Avenue West


Not to Scale
04/30/2019

Attachment 6: Draft Zoning By-law No. 7625 Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto
Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To amend ~ Zoning By-law No. ~, as amended,
With respect to the lands municipally known as,
110 and 112 Sheppard Avenue West.**

WHEREAS the Council of the City of Toronto has been requested to amend Zoning By-law No. 7625 of the former City of North York, as amended, pursuant to Section 34 and Section 36 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, with respect to lands known municipally in the year 2018 as 110 and 112 Sheppard Avenue West;

WHEREAS Council of the City of Toronto conducted a public meeting under Section 34 of the *Planning Act* regarding the proposed Zoning By-law Amendment;

WHEREAS authority is given to Council by Section 34 and Section 36 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law and to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Schedules "B" and "C" of By-law 7625 of the former City of North York are amended in accordance with Schedule "1" attached to this By-law.
2. Section 64.20-A of By-law 7625 of the former City of North York is amended by adding the following subsection:

64.20-A (258) RM6 (258) (H)

DEFINITIONS:

- (a) For the purposes of this exception, "Gross Floor Area" shall mean the total area of all of the floors in a building above or below grade measured from the exterior of the main wall of each floor level reduced by the area in the building used for:
 - (i) Parking, loading, and bicycle parking below-ground;
 - (ii) Required loading spaces at the ground level and required bicycle parking spaces at or above-ground;

- (iii) Storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
- (iv) Indoor amenity space;
- (v) Elevator shafts;
- (vi) Garbage shafts;
- (vii) Mechanical penthouse; and
- (viii) Exit stairwells in the building.

(b) For the purposes of this exception, "Established Grade" shall mean the Canadian Geodetic Datum elevation of 186.32 metres.

PERMITTED USES

(c) The only permitted uses shall be:

RESIDENTIAL:

An apartment house dwelling and uses accessory thereto including private recreational amenity areas

NON-RESIDENTIAL:

Restaurants, retail stores, personal service shops, service shops, business and professional offices, and take-out restaurants.

All non-residential uses shall be restricted to the ground floor level.

EXCEPTION REGULATIONS

Dwelling Units

(d) A maximum of 30 dwelling units shall be permitted.

Lot Area

(e) The minimum lot area shall be 940 square metres.

Lot Frontage

(f) The minimum lot frontage shall be 30 metres.

Lot Coverage

(g) The maximum lot coverage shall be 75 percent.

Yard Setbacks

(h) Front Yard Setback

The minimum front yard setback shall be 0 metres. Any portion of the building with dwelling units located in the first storey of the building shall be setback a minimum of 2.0 metres.

(i) Side Yard Setbacks

The minimum side yard setbacks for the first six storeys shall be 0 metres. The seventh storey shall be setback a minimum of 3.0 metres from the side lot lines.

(j) Notwithstanding (h) and (i) above, the minimum yard setbacks for parking structures and structures associated thereto below Established Grade shall be 0 metres for all property lines.

Gross Floor Area

(k) A maximum gross floor area of 2,731 square metres shall be permitted, of which a maximum of 110 square metres shall be non-residential uses listed in (c) above.

Building Height

(l) The provision of 20-A.2.6 shall not apply.

(m) The building height shall not exceed 7-storeys above Established Grade.

(n) Notwithstanding (m) above, no part of the building, with the exception of the mechanical penthouse, rooftop stair enclosure, and balcony railings, shall penetrate a 45 degree angular plane projected along the entire required rear yard setback, starting at a height of 10.5 metres above the average elevation of the ground 7.5 metres from the rear lot line.

(o) A one-storey mechanical penthouse and rooftop stair enclosure shall have a maximum height of 3.3 metres.

Landscaping

(p) A minimum 2.0 metre wide strip of land used for soft landscaping shall be provided along the north (rear) property line. The landscape strip may also contain one exhaust shaft associated with the underground garage.

Recreation Amenity Area

(q) A minimum of 60 square metres of indoor amenity space shall be provided.

(r) A minimum of 400 square metres of outdoor amenity space shall be provided.

Parking

(s) Parking for residential uses within the site shall be provided in accordance with

the following minimum requirements:

Bachelor Units:	0.6 spaces per unit
Bachelor Units greater than 45 square metres:	1.0 space per unit
1 Bedroom and 1 Bedroom plus den Units:	0.7 spaces per unit
2 Bedroom and 2 Bedroom plus den Units:	0.9 spaces per unit
3+ Bedroom Units:	1.0 space per unit
Visitor Parking:	0.1 spaces per unit

(t) Parking for residential uses within the site shall not exceed the following maximum requirements:

Bachelor Units:	0.9 spaces per unit
Bachelor Units greater than 45 square metres:	1.3 spaces per unit
1 Bedroom and 1 Bedroom plus den Units:	1.0 space per unit
2 Bedroom and 2 Bedroom plus den Units:	1.3 spaces per unit
3+ Bedroom Units:	1.5 spaces per unit

OTHER REGULATIONS

(u) The provisions of 6A(8)(b)(c), 6A(16), 15.6, and 15.8(a) shall not apply.

(v) Notwithstanding any conveyance, severance, partition, or division of the lot, as shown on Schedule "1", the provisions of this by-law shall apply to the whole of the lot as if no conveyance, severance, partition or division occurred.

HOLDING PROVISIONS

(w) An "H" shall be appended to the zone symbol "RM6(258)".

(x) Prior to the removal of the "H", the lands shown on Schedule 1 shall only be used for the uses existing as of the date of passing of this By-law.

(y) the "H" shall be lifted from the lands shown on Schedule 1 at such a time as:

- (i) The owner submit Functional Servicing and Stormwater Management Reports acceptable to the Chief Engineer and Executive Director, Engineering and Construction Services;
- (ii) The execution and registration of a development agreement between the owner of the lands and the City, securing the financing and construction of any improvements that may be required to the City's sanitary sewer, storm sewer and water supply systems to accommodate the proposed development; and
- (iii) The receipt of all necessary approvals for the infrastructure required, as described (ii) above.

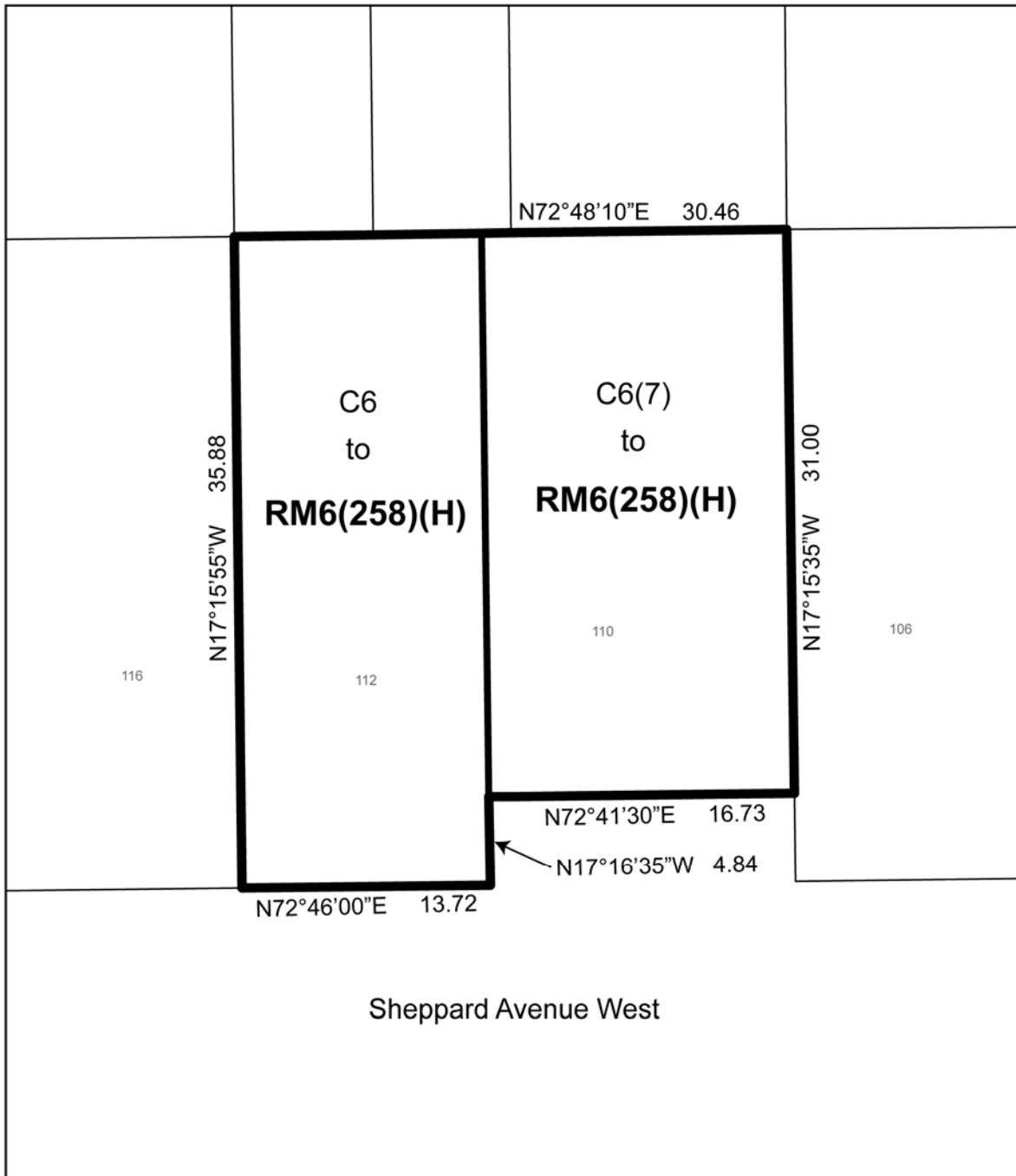
4. Within the lands shown on Schedule "1" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



TORONTO
Schedule 1

110 & 112 Sheppard Avenue West

File # 18 265487 NNY 18 0Z


 City of Toronto Former By-law 7625
 Not to Scale
 4/16/2019

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

Authority: North York Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. [XXXX- 2019]

To amend the Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2019 as 110 and 112 Sheppard Avenue West.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

Whereas authority is given to Council by Section 34 and Section 36 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of Holding (H) symbol with conditions in the zoning by-law;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands shown on Diagram 2 attached to this By-law, to the Zoning By-law Map in Section 990.10, and applying the zone label "**(H) CR 2.5 (c0.1; r2.5) SS2 (186)**", as shown on Diagram 2; and
4. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Section 995.10.1, and applying the Policy Area label "PA4", as shown on Diagram 3; and
5. Zoning By-law No. 569 -2013, as amended, is further amended by adding the lands shown on Diagram 4 attached to this By-law, to the Height Overlay Map in Section 995.20.1, with no label; and

6. Zoning By-law No. 569 -2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Section 995.30.1, and applying the lot coverage label "75", as shown on Diagram 5; and
7. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands shown on Diagram 6 attached to this By-law, to the Rooming House Overlay Map in Section 995.40.1, with no label; and
8. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number (186) so that it reads:

Exception CR 186

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) Despite regulation 40.5.40.10(4), equipment and **structures** located on the roof of the **building** may have a maximum height of 3.3 metres.
- (B) In addition to the **gross floor area** reductions permitted in regulation 40.5.40.40(3), the **gross floor area** of the **building** may be further reduced by indoor **amenity space**, including that in excess of what is required by this By-law.
- (C) Despite regulation 40.10.40.1(1), **dwelling units** may be located in the first **storey** of the **building**.
- (D) Regulation 40.10.40.10(2) with respect to maximum height does not apply.
- (E) Despite regulation 40.10.40.10(5), the minimum height of the first **storey** is 4.0 metres.
- (F) Despite regulation 40.10.40.10(7), the maximum number of **storeys** is 7.
- (G) A maximum of 30 **dwelling units** is permitted.
- (H) Despite regulation 40.10.40.50(1), a minimum of 60 square metres of indoor **amenity space** and a minimum of 400 square metres of outdoor **amenity space** must be provided.
- (I) Despite regulation 40.10.40.60(9), the mechanical penthouse, rooftop stair enclosures, and balcony railings may penetrate into an **angular plane**.

- (J) Despite regulation 40.10.40.70(2), the **side yard setbacks** for the first six storeys may be 0 metres. The seventh storey must be **setback** at least 3.0 metres from the **side lot lines**.
- (K) Regulation 40.10.40.70(2)(G) with respect to the front **angular plane** does not apply.
- (L) Despite regulation 40.10.40.70(4), any portion of the **building** with **dwelling units** located in the first **storey** of the **building** must be set back at least 2.0 metres from the **front lot line**.
- (M) Despite regulation 40.10.50.10(3), a minimum 2.0 metre wide strip of land used for **soft landscaping** must be provided along the **rear lot line**. The 2.0 metre wide strip of land may also contain one exhaust shaft associated with the underground garage.
- (N) Despite Table 200.5.10.1, **parking spaces** must be provided and maintained on the **lot** at a minimum rate of:
 - (i) 0.6 **parking spaces** for each bachelor **dwelling unit** up to 45 square metres;
 - (ii) 1.0 **parking space** for each bachelor **dwelling unit** greater than 45 square metres;
 - (iii) 0.7 **parking spaces** for each one bedroom **dwelling unit**;
 - (iv) 0.9 **parking spaces** for each two bedroom **dwelling unit**; and
 - (v) 1.0 **parking space** for each three or more bedroom **dwelling unit**.
- (O) Despite Table 200.5.10.1, **parking spaces** must be provided and maintained on the **lot** at a maximum rate of:
 - (i) 0.9 **parking spaces** for each bachelor **dwelling unit** up to 45 square metres;
 - (ii) 1.3 **parking spaces** for each bachelor **dwelling unit** greater than 45 square metres;
 - (iii) 1.0 **parking space** for each one bedroom **dwelling unit**;
 - (iv) 1.3 **parking spaces** for each two bedroom **dwelling unit**; and
 - (v) 1.5 **parking spaces** for each three or more bedroom **dwelling**.

- (P) Despite Table 200.5.10.1, **parking spaces** for visitors must be provided at a minimum rate of 0.1 for each **residential dwelling unit**.
- (Q) Despite Clause 230.5.10.1, a minimum of 24 **bicycle parking spaces** must be provided, of which a minimum of 21 **bicycle parking spaces** must be "long-term" and a minimum of 3 **bicycle parking spaces** must be "short-term."
- (R) The lands identified with the symbol "(H)" in the zone label are restricted in use as specified by section 9 of By-law **XXXX-2019**.

Prevailing By-laws and Prevailing Sections (None Apply)

9. Holding Provisions

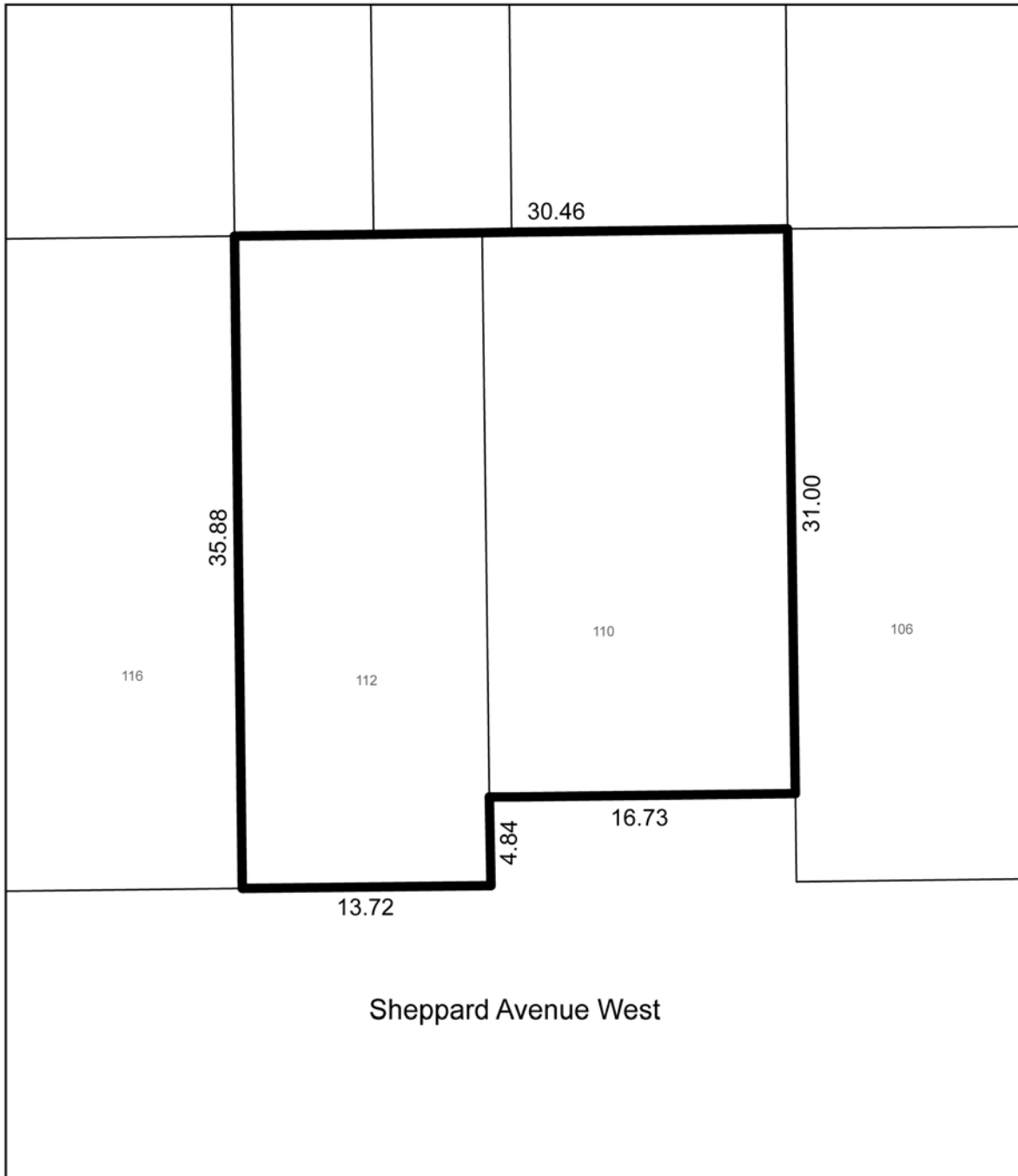
- (A) The lands zoned with the "(H)" symbol delineated by heavy lines on Diagram 2 attached to and forming part of this By-law must not be used for any purpose other than those uses and buildings existing on the site as of April 10, 2019 until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol may be enacted by City Council when the following conditions have been fulfilled to the satisfaction of the City Solicitor, the Director, Community Planning, North York District, and the Chief Engineer and Executive Director, Engineering and Construction Services, and Council:
 - (i) The owner submit Functional Servicing and Stormwater Management Reports acceptable to the Chief Engineer and Executive Director, Engineering and Construction Services;
 - (ii) The execution and registration of a development agreement between the owner of the lands and the City, securing the financing and construction of any improvements that may be required to the City's sanitary sewer, storm sewer and water supply systems to accommodate the proposed development; and
 - (iii) The receipt of all necessary approvals for the infrastructure required, as described (ii) above.

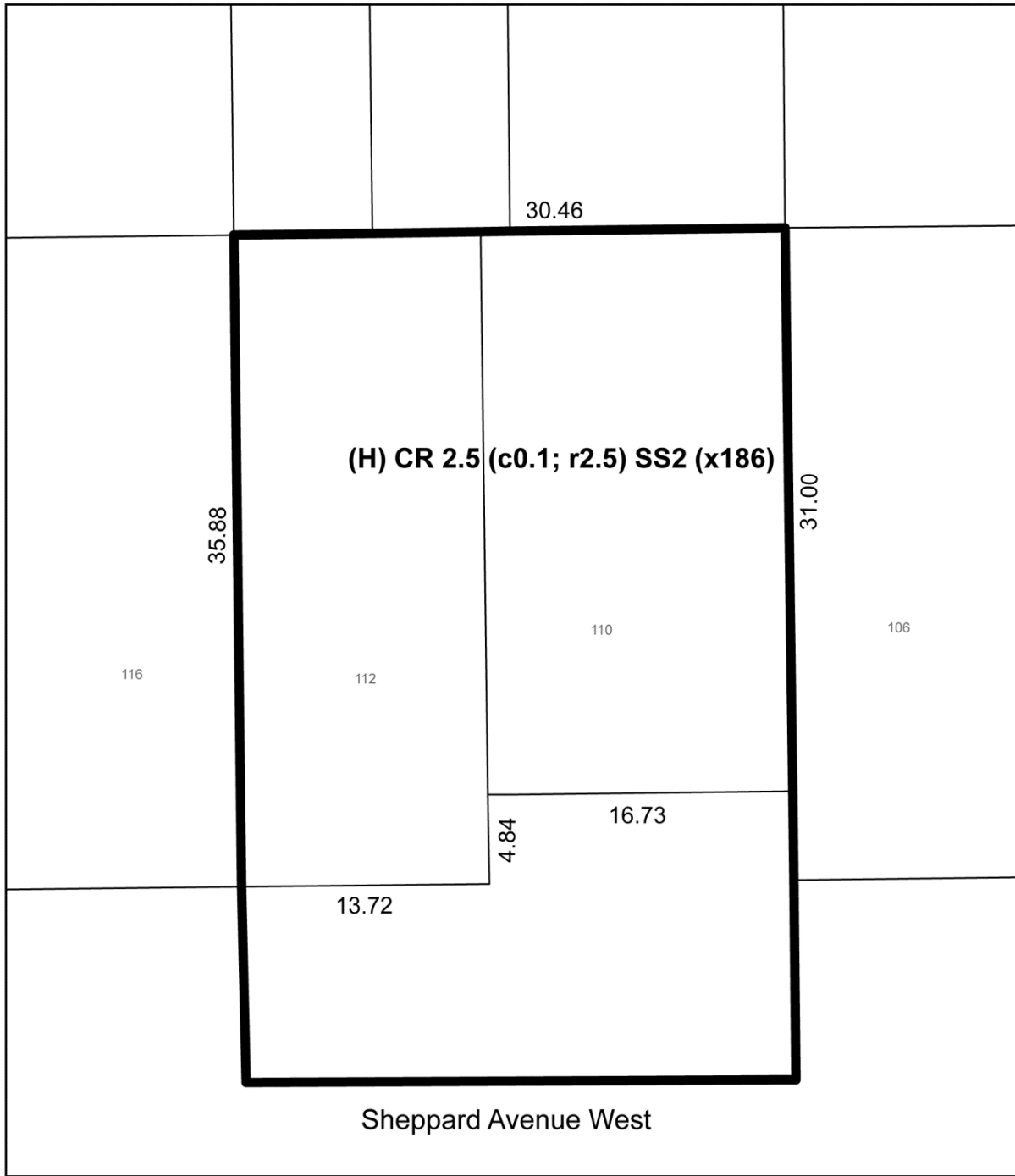
Prevailing By-laws and Prevailing Sections (None Apply)

Enacted and passed on **month ##, 20##**.

Name,
Speaker
(Seal of the City)

Ulli S. Watkiss,
City Clerk



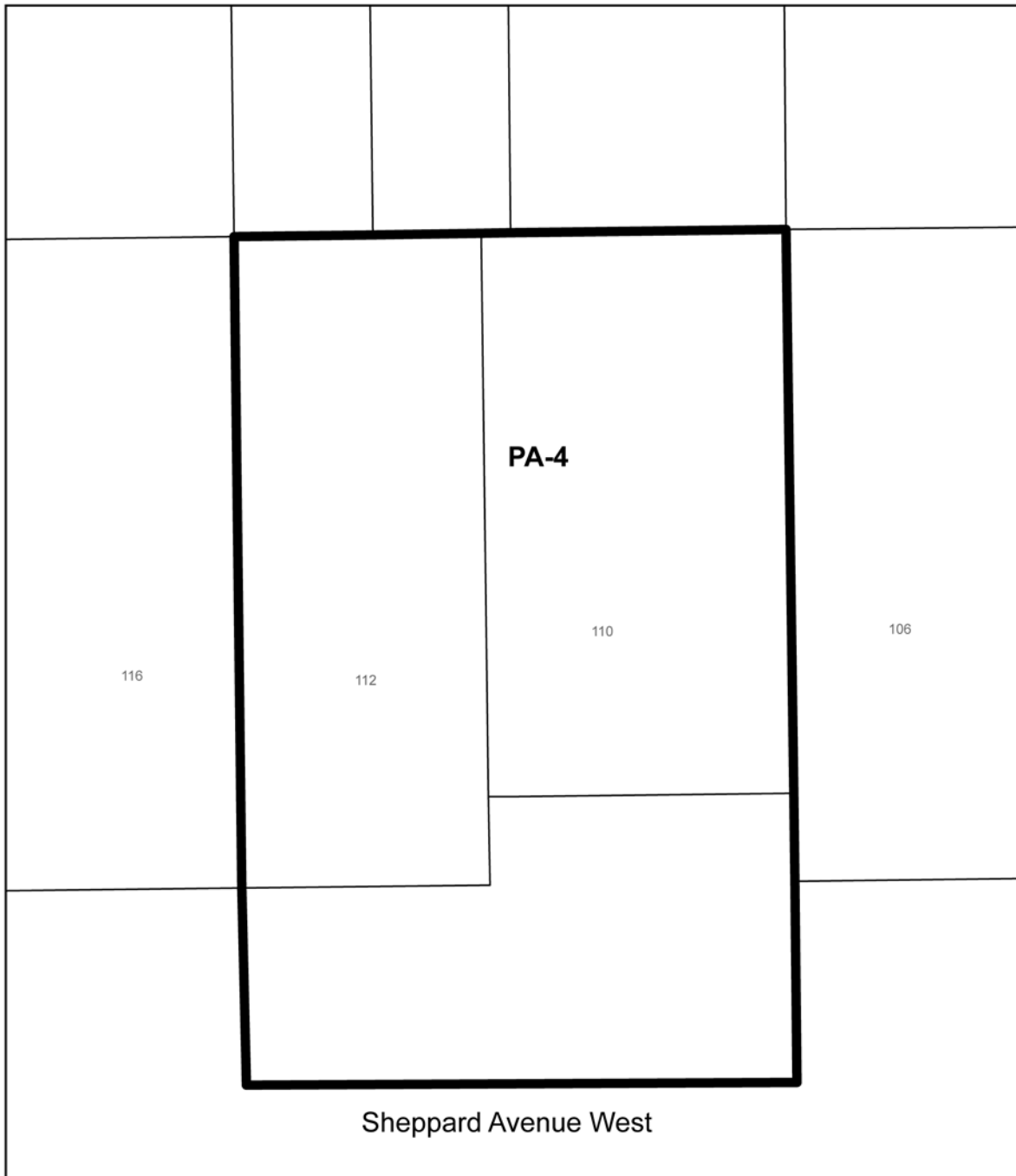


Toronto
Diagram 2

110 & 112 Sheppard Avenue West

File # 18 265487 NNY 18 0Z

City of Toronto By-law 569-2013
Not to Scale
4/26/2019

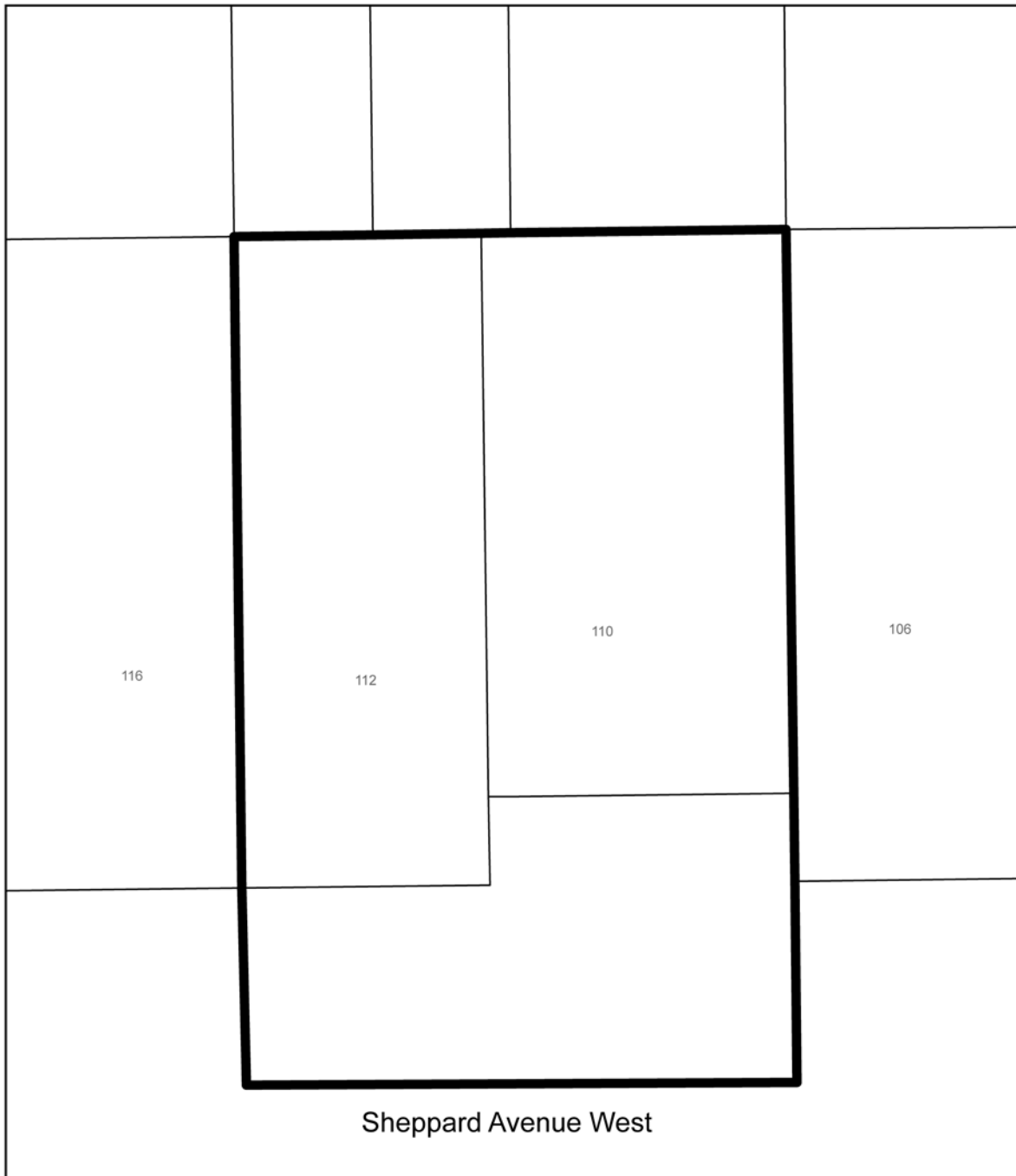


 **TORONTO**
Diagram 3

110 & 112 Sheppard Avenue West

File # 18 265487 NNY 18 0Z


City of Toronto By-law 569-2013
Not to Scale
4/9/2019

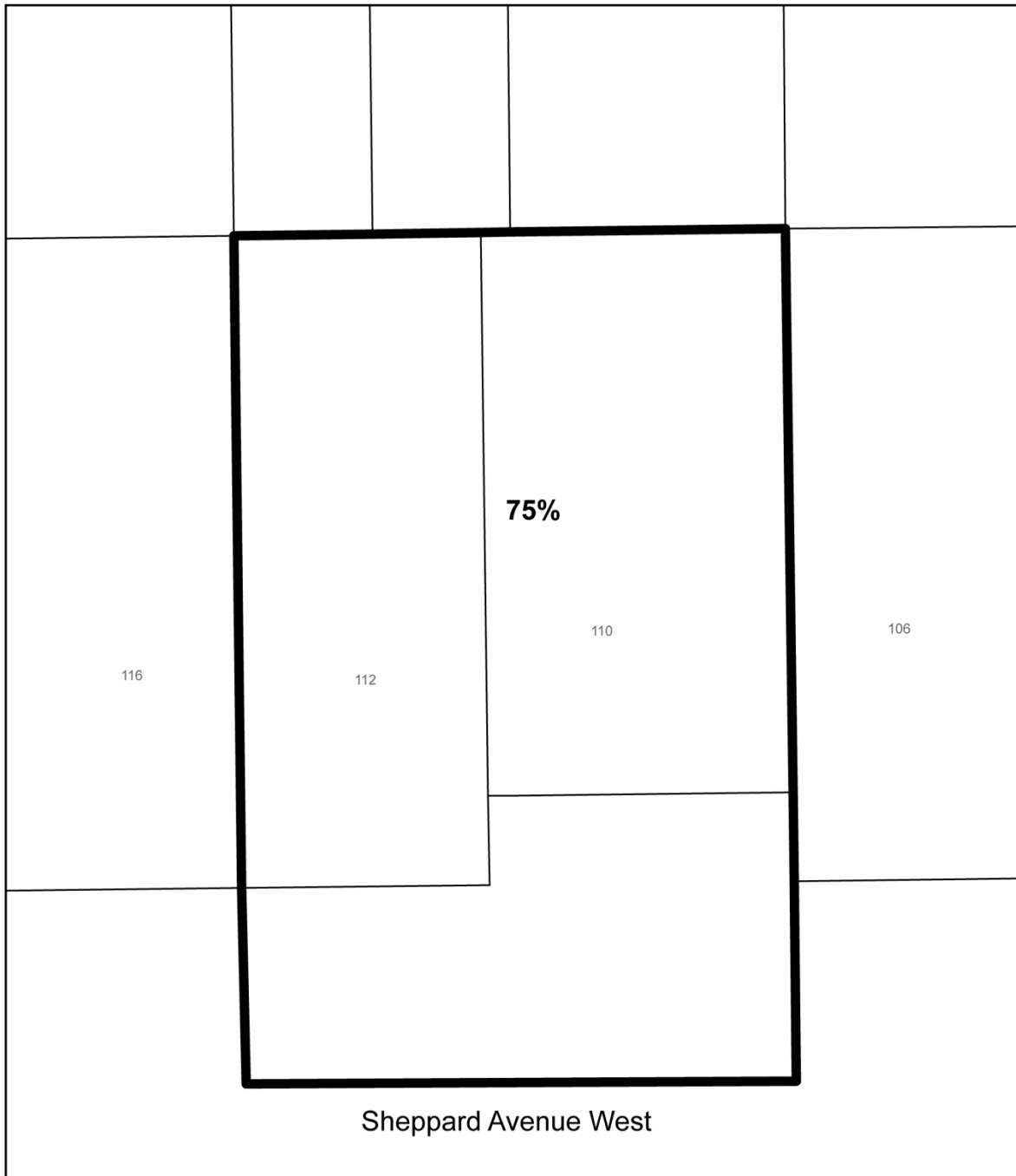


TORONTO
Diagram 4

110 & 112 Sheppard Avenue West

File # 18 265487 NNY 18 0Z


 City of Toronto By-law 569-2013
 Not to Scale
 4/9/2019

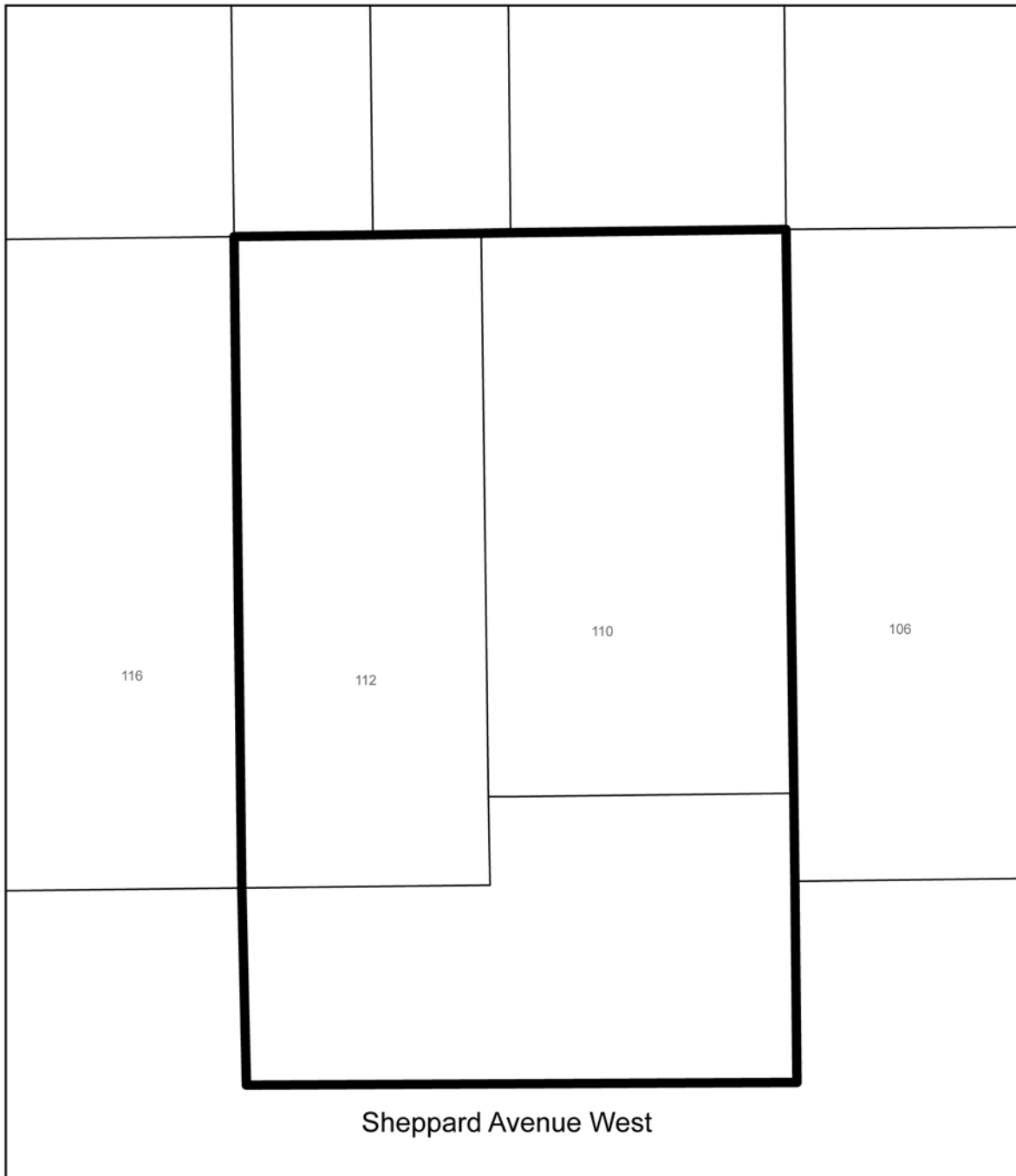


TORONTO
Diagram 5

110 & 112 Sheppard Avenue West

File # 18 265487 NNY 18 0Z



 City of Toronto By-law 569-2013
 Not to Scale
 4/9/2019



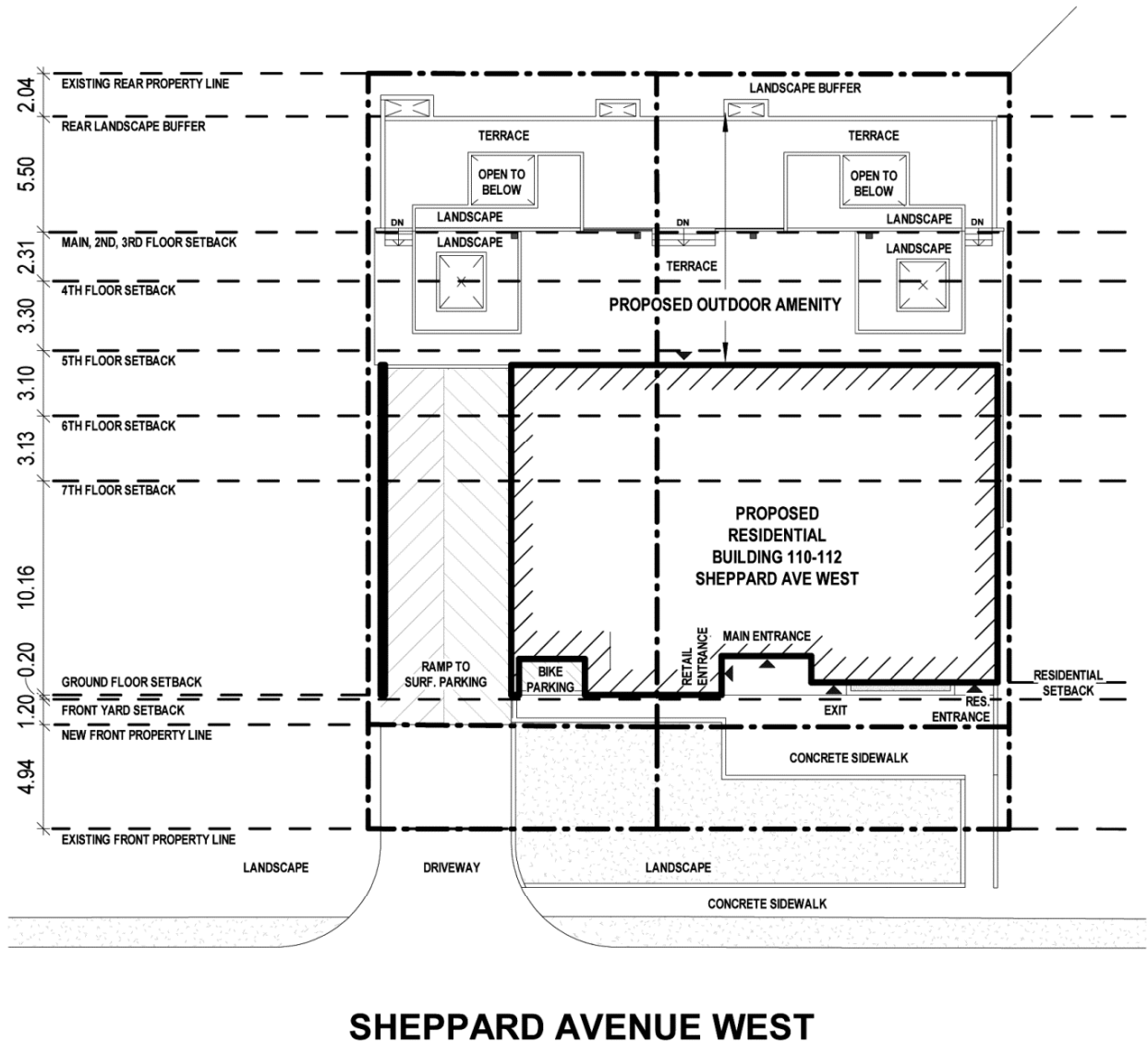
TORONTO
Diagram 6

110 & 112 Sheppard Avenue West

File # 18 265487 NNY 18 0Z


 City of Toronto By-law 569-2013
 Not to Scale
 4/9/2019

Attachment 8: Site Plan



Site Plan

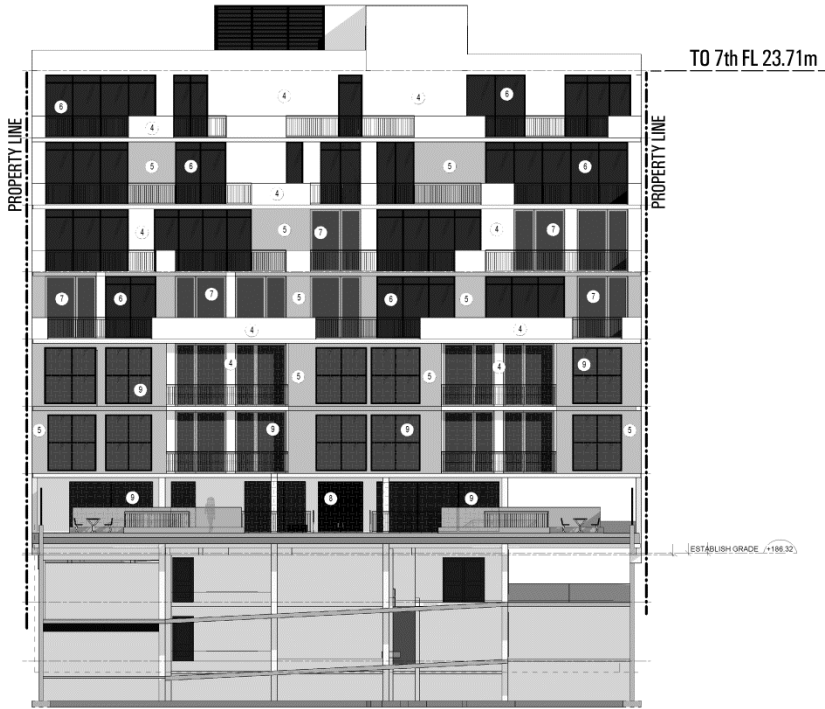
110-112 Sheppard Ave W

Applicant's Submitted Drawing

Not to Scale
01/09/2019

File # 18 265487 NNY 18 0Z

Attachment 9: North and South Elevations

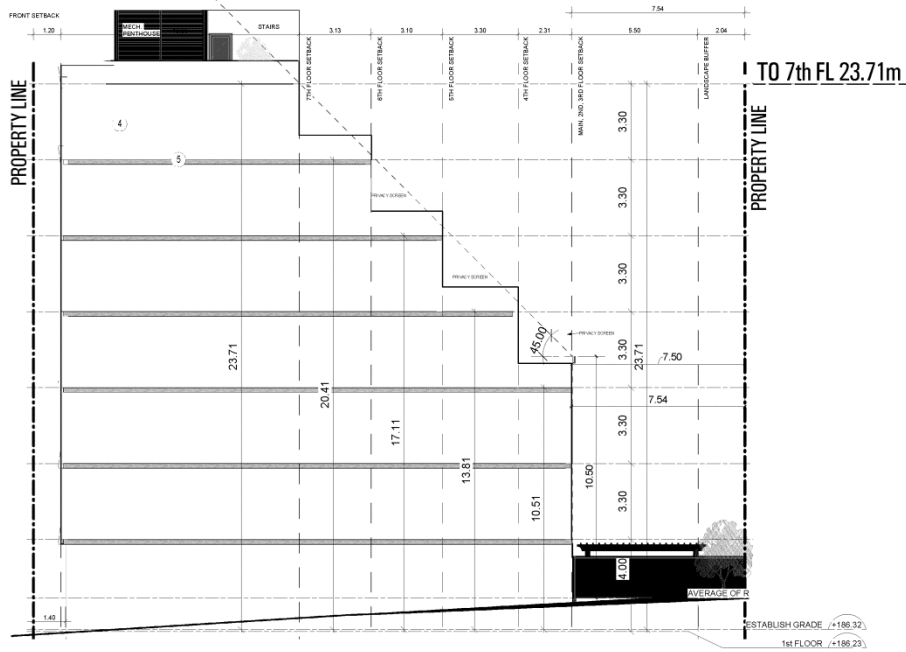


North Elevation

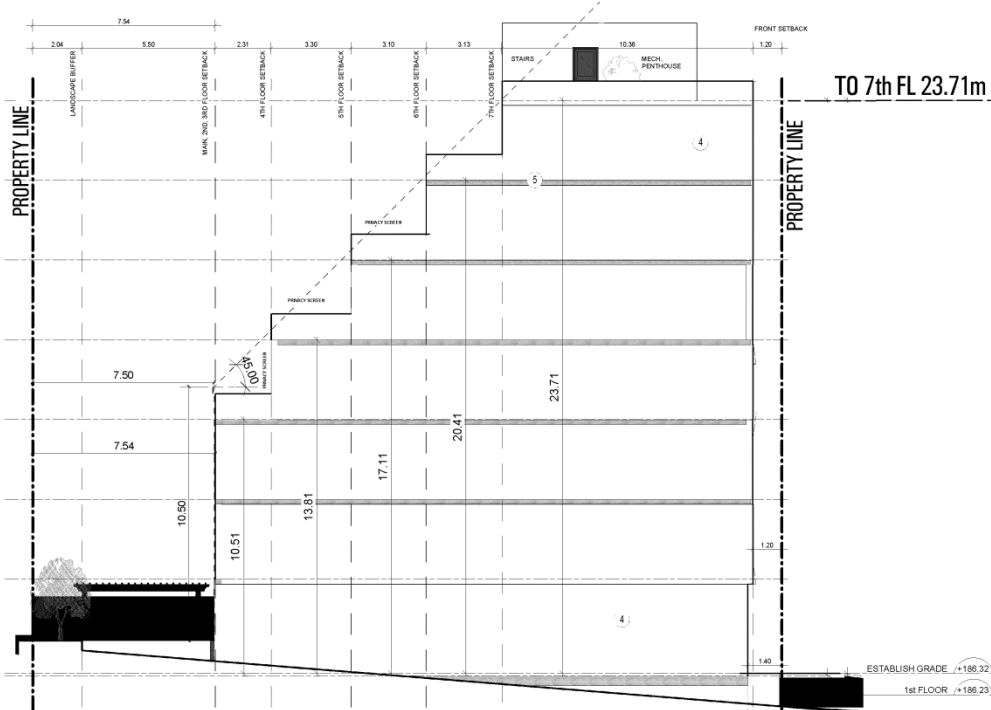


South Elevation

Attachment 10: East and West Cross-Sections



East Cross-Section



West Cross-Section