

Francine Adamo

From: Bob Dragicevic <bobd@wndplan.com>
Sent: Friday, December 23, 2016 1:45 PM
To: Allison Meistrich
Cc: Ulli Watkiss; Brian Goldfinger (brian@goldfingerlaw.com); Francine Adamo
Subject: City File Ref. No 11 298705 NNY 23 OZ
Attachments: 161223_Sheppard Avenue West Report _Comments to City.pdf

Good afternoon

On behalf of Mr. Goldfinger, owner of 173-177 Sheppard Avenue West, Please find attached our submission with respect to the Sheppard Avenue Commercial Area Secondary Plan Review-City Initiated Amendment.

The submission includes our comments and requests Notice of any Decision with respect to this matter.

Should you wish to discuss this matter in advance of the public meeting scheduled for January 17, 2017 please do not hesitate to contact me.

Regards

Robert A. Dragicevic, MCIP, RPP
Senior Principal



Walker, Nott, Dragicevic Associates Limited

90 Eglinton Avenue East, Suite 970,
Toronto, ON M4P 2Y3
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From: Shannon Sigouin
Sent: Friday, December 23, 2016 1:23 PM
To: Bob Dragicevic <bobd@wndplan.com>
Subject: RE: 16632

Hi Bob,

Attached is the final letter with attachments (and signature).

Regards,

Shannon Sigouin, MCIP, RPP
Senior Urban Designer



Walker Nott Dragicevic Associates Limited

90 Eglinton Avenue East, Suite 970
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From: Shannon Sigouin
Sent: Friday, December 23, 2016 9:28 AM
To: Bob Dragicevic <bobd@wndplan.com>
Subject: RE: 16632

Hi Bob,

Attached is the revised draft letter.

Regards,

Shannon Sigouin, MCIP, RPP
Senior Urban Designer



Walker Nott Dragicevic Associates Limited

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From: Bob Dragicevic
Sent: Friday, December 23, 2016 8:42 AM

To: Shannon Sigouin <ssigouin@wndplan.com>
Subject: 16632

I modified the letter –it is in the directory

Robert A. Dragicevic, MCIP, RPP
Senior Principal



Walker, Nott, Dragicevic Associates Limited

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23 December 2016

Community Planning, North York District
City of Toronto
5100 Yonge Street
Toronto ON

Attention: Allison Meistrich, Senior Planner

Dear Ms. Meistrich,

**RE: Sheppard Avenue Commercial Area Secondary Plan
Review-City Initiated Amendment
173-177 Sheppard Avenue West
Mr. Brian Goldfinger
City File Ref. No 11 298705 NNY 23 OZ
Our file 16632**

We are the planning consultant to the owner of 173-177 Sheppard Avenue West located west of Pewter Road and east of Fennell on the south side of Sheppard Avenue West.

Our client acquired these lands, currently occupied by two residential dwellings with a view to redevelop the lands for a small-scale office and residential use. As you know our client has attended at the public meeting related to the secondary plan review and we have met with city staff to review the potential redevelopment and the municipal approval requirements, to the point of having completed a formal pre-consultation and are in receipt of a checklist providing the requisite list of materials and studies to be filed with the application for rezoning.

Our client's property will be significantly impacted by the road widening requirement for Sheppard Avenue West with an identified reduction of the depth of the two lots by 7.94 metres (26 feet) which brings the available lot depth to 25.5 metres (83.6 feet). The widening requirement for Sheppard Avenue West will contribute to the ultimate width of this roadway to 36 metres as this roadway is identified as transit priority route with a 36 metre right of way established in the Official Plan. The widening requirement in the case of the lots on the south side of the roadway is nearly 3 times that occurring along the north side of the road as a result of the location of the centreline of the right-of-way.

As the city staff report points out, this creates serious challenges for redevelopment of properties fronting on the south side of the roadway due to the limited depth, the adjacency with lands designated Neighbourhood and the need to maintain and protect the right-of-way for future transit expectations.

On behalf of the owner, we have reviewed the planning staff report and recommended amendments to the Official Plan and offer the following comments which we believe represent a reasonable basis for the reconsideration of the proposed amendment presented to Community Council:

- 1) The proposed right-of-way requirement for Sheppard Avenue West is extraordinarily punitive to the redevelopment of properties fronting on the south side of the street, with the lot depth of our client's property reduced by more than 23%.
 - 2) Even with full assembly of lots between two public streets the remaining depth of the lots is inadequate to allow for a reasonable level of development commensurate with a transit priority route in the City of Toronto.
 - 3) As staff, have pointed out, this area is not subject to the mid-rise guidelines, yet these have been used as a benchmark for their review. We would agree that the mid-rise guidelines should not apply to the south side of Sheppard Avenue West if the city is to properly address the long term planned expectations for this transit priority corridor.
 - 4) Staff suggest that they have considered a modified 45-degree angular plane yet they staff have simply applied the shallow lot application from the mid-rise guidelines. This simply does not provide for the scale and massing of buildings expected along this type of transit priority corridor.
 - 5) The application of an angular plane from the "tool box" should be set aside with consideration to perhaps a different numerical angular plane or perhaps a different approach to the measurement of the angular plane (i.e. starting at a higher point before mandating the 45-degree plane. We have provided illustrations of options, prepared by our client's architect, to that effect all with a view to provide building base conditions of four storeys of either commercial or residential floor space, or in a mixed format. The remnant condition of these properties as a result of the taking for the roadway suggest that the "tool box" needs to be expanded.
 - 6) In addition to the suggestion in item 4 above, we would suggest that the use of the angular plane is to provide adequate separation between buildings and commonly to deal with light, view and privacy. Staff should give consideration to the fact that buildings can be designed and oriented not to create overlook into the Neighbourhood and not interfere adversely the privacy in abutting residential properties. Given the north to south orientation of the lots on the south side of Sheppard Avenue West main room windows and balconies on south facing conditions can be designed to mitigate overlook to residential properties. As significant consideration in the application of an angular plane is protection for sunlight. There would be no impact with a different approach to angular plan as the lots on the south side of Sheppard Avenue West would not cause any loss of sunlight to the adjacent residential properties to the south.
 - 7) Angular planes, as suggested in item 4, could be augmented with a maximum height of buildings.
 - 8) The resultant built form and massing on the south side of Sheppard Avenue West bears no relationship to the width of the right- of-way in either its existing width or the ultimate width. This has been a guiding principle in all city planning initiatives.
-

- 9) That the balance to the protection of the neighbourhoods be considered with a positive view to allow for the built form and massing that would support the planned transit expectations for the Sheppard Avenue West corridor (e.g. balcony orientation, non-main room window placement).
- 10) The staff report identifies the issue with the resultant shallow lots created by the right-of-way requirements but offered little in the form of positive constructive suggestions. Matters of loading and parking should be dealt with in order to establish a policy framework for zoning changes to allow for the practical implementation of the secondary plan for this corridor.
- 11) The importance of the public realm is highlighted, with little or no discussion of the interim condition on the south sides Sheppard Avenue West which could be a relatively long term condition.
- 12) Given the impact of the right-of-way requirement, staff considered extending the mixed-use designation into the neighbourhoods that there is no context for redesignation of the lands in the absence of a completed environmental assessment for transit or funding for such transit, yet, the same report concludes and accepts that the right-of-way for Sheppard Avenue West must be 36 metres in width and maintained for higher order transit. On this basis alone, it would appear that there is a context for such consideration.
- 13) The density assigned to the south side of Sheppard Avenue West, including our clients' property is set at 2.0 times the area of the lot. Consideration should be given to removal of a density limit in favour of height limits and angular planes and a policy basis to allow for development on the basis of good urban design and architectural considerations.
- 14) Staff indicate that given the level of development expected in the proposed Plan that they have chosen not to complete a community facilities study and will seek to have individual applicants prepare such studies. In our view, this is something best developed by the City in an overall and comprehensive review and should be completed by the city as part of this planning exercise.

The redevelopment proposal presented to staff for our client's site and which will form the basis of an application demonstrates that there are numerous challenges to the redevelopment of their property, but which can be managed with a modified angular plane, orientation of the building and the windows and openings, parking provided with a combination of surface and mechanical stacker, and reduced loading standards. The proposal in our view is both creative and practical, and advances the city building goals for this corridor.

In conclusion, we would suggest that this report be referred back to staff to specifically address the issue of future land use, height and massing of development along the south side of Sheppard Avenue West, including our client's property.

We would hereby request, on behalf of Mr. Goldfinger, that our firm be provided with notice of any future meetings where this matter will be considered by City Council or any Committee of Council.

Ms. Allison Meistrich
Senior Planner

23 December 2016
Page 4

By copy of this letter to the Clerk's office we are requesting that we receive notice of the Notice of Decision with respect to any proposed Official Plan Amendment adopted by City Council as a result of this staff report.

We trust that this submission will be given careful consideration and we would welcome a further dialogue with staff prior any action being taken by the City to adopt the staff recommendation as contained in the November 7, 2016 report.

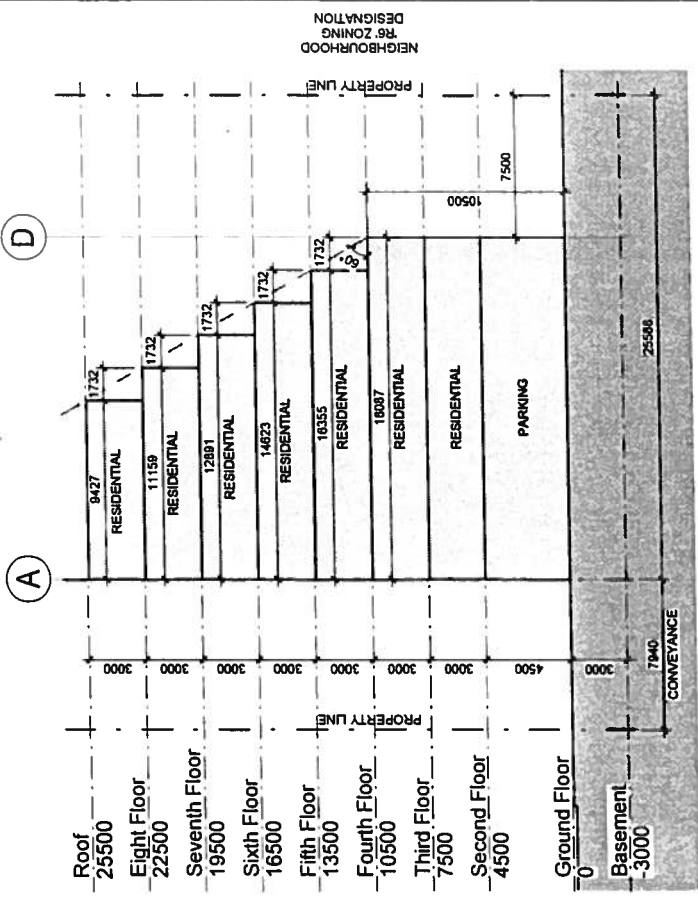
Yours very truly,

WND associates
planning + urban design

A handwritten signature in black ink, reading "Robert A. Dragicevic". The signature is written in a cursive style with a large, sweeping initial "R".

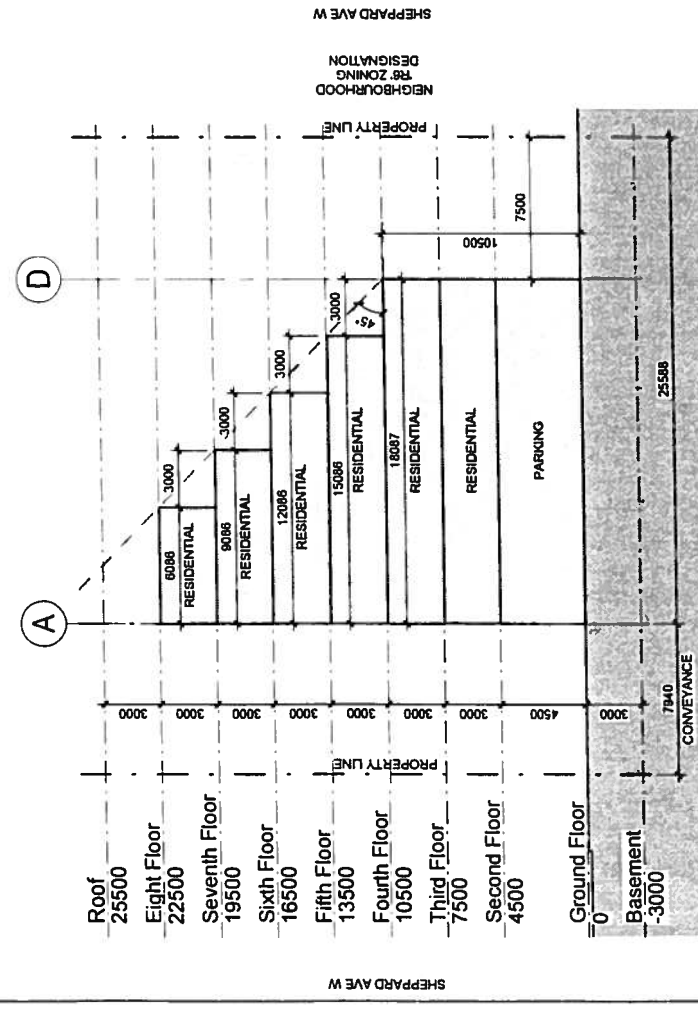
Robert A. Dragicevic, MCIP, RPP
Senior Principal

cc Mr. Ulli S. Watkiss, City Clerk
Ms. Francine Adamo, Administrator, North York Community Council
Mr. Brian Goldfinger



MASSING STUDY WITH 60 DEGREE ANGULAR PLANE

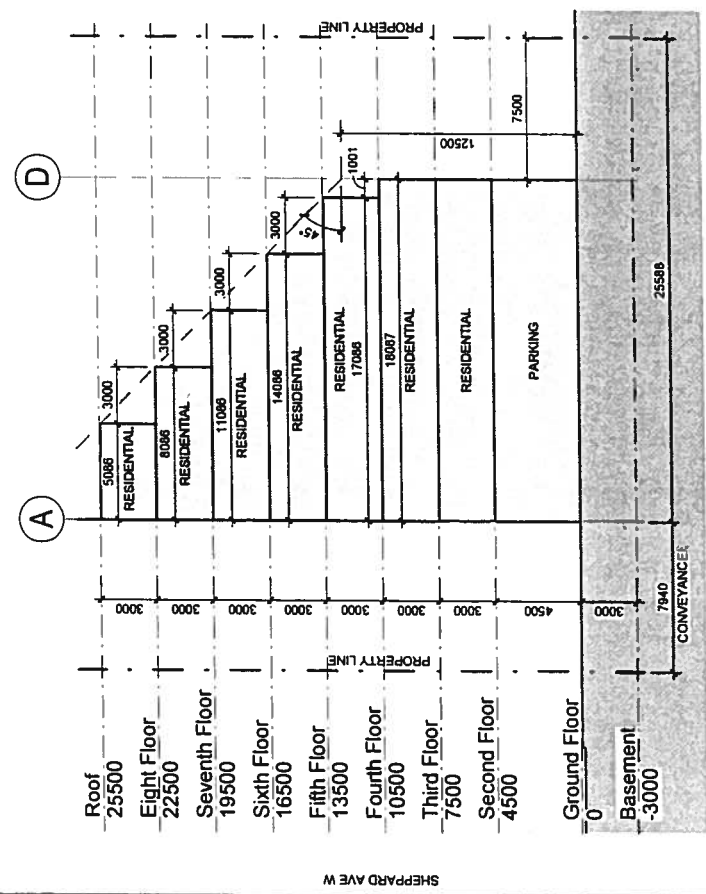
② Massing Study 1a
1 : 250



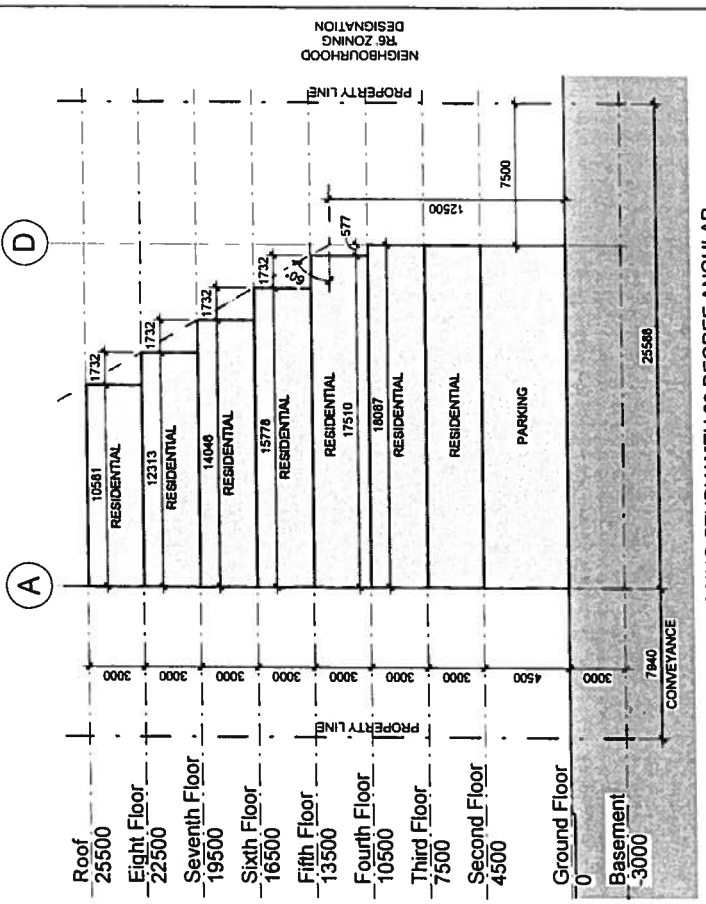
MASSING STUDY PER MID-RISE GUIDELINES WITH 45 DEGREE ANGULAR PLANE

① Massing Study 1
1 : 250

173 - 177 Sheppard Ave W superkül 2208 Dundas St. W. Toronto, ON M6R 1X3 P: 416.586.0700 F: 416.533.6960	The feasibility study is furnished merely for the purposes of determining plausible development options for the property that are greater than the 'as of right' per the zoning by-law(s). The feasibility study may require special municipal approvals such as Committee of Adjustment, Zoning Amendment, Official Plan Amendment, or other. The Architect does not have control over interpretations made by any Authority having Jurisdiction regarding statutes, regulations, laws and by-laws; therefore, the Architect cannot and does not warrant or represent that the feasibility study proposals will be accepted in whole or in part by authorities having jurisdiction during the planning application process.	Title Zoning Massing Study 1 & 1a Drawing No ASK-01 Project No 1617 Scale 1 : 250
	1 Dec 14, 2016 Issued to Planning Consultant No Date Issue/Revision	173 - 177 Sheppard Ave W superkül 2208 Dundas St. W. Toronto, ON M6R 1X3 P: 416.586.0700 F: 416.533.6960



1 Massing Study 2
1 : 250



2 Massing Study 2a
1 : 250

173 - 177 Sheppard Ave W



2208 Dundas St. W.
Toronto, ON M6R 1X3

P - 416.598.0700
P - 416.553.6868

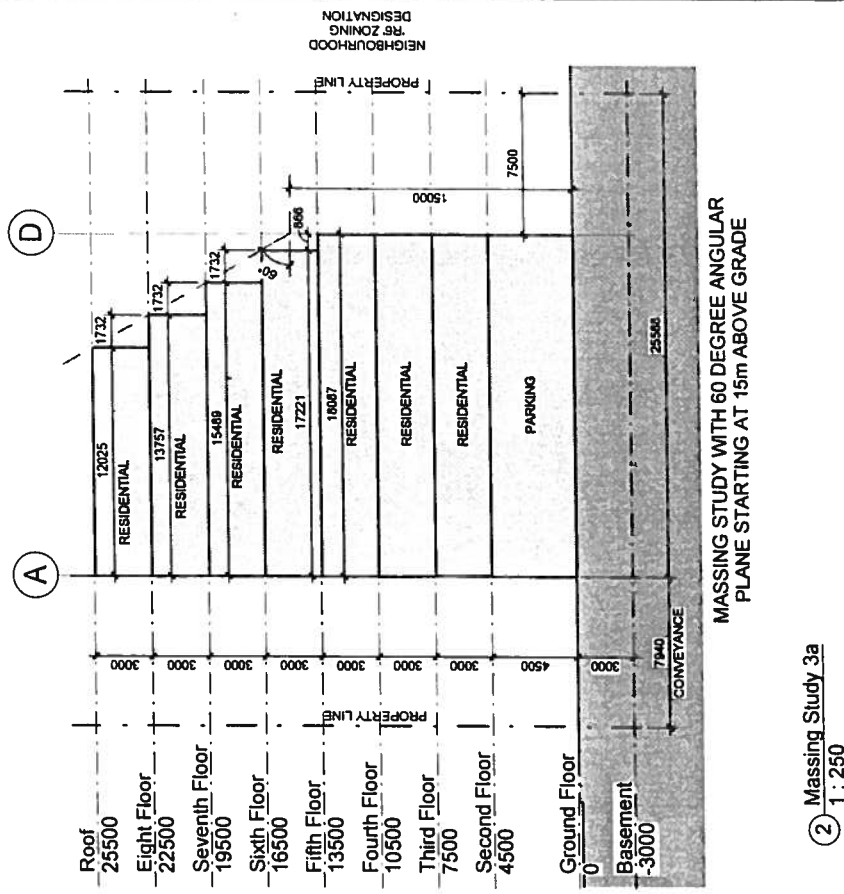
1 Dec 14, 2016 Issued to Planning Consultant
No Date Issued/Revision

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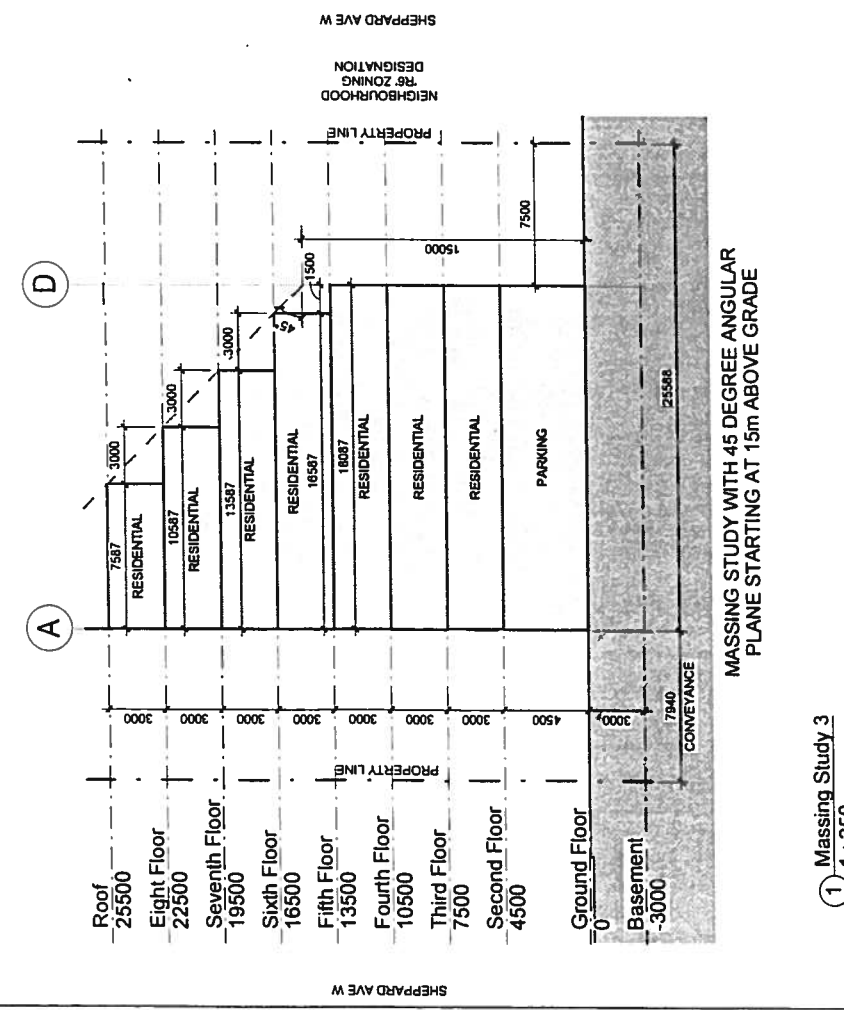
Title: Zoning Massing Study 2 & 2a

Project No: 1812
Scale: 1:250

Drawing No: ASK-02



① Massing Study 3a
1 : 250



② Massing Study 3a
1 : 250

173 - 177 Sheppard Ave W

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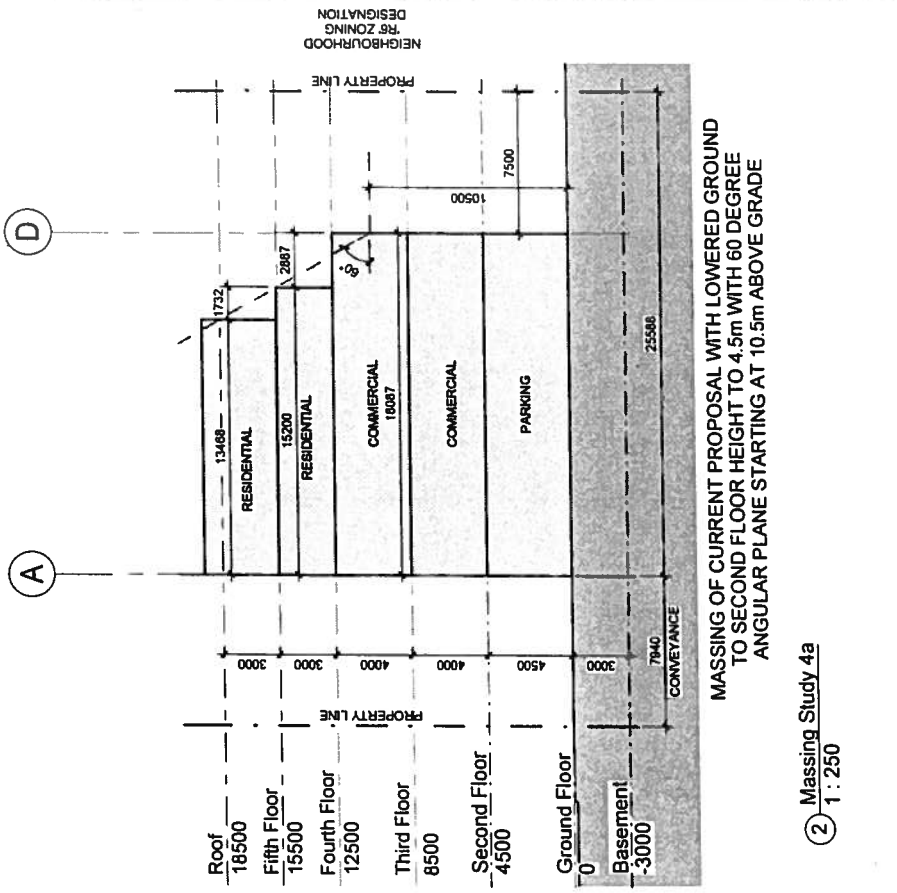
P 416.590.0700
F 416.533.6986

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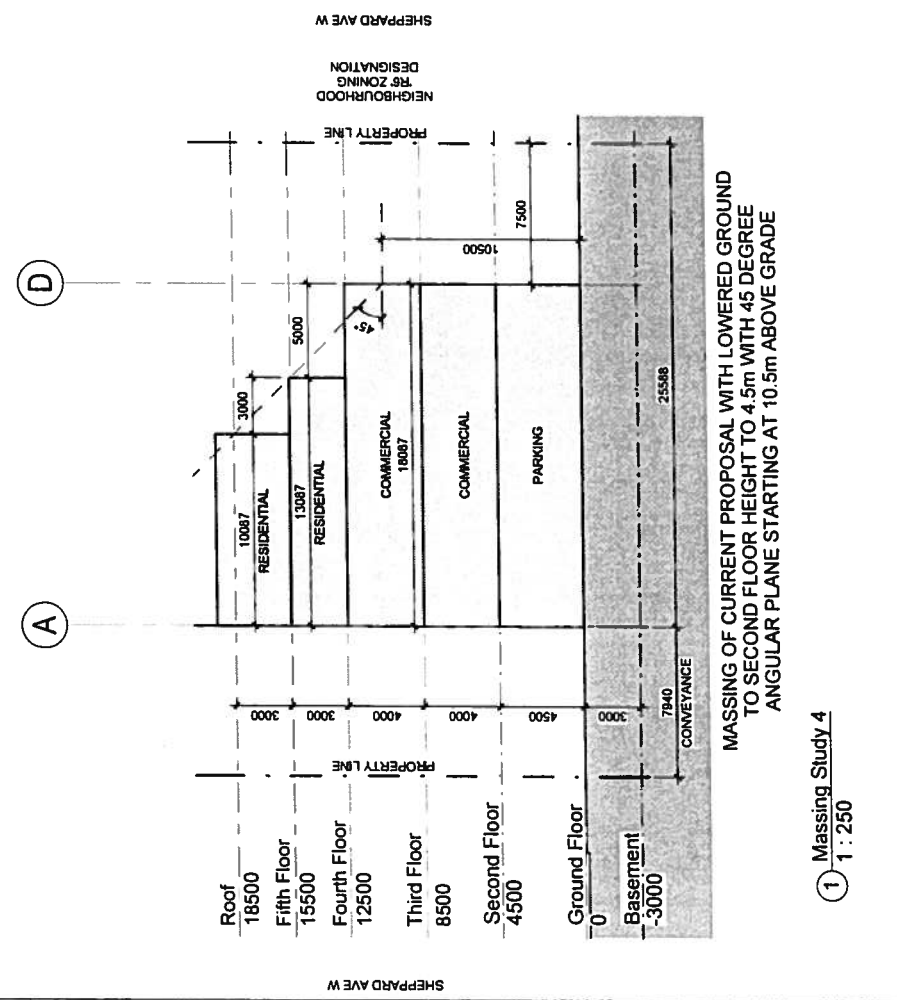
Title
Zoning Massing Study 3 & 3a

Project No 1612
Scale 1 : 250
Drawing No
ASK-03



MASSING OF CURRENT PROPOSAL WITH LOWERED GROUND TO SECOND FLOOR HEIGHT TO 4.5m WITH 45 DEGREE ANGULAR PLANE STARTING AT 10.5m ABOVE GRADE

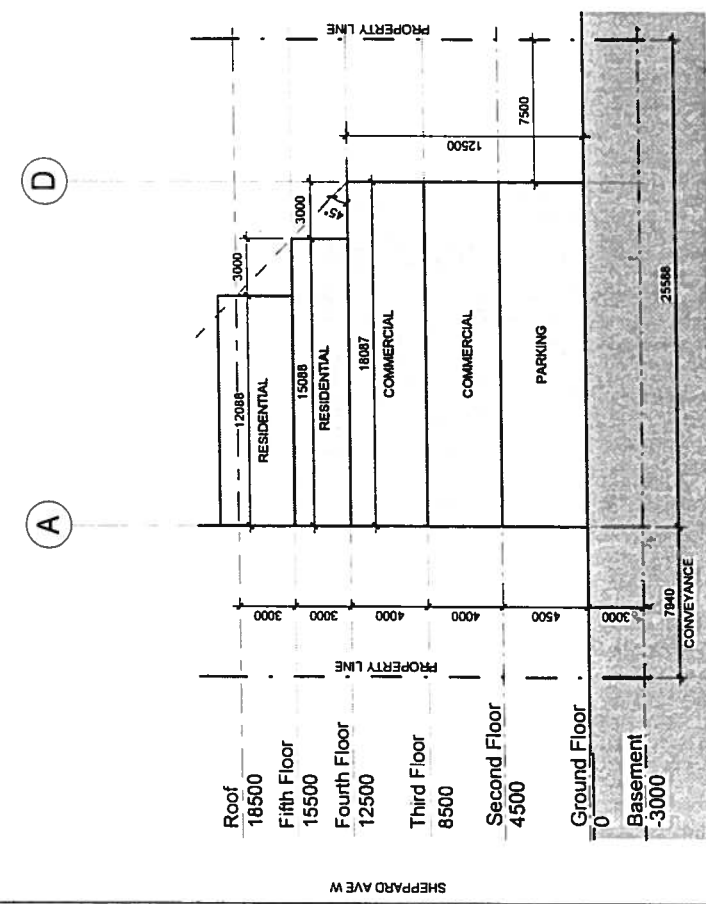
1 Massing Study 4
1 : 250



MASSING OF CURRENT PROPOSAL WITH LOWERED GROUND TO SECOND FLOOR HEIGHT TO 4.5m WITH 60 DEGREE ANGULAR PLANE STARTING AT 10.5m ABOVE GRADE

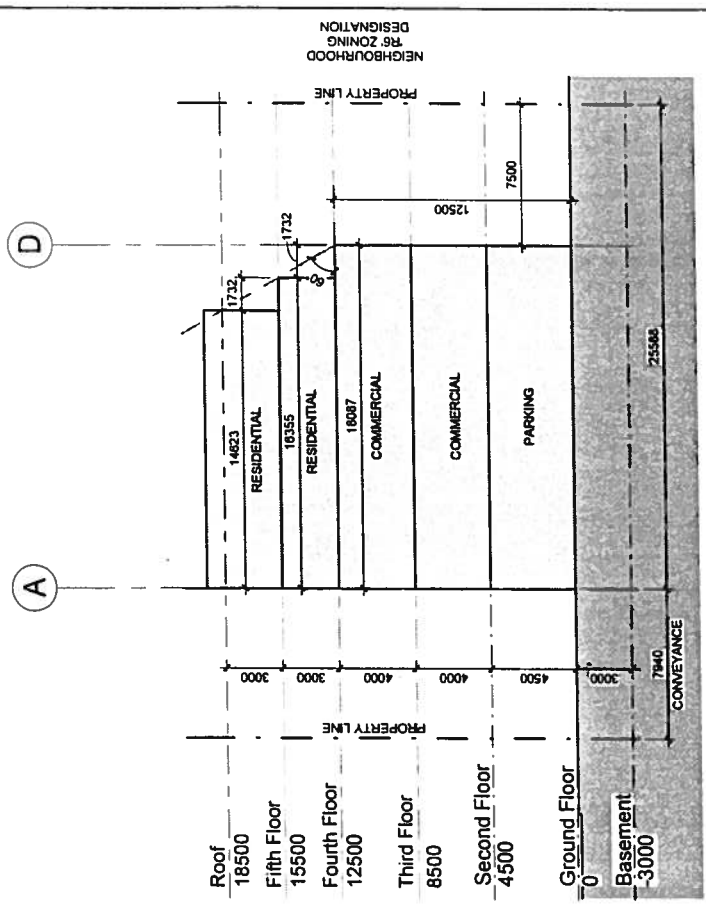
2 Massing Study 4a
1 : 250

<p>173 - 177 Sheppard Ave W</p>	<p>1 Dec 14, 2016 Issued to Planning Consultant</p>	<p>Title Zoning Massing Study 4 & 4a</p>
<p>superkül</p>	<p>No. Date Issue/Revision</p>	<p>Project No 1812 Scale 1 : 250 Drawing No ASK-04</p>
<p>2208 Dundas St. W. Toronto, ON M6R 1X3</p>	<p>1 Dec 14, 2016 Issued to Planning Consultant</p>	<p>The feasibility study is furnished merely for the purposes of determining plausible development options for the property that are greater in use of height per the zoning by-law(s). The feasibility study is not intended to seek municipal approvals such as Consent or other. The Architect does not have control over interpretations made by any Authority having jurisdiction regarding statutes, regulations, laws and by-laws; therefore, the Architect cannot and does not warrant or represent that the feasibility study proposals will be accepted in whole or in part by authorities having jurisdiction during the planning application process.</p>



MASSING OF CURRENT PROPOSAL WITH LOWERED GROUND TO SECOND FLOOR HEIGHT TO 4.5m WITH 45 DEGREE ANGULAR PLANE STARTING AT 12.5m ABOVE GRADE

1 Massing Study 5
1 : 250



MASSING OF CURRENT PROPOSAL WITH LOWERED GROUND TO SECOND FLOOR HEIGHT TO 4.5m WITH 60 DEGREE ANGULAR PLANE STARTING AT 12.5m ABOVE GRADE

2 Massing Study 5a
1 : 250

173 - 177 Sheppard Ave W



2208 Dundas St. W.
Toronto, ON M6R 1X3

P- 416.596.0700
P- 416.533.8986

1 Dec 14, 2016 Issued to Planning Consultant
No Date Issue/Revision

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Title Zoning Massing Study 5 & 5a

Project No 1612
Scale 1 : 250

Drawing No

ASK-05