

**From:** Brad Teichman <bteichman@overlandllp.ca>  
**Sent:** Monday, January 16, 2017 3:58 PM  
**To:** North York Community Council  
**Subject:** RE: Sheppard Ave. Commercial Area Secondary Plan Review - Application No. 11 298705  
NNY 23 OZ  
**Attachments:** Sheppard West SP Planning Review.pdf

Dear Ms. Maya,

Thank you for your email below.

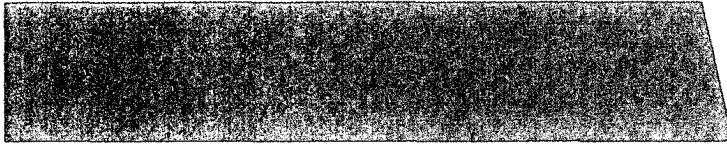
As mentioned, I am the lawyer for the Sheppard West Lansing Area Rate Payers Association.

I attach a submission prepared by my client's planning consultant, Mr. Andrew Ferancik of Walker, Nott, Dragicevic Associates Limited, which concerns the Sheppard Avenue Commercial Secondary Plan review.

Would you kindly ensure that this submission is included in the councillors' agenda package for the NY Community Council meeting tomorrow morning.

Thank you,

Brad Teichman  
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January 16, 2017

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  
Sheppard West Lansing Area Rate Payers Association  
Our file 17.504**

We are the planning consultant to the Sheppard West Lansing Area Rate Payers Association (“the Association”). The Association represents well over 30 properties along Sheppard Avenue West within the Sheppard Avenue Commercial Area Secondary Plan (the “Secondary Plan”) area which is currently the subject of a City-initiated review and proposed Official Plan Amendment.

The purpose of this letter is to provide our comments and outline our concerns with respect to the proposed revisions to the Secondary Plan as proposed in draft Official Plan Amendment No. 367, as contained in the Supplementary Report dated January 6, 2017, and to ask that Community Council defer the recommendations in the Supplementary Report to allow for additional consultation with the Association that would carefully consider the comments made in this letter.

### **The Secondary Plan Area**

The Secondary Plan area is a unique pocket of the City of Toronto with tremendous potential for growth and revitalization that can capitalize on its locational and policy-related attributes. Those attributes include the following:

- direct adjacency to the western edge of North York Centre, which has evolved into a major mixed use node and has effectively become a “downtown” for the northern portion of the City of Toronto, and is the only Provincially designated growth centre within the City that is north of Highway 401;
- close proximity to the Sheppard-Yonge Station which is one of only three subway interchange stations in the City of Toronto, providing access to Line 1 (Yonge), and Line 4 (Sheppard), and which is a Provincially-designated Anchor Mobility Hub;

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- frequent bus service along a Transit Priority Corridor with direct links to two subway stations (Sheppard-Yonge and Sheppard West [note: this station is currently known as Downsview Station]). This corridor also has the potential for a future extension of the Sheppard Subway to link Sheppard-Yonge and Sheppard West stations;
- close proximity and good connectivity to Highway 401 via Sheppard Avenue and Bogert/Poyntz Avenue;
- an “Avenues” designation in the Official Plan, which is one of the few areas where the City’s Official Plan directs major growth;
- proximity to significant clusters of tall buildings which “bookend” the Secondary Plan Area to the east in North York Centre as well as to the west on a large site approved for up to 19 storeys in 2000, and for which a development application has been recently submitted to permit additional height and density up to 27 storeys in multiple towers;
- An urban block structure with parallel streets north and south of Sheppard Avenue (Bogert and Harlandale Avenue) which have the potential to provide a complementary secondary transportation function to Sheppard Avenue.

Given these attributes, the currently in force Secondary Plan policies, which provide for very limited and low scale forms of development, are in our opinion significantly out of date and have been ineffective in achieving a built form and streetscape environment that complements the area’s context within the City’s urban structure. Accordingly, it is appropriate that the City is undertaking a review of the Secondary Plan. That being said, having reviewed the proposed Secondary Plan, it is our opinion that it contains some significant shortcomings that will continue to preclude appropriate forms of redevelopment and will continue to stifle the area’s potential.

To that end we offer the following comments which we believe represent a reasonable basis for the reconsideration of the proposed amendment presented to Community Council:

### **Vision**

Section 1.1, entitled “Vision” omits any reference to or recognition of the area’s adjacency to North York Centre or proximity to Sheppard-Yonge Station. There also is reference to the need for transition to the Neighbourhood designation, but no recognition of the need or desirability of providing any transition to other areas of different development intensity such as the much greater scale of North York Centre.

*In our opinion, these are significant omissions that do not set out an appropriate policy or physical context from which to establish the “vision” for this very unique and well connected area. We recommend that this section of the Secondary Plan be reworded to include references to this special context.*

### **Secondary Plan Boundaries**

The proposed right-of-way requirement for Sheppard Avenue West will result in significant reductions in depth of properties. For example, on the south side of Sheppard Avenue, the lots are generally 33.5

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metres deep (110 feet), and would be reduced to approximately 26 metres (85 feet) upon development. The remaining land will result in very shallow development sites that will be significantly challenged - if not outright precluded - from being able to accommodate underground parking garages with ramps, loading and garbage storage, and other important functional elements of development. These shallow properties will also be significantly challenged in achieving a viable built form if the 45-degree angular plane policies are imposed – in effect future development will ‘squeezed’ from both the front and the rear.

*It is our opinion that the Secondary Plan area should be expanded to include as “Enhancement Areas” the properties on the north side of Bogert Avenue, and the south side of Harlandale Avenue to permit consolidation with lots fronting onto Sheppard Avenue, which would allow for the development of more functional below grade garages and circulation areas.*

*It is also our opinion that these additional lands could be subject to special policies that would ensure that development provides for an appropriate transition and interface with the stable Neighbourhoods to the north and south, which could include considerations such as limiting development to residential uses that address the street (Bogert and Harlandale Avenue); limiting height to three storeys and/or a height within a 45 degree angular plane from the opposing residential property lines; providing for appropriate front yard setbacks; and precluding vehicular accesses.*

*In our opinion, modestly expanding the Secondary Plan area in this manner is logical and appropriate and would represent good planning for this Avenue for the following reasons:*

- *Allowing the immediately adjacent residential lots to be consolidated as development proceeds will facilitate appropriate and comprehensive development in the context of the area’s adjacency to North York Centre and Sheppard-Yonge Station, while still providing the assurance of stability for the balance of the Neighbourhood designation by way of a “hard line” along Bogert and Harlandale Avenues, and transitional building types such as townhouses along the north and south edges of the expanded Secondary Plan area. The effect would result in a less stark relationship between mixed use development and low density single detached neighbourhoods;*
  - *The Official Plan’s Mixed Use Areas policies provide for transition between areas of different development intensity and scale (Section 4.5.2c). This applies to the interface between Neighbourhoods and Intensification Areas, but it also applies between different types of Intensification Areas. In our opinion the interface between the monumental scale of development immediately abutting the Secondary Plan Area in North York Centre (comprising buildings such as the Nestle Tower and Emerald Park development) should be more gradual and allow for taller-than-mid-rise height at the east end of the area, with mid rise scale development throughout the corridor generally, and the potential for additional greater height at the west end of the corridor where it abuts the approved development at 325 Bogert Avenue. We note that other Avenue corridors, such as St. Clair West, have taken this more gradual transition approach from subway nodes;*
  - *The currently proposed policies will result in 5 and 6 storey buildings backing onto low rise residential dwellings, many of which are also lower in elevation than Sheppard Avenue, which will exacerbate their height. While this interface would be acceptable along an Avenue, in our opinion,*
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*there is a significant opportunity through this review to create a better interface given that Bogert and Harlandale Avenues run parallel to Sheppard Avenue and could become strong linear interfaces lined with attractive street fronting residential dwellings such as townhouses and potentially other low scale multiple dwelling types.*

- *Expanding the Secondary Plan area will facilitate the widening of Sheppard Avenue while preserving the possibility of developing the remaining properties, thereby creating the impetus and rationale for developing a more attractive streetscape environment that will be used by pedestrians;*

### **Maximum Height and Density**

The proposed policies include 'hard' height and density caps between 3- 6 storeys and 2.0 - 3.0 FSI (with the minor exception of Area 'C' which is granted some additional policy consideration above 6 storeys and 3.0 FSI). One of the foundational principles of the City's approach to development of the 'Avenues' over the past decade or more has been the achievement of a 1:1 relationship between building height and street width to create a proportionate urban design relationship between the pedestrian realm and built form.

Given the planned 36 metre right of way width, the 1:1 approach would facilitate buildings up to approximately 12 storeys. The proposed permissions are therefore only half, or less, than what the City's framework would facilitate on comparably wide streets, the vast majority of which would not have the locational attributes of the Secondary Plan area, as described above. Allowing for at least a height that would be permitted in these less well-served areas would in our opinion be highly appropriate given the context of this area and would not introduce a new height paradigm for the corridor that does not already exist elsewhere in the City.

Moreover, with the proposed density caps, another element of the Official Plan's foundational principles – that of no fixed density limits, in favour of qualitative assessment based on urban design review and site-specific circumstances – is proposed to be eliminated. This will further frustrate the ability of achieving appropriate height and density in the Secondary Plan area.

*It is our opinion that numeric height and density caps be eliminated in conjunction with the incorporation of a revised 45-degree angular plane requirement that would be measured from the residential property lines on the north side of Harlandale Avenue and the south side of Bogert Avenue, as noted above in this letter.*

### **Complete Streets**

Section 6.1 entitled "Streets and Connectivity" contains proposed policies that would preclude any consideration of expanding the drive lanes on Sheppard Avenue in favour of wider sidewalks. While this approach would be appropriate for a dense, pedestrian oriented street (such as Yonge Street through the Centre, where such a streetscaping project is currently under consideration) the creation of a wide pedestrian "promenade" must be balanced by allowing appropriate density and height to support the animation of the street especially given that the surrounding neighbourhoods are relatively low density. In the absence of creating a Secondary Plan framework that facilitates this type of height and density (i.e.

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through expanding the Secondary Plan area to include lands to the north and south as described above) it is our opinion that it would be inappropriate to include very prescriptive policies that limit consideration of alternate street designs, including a potentially narrower, more proportionate pedestrian environment that could better relate to a lower scale urban street as contemplated by the proposed policies.

*In our opinion, Section 6.1 should be revised to include the possibility of alternate streetscape designs and potentially more travel lanes or turning lanes, unless the Secondary Plan is modified to facilitate the scale of development as proposed in this letter, in which case the policies could remain to support the greater pedestrian focus anticipated as a result of the introduction of more appropriate levels of density and height. In the absence of allowing this greater height and density, it is our opinion that the proposed expanded streetscape environment will likely be greatly underutilized and consequently lead to a relatively sterile and unengaging environment for pedestrians.*

### **Petition**

In addition to retaining our firm to review the Secondary Plan, the Association undertook an extensive outreach campaign in the surrounding area which resulted in a petition signed by over 800 households, which has been provided to Community Council under separate cover. The petition includes similar concerns with respect to elements of the proposed Secondary Plan. *It is our opinion that this petition should be taken into consideration in conjunction with the comments made in this letter.*

The Association's members are committed to helping the Sheppard Lansing corridor achieve its maximum potential as an attractive and dynamic part of the broader North York Centre area. That being said, as owners of the lands that will be affected by these amendments, the Association is very concerned that the current direction that the review is taking risks missing an opportunity that would allow the area to achieve this potential. *Accordingly, we ask that this submission be given careful consideration and that the Supplementary Report be deferred to allow appropriate discussions to take place that would give serious consideration to the recommendations made in this submission.*

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.

Yours very truly,

**WND associates**  
planning + urban design



Andrew Ferancik, MCIP, RPP  
Principal

cc Ulli S. Watkiss, City Clerk  
Francine Adamo, Administrator, North York Community Council

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