

Public Appendix 1

City Planning Comments

ISSUE BACKGROUND

Proposal

This application proposes 131, 5-storey (15.7-metres, plus 2.8-metre mechanical penthouses) stacked, back-to-back townhouses with roof decks, arranged in 7 blocks perpendicular to Sheppard Avenue West. The two westerly blocks (Blocks F and G) would be connected at the rear by eight 3-storey (8.6-metres, plus 3.1-metre mechanical penthouses) townhouses, situated parallel to the rear lot line. Blocks C, D and E would be connected at the rear by thirteen 3-storey (8.6-metres, plus 3.1-metre mechanical penthouses) townhouses, situated parallel to the rear lot line. The 62-square metre indoor amenity space is also contained within this row, on the ground floor. The two easterly blocks (Blocks A and B) would be connected at the rear by nine 3-storey (8.6-metres, plus 3.1-metre mechanical penthouses) townhouses with roof decks, situated parallel to the rear lot line (see Attachment 5, as modified by the sketch attached to the Settlement Offer dated July 12, 2018). The 3-storey townhouses at the rear of the lot are proposed to be contained beneath a 45-degree angular plane, drawn from the rear lot line. A landscape strip is proposed along the rear lot line with a minimum depth of 1.5 metres.

The configuration of the blocks creates internal courtyards that provide access to unit entrances, with dwelling units facing three sides of the courtyard. Dwelling entrances are proposed along Sheppard Avenue West for live/work units. The minimum facing distance between the perpendicular blocks is proposed to be a minimum of 12.0 metres, with projections of porches and stoops. Two outdoor common amenity spaces would total 134 square metres both north and south of, and adjacent to, the indoor amenity space. Upper units typically have private balconies and roof decks and lower units typically have shared porches. The southerly units have rear patios at grade.

A total gross floor area (GFA) of 16,602 square metres is proposed, which results in a density of 1.79 times the area of the lot. Of the 161 dwelling units proposed, 4 would be 1-bedroom units, 128 would be 2-bedroom units and 29 would be 3-bedroom units. Of these units, there would be three 1-bedroom units and four 2-bedroom units to replace 7 previous rental units on site. The fourteen units at grade facing Sheppard Avenue West would be live/work units. See Attachment 6 for elevations.

Blocks A to G would be set back 0 to 0.3 metres from Sheppard Avenue West, after a 2.76-metre wide road widening is conveyed to the City. Block G would be set back 4.1 metres from the westerly side lot line, after a 0.72-metre wide strip of land is conveyed to the City to widen an existing right-of-way that runs from Sheppard Avenue West to Norcross Road (partly a pedestrian walkway and partly a driveway).

Block A would be set back 5.5 metres from the easterly side lot line. The 3-storey rear townhouses would be set back 9.5 metres from the rear (southerly) lot line. However, a garbage pick-up pad, a Type G loading space and a covered parking ramp are proposed to be located within this 9.5-metre setback. There are 13 short term bicycle parking spaces proposed at grade, along the Sheppard Avenue West frontage.

Vehicular access is proposed by a common driveway from Sheppard Avenue West, between Blocks E and F. The driveway would provide access to 3 surface pick-up/drop-off parking spaces, a Type G loading space with a garbage pickup pad and a ramp to an underground parking garage. Garbage chutes would be located between blocks E and F. The underground parking garage would contain 26 visitor parking spaces, 156 resident parking spaces and 119 long term bicycle parking spaces.

A rental housing demolition and conversion application identifies a total of 12 existing (vacant) single detached dwelling units, including 16 existing (vacant) rental units. It proposes 7 replacement rental units, comprised of three 1-bedroom units and four 2-bedroom units, as per the previous approval Council approval in October, 2012. Refer to Attachment No. 1 – Application Data Sheet.

Settlement Offer Revisions

Staff are generally supportive of the design and built form as outlined above. Revisions have been incorporated to the proposal to address outstanding planning and site organization issues. The applicant was requested to ensure that all unit entrances were accessible and visible from the public realm. The applicant was also requested to provide a break in the massing of the rear townhouse units, to enhance site circulation and accessibility, particularly to the indoor amenity space.

Pursuant to the Settlement Offer, the applicant has agreed to further revise the architectural plans in order to eliminate common corridors from the rear townhouse units, giving all of these units direct access from the mews. The plans will also be revised to eliminate one of the rear townhouse units between Blocks B and C (reducing the total number of units from 162 to 161) in order to provide an additional pedestrian connection to the rear of the site. These revisions are generally illustrated on the sketch dated July 12, 2018, attached to the Settlement Offer.

Site and Surrounding Area

The site has a 195.4-metre frontage on Sheppard Avenue West, a depth of 47.2 metres and an area of 0.93 hectares. The site is an assembly of 14 properties that encompass the majority of the block between Faywood Boulevard and Wilson Heights Boulevard (see Attachment 2). The majority of the assembled properties contain 12 vacant, single detached homes, while 871 and 873 Sheppard Avenue West contain a 1-storey building that was occupied by two restaurant uses. The previous (2009) application identified a total of 16 existing dwelling units, of which seven are rental dwelling units, within 12 existing single detached dwellings. There are existing trees across the entire site. Land uses surrounding the site are as follows:

North: A two-storey mixed use plaza with residential units above grade-related retail at the northwest corner of Wilmington Avenue and Sheppard Avenue West and a place of worship and a mix of mid-rise residential apartment buildings ranging from 6 to 8 storeys in height, further west.

East: Two 1-storey single detached dwellings (843 and 845 Sheppard Avenue West) and Faywood Boulevard.

South: 1 to 2-storey single detached dwellings on Norcross Road.

West: An existing public laneway / driveway abuts the site. West of the laneway is a two storey building with retail uses at grade and residential apartment uses on the second storey, and two mixed use buildings (3 and 5 storeys) beyond at the intersection of Sheppard Avenue West and Wilson Heights Boulevard.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan and the Sheppard West/Dublin Secondary Plan as follows:

Map 2 of the Toronto Official Plan identifies this portion of Sheppard Avenue West as *Avenues*. *Avenues* are corridors along major streets intended for incremental re-urbanization to create new residential, commercial and retail opportunities while improving the overall pedestrian environment, the appearance of the street and accessibility to transit for community residents. Map 4 of the Plan identifies Sheppard Avenue West as a possible higher-order transit corridor expansion opportunity and Map 5 identifies Sheppard Avenue West as a Transit Priority Segment demonstrating the intention of maintaining and improving transit service along this corridor over both the short and long-term. A 2.76-metre wide road widening is required to achieve the ultimate right-of-way width of 36 metres.

Section 3.1.2 (Built Form) of 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. New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, have a consistent front yard setback, acknowledge the prominence of corner sites, locate 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. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings, 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.

In addition to the policies identified above, new development will also be massed to define the edge of streets, parks and open spaces to ensure adequate access to sky views for the proposed and future uses. New development will provide public amenity, and enhance the public realm through improvements to adjacent boulevards and sidewalks through tree plantings.

Section 3.2.1 states existing stock of housing will be maintained and replenished. New development that would have the effect of removing all or a part of a private building or related group of buildings, and would result in the loss of six or more rental housing units will not be approved without providing appropriate replacement rental units.

Policy 3.2.1.6 states that new development that would result in the loss of six or more rental housing units will not be approved unless all of rental housing units have rents that exceed mid-range rents at the time of application, or in cases where planning approvals other than site plan are sought, the following secured:

- At least the same number, size and type of rental housing units are replaced and maintained with similar rents to those in effect at the time the redevelopment application was made;
- For a period of at least 10 years, rents for replacement units will be the rent at first occupancy, increased annually by not more than the Provincial Rent Increase Guideline or a similar guideline as Council may approve from time to time; and
- An acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement rental units at similar rent, the provision of alternative accommodation at similar rents and other assistance to lessen the hardship of relocation.

The Toronto Official Plan designates the site *Mixed Use Areas* (see Attachment 3) which allows for a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. New buildings in *Mixed Use Areas* are to be located and massed to provide a transition between different development intensity and scales, particularly towards lower scale *Neighbourhoods*. Development is to frame streets and provide an attractive, comfortable and safe pedestrian environment to take advantage of nearby transit services.

Section 5.1.1 of the Toronto Official Plan states zoning by-laws, pursuant to Section 37 of the *Planning Act*, may be enacted to permit more height and/or density for a use than is otherwise permitted by the Zoning By-law for that use in return for the provision of community benefits in the form of capital facilities to be set out in the Zoning By-law together with the related increase in height and/or density.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Sheppard West/Dublin Secondary Plan

The site also falls within the Sheppard West/Dublin Secondary Plan area. The objectives of this Secondary Plan are very similar to those of the Avenues in structuring growth along this transit corridor. The site straddles two *Mixed Use Areas* designations within the Sheppard West/Dublin Secondary Plan, with 869 – 873 Sheppard Avenue West designated *Mixed Use Area 'A'* and 847 – 867 Sheppard Avenue West designated *Mixed Use Area 'B'*.

Lands designated *Mixed Use Area 'A'* are intended to be the primary commercial areas of the Secondary Plan; centered around major intersections along the Sheppard Avenue West corridor (Bathurst Street, Wilson Heights Boulevard and Allen Road). The maximum permitted density provided for in *Mixed Use Area 'A'* is 2.0 times the area of the lot provided the maximum commercial density does not exceed 1.0 times the area of the lot. There is no maximum number of storeys in *Mixed Use Area 'A'*. However, the height of any building or portion thereof will not exceed the horizontal distance separating the building or portion thereof from lands designated *Neighbourhoods*.

In *Mixed Use Area 'B'*, the preferred form of development contains ground floor commercial uses with upper floor residential uses. This designation provides greater densities for development parcels that provide a mix of commercial and residential uses and which have a frontage on Sheppard Avenue West of greater than 30 metres. The site has a frontage of 195.4 metres and a mix of uses are being proposed, therefore the maximum density allowed is 2.0 times the lot area. The maximum height allowed by *Mixed Use Area 'B'* is 5 storeys. Furthermore, in both *Mixed Use Area 'A'* and *Mixed Use Area 'B'*, the height of any building or portion thereof, must not exceed the horizontal distance separating that building, or portion thereof from any lands designated *Neighbourhoods*. All buildings are to have a minimum rear yard setback of 9.5m from lands designated *Neighbourhoods*.

The Sheppard West/Dublin Secondary Plan can be found here:

<https://www.toronto.ca/wp-content/uploads/2017/11/97a8-cp-official-plan-SP-23-SheppardWestDublin.pdf>

Zoning

Under former City of North York Zoning By-law 7625, the majority of the properties comprising the development site are zoned One-Family Detached Dwelling Fourth Density Zone (R4). The western most parcels (871 – 873 Sheppard Avenue West) are zoned General Commercial Zone (C1), as indicated in Attachment 4a. The R4 zoning permits single detached dwellings and accessory buildings as well as various recreational and institutional uses. The C1 zone permits a wide array of uses including restaurants, retail stores, banks, business and professional offices as well as residential uses (apartment house dwellings and multiple attached dwellings).

Under City of Toronto Zoning By-law 569-2013, the majority of the properties comprising the development site are zoned Residential Detached Zone (RD (f15.0);

a550) (x5)). The western most parcels (871 – 873 Sheppard Avenue West) are excluded from this Zoning By-law, as indicated in Attachment 4b.

Design Guidelines

The City of Toronto Urban Design Guidelines for Infill Townhouses articulate and clarify the City's interest in addressing townhouse development impacts, with a focus on protecting streetscapes and adjacent properties and integrating new development into existing neighbourhoods. The Guidelines provide a framework for site design and built form to achieve liveable spaces with an appropriate scale and form of development by detailing how new development should be organized to fit within the existing context and minimize local impacts. The Guidelines also speak to the important role of streetscapes in improving the quality and safety of the public street experience for pedestrians, cyclists and motorists. They can be viewed at:

<https://web.toronto.ca/city-government/planning-development/official-plan-guidelines/designguidelines/infill-townhouses/>

Townhouse and Low-rise Apartment Guidelines

A comprehensive update of the Townhouse Guidelines is underway. Updated Townhouse and Low-Rise Apartment Guidelines further clarify and expand upon the City Council approved 2006 Guidelines to reflect a broader range of multi-dwelling development up to four storeys in height. The latest draft of the Townhouse and Low-Rise Apartment Guidelines is here:

<https://www.toronto.ca/wp-content/uploads/2018/01/964c-townhouse-low-rise-guidelines-02-2017.pdf>

Prior to presenting a finalized version of these Guidelines for Council adoption, staff are refining and consulting upon the draft Guidelines, in part through their use during the review of Development Applications.

Site Plan Control

A Site Plan Control application was submitted on September 25, 2017. It is under review. The Site Plan Control application is also under appeal.

Rental Housing Demolition and Conversion By-law

Section 111 of the *City of Toronto Act, 2006* authorizes Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law, implements Section 111. The By-law prohibits the demolition or conversion of rental housing units in buildings containing six or more residential units, of which at least one unit is rental, without obtaining a permit from the City and requires a decision by either City Council or the Chief Planner.

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Council may refuse an application, or approve the demolition with conditions that must be satisfied before a demolition permit is issued. These conditions implement the City's Official Plan policies protecting rental housing. Council approval of demolition under Section 33 of the *Planning Act* may also be required where six or more residential units are proposed for demolition before the Chief Building Official can issue a permit for demolition under the *Building Code Act*.

Where an application for rezoning triggers an application under Chapter 667 for rental demolition or conversion, City Council typically considers both applications at the same time. Unlike Planning Act applications, decisions made by City Council under By-law 885-2007 are not appealable to the LPAT.

On January 23, 2017, the applicant made an application for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code. All of the affected dwelling units have been vacant for several years, as such a tenant meeting was not required.

Reasons for Application

An application to amend the Official Plan was submitted as the applicant is proposing 3 to 5-storey townhouses (plus roof decks) with a density 1.79 times the area of the lot which exceeds the density provisions of the *Mixed Use Area 'B'* designation within the Sheppard West/ Dublin Secondary Plan, which applies to 847 – 867 Sheppard Avenue West. The Secondary Plan permits a density of 1.75 times the area of the lot for a residential development with over 30 metres of frontage and a maximum height of 5 storeys. However, the recent addition of commercial uses (live/work units) would afford a higher density of 2.0 times the area of the lot within the *Mixed Use Area 'B'* designation. Given this revision, an Official Plan Amendment may no longer be required.

The properties at 869, 871 and 873 Sheppard Avenue West are designated *Mixed Use Area 'A'*, which permits a density of 2.0 times the area of the lot.

An amendment to the Zoning By-law is required to permit the townhouse use and to establish appropriate performance standards to facilitate the proposal.

A rental housing demolition and conversion application was also submitted (file no. 17 107822 NNY 10 RH) to examine the need to replace units that were previously rented and to secure conditions for the construction of replacement rental housing units.

Community Consultation

A community consultation meeting was held on June 8, 2017 to present the proposal to the community and receive their feedback. Approximately 32 members of the public attended the meeting in addition to City staff, the applicant and the local ward councillor. At the meeting, residents had the following comments and concerns:

- Traffic and parking;
- School capacity;
- Vandalism and trespassing on site;
- Location of garbage storage and pick-up area;
- Questions on building setbacks;
- Questions on the size of units;
- Height; and
- The number of rental replacement units.

Additional concerns raised through correspondence include:

- The proposal should remain a midrise building, rather than low density townhouses to fit in with the emerging character of Sheppard Avenue West; and
- A midrise building will have more residents and provide more of an increase to the tax base.

COMMENTS

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 Policy 5.1 of the Growth Plan as described in the Issue Background section of the 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 to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This policy for healthy, livable and safe communities is achieved, amongst other means, 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 support the use of public transit.

In planning to achieve the minimum intensification and density targets in the PPS and Growth Plan, municipalities are directed by Policy 4.7 of the PPS which states that official plans shall identify provincial interests and set out appropriate land use designations and policies to direct development in suitable places. This is echoed in Policy 5.2.5.6 of the Growth Plan which states that municipalities are to develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high quality public realm and compact built form. The City has implemented this requirement through the adoption of a number of Official Plan policies and design guidelines including *Healthy Neighbourhoods, Built*

Form and Neighbourhoods policies and the City of Toronto Development Infrastructure and Policy Standards.

The Growth Plan (2017) also contains policies related to setting minimum intensification targets throughout delineated built-up areas (Section 2.2.2.4). The proposed development conforms with Section 2.2.2.4.b) of the Growth Plan as it represents an appropriate scale of development for the surrounding area and appropriately transitions to adjacent properties. Further, the proposed development conforms with Section 5.2.4.5.b) requiring the type and scale of development to be contextually appropriate.

The application is consistent with the Official Plan's policies for *Neighbourhoods* as well as policies within the *Healthy Neighbourhoods* and *Built Form* sections of the plan. The proposal is consistent with the PPS (2014) and conforms (and does not conflict) with the Growth Plan for the Greater Golden Horseshoe (2017).

Land Use

This application has been reviewed against the Official Plan policies and Secondary Plan policies described in the Issue Background Section of this Appendix 1 as well as the policies of the Toronto Official Plan as a whole.

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 site is also designated *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. This designation is further refined by the Sheppard West/Dublin Secondary Plan, which promotes a mix of uses and comprehensive redevelopment by granting additional density to development parcels which provide commercial uses at grade and have a frontage greater than 30 metres on Sheppard Avenue West.

The proposed townhouse development is smaller in form, scale and intensity than other proposals in the Secondary Plan Area approved through site specific policies and implementing zoning. Most other approvals along this stretch of Sheppard Avenue West have been mid-rise buildings. Fourteen live/work units at grade will provide a lively pedestrian amenity with an improved streetscape, as they have entrances facing Sheppard Avenue West. The proposed development would promote additional ridership on public transit. The proposed development conforms to the land use provisions of the Official Plan and the site is appropriate for intensification.

Density, Height, Massing

This application has been reviewed against the Official Plan policies and Secondary Plan policies and design guidelines described in the Issue Background Section of this Appendix 1.

The resulting density is 1.79 times the area of the lot. This density is lower than the limit in the Sheppard West/Dublin Secondary Plan for lands designated *Mixed Use Area 'A'*,

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which is 2.0 times the area lot, provided that the commercial uses do not exceed 1.0 times the area of the lot. It is also lower than the limit in the Sheppard West/Dublin Secondary Plan for lands designated *Mixed Use Area 'B'*, which is 2.0 times the area of the lot, when there is more than 30 metres of frontage and a mix of commercial and residential uses. Recent approvals on this part of Sheppard Avenue West have had a density of 3.0 – 3.9 times the area of the lot.

Blocks A to G would be 5 storeys and 15.7 metres in height, plus 2.8 metres for the mechanical penthouses (for roof deck access), for a total maximum height of 18.5 metres. The 45-degree angular plane required in the Secondary Plan restricts the height of the rear units to 3 storeys and 8.6 metres, plus 3.1 metres for the mechanical penthouse (for roof deck access), for a total maximum height of 11.7 metres. All parts of these units, including balcony railings, would be contained beneath the angular plane to minimize issues of privacy and overlook of existing single detached dwellings to the south. Recent approvals on this part of Sheppard Avenue West have had heights of 9 storeys and over 30 metres.

Blocks A to G would be in a stacked, back-to-back townhouse format, arranged perpendicular to Sheppard Avenue West. Each block would contain two live/work units, with direct access to Sheppard Avenue West. After the required 2.76-metre road widening of Sheppard Avenue West, Block A would be set back 0 metres to 0.3 metres. This setback is acceptable for units with commercial permissions (the live/work units). The easterly side yard setback of Block A would be 5.4 metres, which would accommodate a 2.2-metre wide walkway for connectivity to Sheppard Avenue West, provide access to units and facilitate pedestrian circulation through the site. The westerly side yard setback of Block G would be 4.1 metres, which would accommodate a 1.7-metre wide walkway for connectivity to Sheppard Avenue West and access to units. At the rear of the site, Blocks A and B would be connected by 9 townhouse units. Blocks C, D and E would be connected by 13 townhouse units (and the indoor amenity space). Blocks F and G would be connected by 8 townhouse units. These 30 townhouse units would be arranged parallel to the rear lot line. The rear yard setback would be 9.5 metres, which would include a 1.5-metre wide landscape strip, loading space and covered parking ramp. Facing distances between Blocks A to G would range from 12.0 to 16.5 metres.

The density, height and massing meet the intent of the Sheppard West/Dublin Secondary Plan and are acceptable to staff.

Traffic Impact, Access, Parking

The applicant's traffic engineering consultant BA Group submitted an Urban Transportation Considerations (TIS) report dated November 23, 2016, as revised to September 21, 2017. The revised report estimates that the project will generate approximately 60 two-way trips during both the a.m. and p.m. peak hours. The consultant concludes that there are sufficient gaps along Sheppard Avenue West to permit left-turns.

The review of this material suggests that while certain turning movements at the existing adjacent intersections will operate under at-capacity conditions in the future, the road network can accommodate the additional traffic with optimizations to the existing signal timings at the Sheppard Avenue West/Wilson Heights Boulevard intersection (to be funded by the applicant).

Access to the site is proposed via an all-moves driveway on Sheppard Avenue West. The driveway is proposed to be located at the frontage of 865 Sheppard Avenue West.

A minimum of 175 parking spaces are required for the site, which includes 150 spaces for residents and 25 spaces for visitors. The plans show a total of 182 spaces in the underground garage, including 156 resident spaces and 26 visitor spaces, which exceeds the minimum requirement.

The applicant has proposed one Type G loading space at grade, at the rear of the site. The driveway access and loading facilities illustrated on the subject site drawing accommodate the turning path of the type of heavy truck expected to access the property on a regular basis. The proposed loading space is acceptable.

Transportation Services staff accept the proposed traffic study, access, parking and loading.

Road Widening

In order to satisfy the Official Plan requirement of a 36-metre right-of-way for this segment of Sheppard Avenue West, a 2.76-metre road widening dedication along the Sheppard Avenue West frontage of the subject site is required and is proposed to be conveyed to the City with this application. A 0.72-metre widening is required along the west limit of 871 – 873 Sheppard Avenue West to satisfy the requirement of a 6-metre wide public lane. The widening will be secured as a condition of site plan approval.

Streetscape

The fourteen live/work units would take access from Sheppard Avenue West and have direct connections to the sidewalk from unit entrances. The entrances would be at grade. The live/work units will help animate the streetscape. The applicant will be responsible for installing a new 2.1-metre wide side sidewalk along the Sheppard Avenue West frontage. Fifteen new street trees are proposed to be planted along the Sheppard Avenue West frontage and would accompany one existing street tree to be retained. The owner must restore those sections of the municipal boulevard where existing driveways would be closed. Street tree planting will be secured as a condition of Site Plan approval.

Servicing

The email memorandum from Engineering and Construction Services staff dated July 12, 2018, identifies minor updates required to the Functional Servicing Report, for clarification and consistency. These outstanding matters, as well as the entering into of Report for Action with Confidential Attachment - 847-873 Sheppard Avenue West - Request for Directions Regarding LPAT Hearing - Appendix 1 - Staff Comments

a financially secured agreement to pay for and construct any necessary improvements to the municipal infrastructure (to be determined) in connection with the Functional Servicing Report, as accepted by the Chief Engineer and Executive Director of Engineering and Construction Service and the General Manager of Toronto Water shall be addressed by the applicant prior to the issuance of the LPAT's final Order.

Housing

A Rental Housing and Demolition Conversion Application was filed with a previous development application for this site and was subject to Council consideration at its meeting (NY18.32) on October 2, 2012. All rental dwelling units were, and have remained, vacant since the time of the new application.

Some of the existing single detached dwellings at 847-873 Sheppard Avenue West meet the definition of rental housing in the City's Official Plan and Chapter 667 of the Municipal Code. Within the 12 single detached dwellings, there are 21 dwelling units or rooms, of which 7 are rental units, which are required to be replaced.

Official Plan policy 3.2.1.6 requires rental replacement where redevelopment would result in the loss of 6 or more rental housing units. The requirement for seven replacement rental units was based on the previous approval in October, 2012, a Housing Issues Report, a number of site visits, consideration for a number of "bachelorette style" basement units, and information provided about the long-term use of units for residential rental purposes.

Staff recommend these provisions securing seven replacement units be incorporated into the proposed Zoning By-law Amendment and the Agreements authorized by the instrument.

As proposed, the seven replacement rental dwelling units will be provided in the first phase of the development. Three units will have 1-bedroom and four units will have 2-bedrooms. The four replacement 2-bedroom units will have affordable rents, and one replacement 1-bedroom unit will have affordable rent. The two remaining 1-bedroom units will have mid-range rents. Rental affordability will be maintained for 10 years, and rental tenure will be secured for at least 20 years, all of which will be secured in a Section 37 and Section 111 agreement to be registered on title.

The inclusion of 14 live/work units supports the Official Plan objective of providing for a diversity of housing. The proposal also includes a large proportion of 2-bedroom and 3-bedroom units (73 percent and 25 percent) respectively. This mix of larger unit types further supports the provision of housing to accommodate the needs of households of all sizes.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Report for Action with Confidential Attachment - 847-873 Sheppard Avenue West - Request for Directions Regarding LPAT Hearing - Appendix 1 - Staff Comments

Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential nature of this proposal is subject to a 10 percent cap of parkland dedication. The Development Applications Unit may request an on-site parkland dedication should the scope of the site area and/or proposal change in a subsequent development application.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first building permit.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. The subject site has archaeological resource potential and a Stage 1 – 2 Archaeological Assessment has been completed. The consultant advised that there are no further archaeological concerns and Heritage Preservation Services staff concur.

A property which has archaeological resource potential can be confirmed through the searchable database TO maps:

http://insideto-map.toronto.ca/maps/map.jsp?app=VIEW_2

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The applicant proposes to protect 1 City-owned tree and plant 15 new trees on the road allowance. The applicant is required to submit a tree planting deposit to ensure the planting and survival of 15 new City trees. The applicant proposes to remove 41 Category 1 trees on private property. Based on standard requirements, Urban Forestry staff require 123 new trees to replace the 41 trees removed, at a ratio of 3:1. The landscape plans show 27 large growing canopy trees proposed for planting on private property. The applicant will be required to make a payment of \$55,968.00 (\$583.00 per tree) in lieu of planting the balance of the 96 replacement trees on private property.

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

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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. Performance measures for the Tier 1 development features will be secured through the zoning by-law process including the provision of cycling infrastructure and the storage and collection of recycling and organic waste. Other applicable TGS performance measures will be secured through the Site Plan Approval process including high albedo surface material hardscape cool roofs, new trees planted on site and the incorporation of landscaped areas planted with native plants and/or water-efficient plants.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

Renewing and upgrading existing facilities is one of the strategic goals of the Facilities Master Plan. The City has an extensive inventory of parks and recreation facilities that are highly valued by residents. However, many facilities are aging. The Facilities Master Plan provides high level strategic directions for each type of facility to guide investment decisions on a case-by-case basis. Section 37 benefits are being proposed as part of the Settlement Offer. The benefits will be allocated for parks improvements and public realm projects in Ward 10 that will benefit the community in the vicinity of the Subject Site at the discretion of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor.

Schools

The TDSB advised there is insufficient space at the local schools to accommodate students anticipated from this proposed development and others in the area. The status of local school accommodation should be conveyed to potential purchasers. Children from new development will not displace existing students at local schools. As of November 3, 2017, the schools anticipated to serve this development are unknown. The future site plan agreement will require the developer to erect a sign with a warning

clause to this effect and also to include warning clauses in agreements of purchase and sale.

Section 37

Section 37 of the *Planning Act* provides a means by which to achieve responsible, balanced growth. Any application for extra height and density will be evaluated on the basis of all the policies of the Official Plan.

The proposal is subject to Section 37 provisions due to the increase in density and height proposed. As part of the Settlement Offer, the applicant has agreed to provide a Section 37 contribution of \$600,000.00 to be used for community benefits in the vicinity of the site, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor. These benefits will be secured in a Section 37 Agreement to be allocated for parks improvements and public realm projects in Ward 10 that will benefit the community in the vicinity of the Subject Site at the discretion of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor, prior to the issuance of a Final Order for the development. The amount will be payable prior to the issuance of the first above-grade building permit for the development, and will be indexed annually from the date of Council's adoption of the Settlement Offer to the date of payment. Any final Order approving the Zoning By-law Amendment should be withheld until such time as the Owner has entered into and registered a Section 37 Agreement to the satisfaction of the City Solicitor.

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 is consistent with the PPS (2014) and does not conflict with the Growth Plan (2017). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to policies for development within Mixed Use Areas and the policies of the Sheppard West/Dublin Secondary Plan. Staff worked with the applicant to address and resolve concerns relating to the built form and the provision of commercial uses. The proposal would provide much needed family-size dwelling units compatible with the surrounding context.

Staff recommend that Staff be directed to attend the LPAT hearing in support of the proposal; and to request the LPAT to withhold any Order until the owner has: provided draft planning instruments to the LPAT in a form and with content satisfactory to the Director, Community Planning, North York District and the City Solicitor; a Section 37 Agreement has been entered into; and the owner has addressed the outstanding items outlined in the email memorandum from Engineering and Construction Services, dated July 12, 2018; and to withhold any Order on the Site Plan Approval until site plan approval conditions have been finalised and pre-approval conditions have been met.

CONTACT

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ATTACHMENTS TO PLANNING COMMENTS

City of Toronto Data/Drawings

Attachment 1: Figure 1: Application Data Sheet

Attachment 2: Figure 2: Location Map

Attachment 3: Figure 3: Official Plan Land Use Map

Attachment 4a: Figure 4a: Existing Former City of North York Zoning By-law 7625 Map

Attachment 4b: Figure 4b: Existing City of Toronto Zoning By-law 569-2013 Map

Applicant Submitted Drawings

Attachment 5: Figure 5: Site Plan

Attachment 6: Figure 6: North (Sheppard Avenue West) and South (Rear) Elevations

Attachment 7: Figure 7: West Elevation

Attachment 8: Figure 8: East Elevation