



## STAFF REPORT ACTION REQUIRED

### 128, 130 and 132 Gorman Park Road - Official Plan Amendment and Zoning By-law Amendment Application - Request for Direction Report

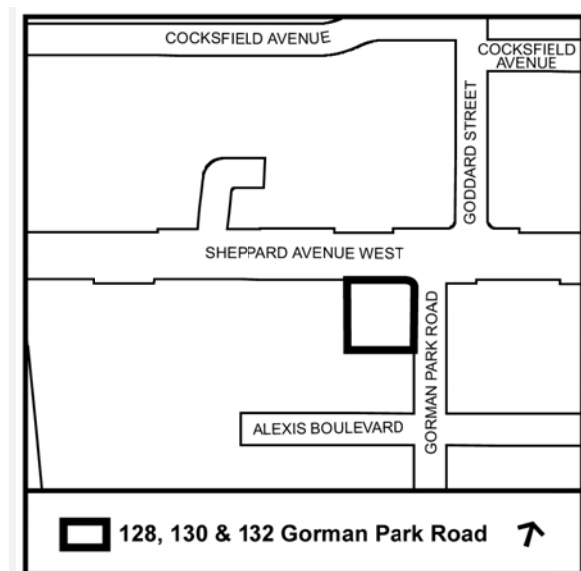
<b>Date:</b>	March 15, 2018
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 10 – York Centre
<b>Reference Number:</b>	16 208768 NNY 10 OZ

#### SUMMARY

The applicant has appealed the Official Plan Amendment and Zoning By-law Amendment application to the Ontario Municipal Board (OMB) due to Council's failure to make a decision on the application within the time prescribed by the *Planning Act*. A pre-hearing is scheduled for May 3, 2018. A full hearing is not yet scheduled.

This application proposes a 9-storey residential building containing 85 residential dwelling units, 84 parking spaces and vehicular access from Gorman Park Road at 128, 130 and 132 Gorman Park Road.

This report recommends that the City Solicitor, together with City Planning and any other appropriate staff, attend the OMB hearing in opposition to the current proposal.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with City Planning staff and other appropriate staff, to attend the OMB hearing to oppose the Official Plan and Zoning By-law Amendment applications in their current form, at 128, 130 and 132 Gorman Park Road.
2. City Council authorize the City Solicitor and appropriate staff to continue discussions with the applicant to address the issues outlined in the report, including land use, appropriate built form, density, landscaping, parking, amenity space, traffic and engineering.
3. Should the OMB approve the applications, City Council authorize the City Solicitor to request that the OMB withholds its Order(s) approving the applications until such time as:
  - a. The Board has been advised by the City Solicitor that the proposed Official Plan and Zoning By-law Amendments are in a form satisfactory to the City;
  - b. The owner addresses the outstanding items outlined in the memorandum from Engineering and Construction Services dated October 11, 2016 to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

### Financial Impact

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

### DECISION HISTORY

The application was submitted on August 17, 2016 and North York Community Council adopted the Preliminary Report at their meeting on October 13, 2016 (<https://www.toronto.ca/legdocs/mmis/2016/ny/bgrd/backgroundfile-96824.pdf>). A Community Consultation Meeting was held on December 7, 2016.

On October 24, 2017 the owner appealed the Official Plan and Zoning By-law Amendment application to the Ontario Municipal Board, citing City Council's failure to make a decision within the time frame prescribed by the *Planning Act*. A pre-hearing is scheduled for May 4, 2018. A full hearing is not yet scheduled.

### ISSUE BACKGROUND

#### Proposal

This application proposes to redevelop the lands to construct a 9-storey residential building. The building would have a height of 29.2 metres (plus a 4-metre tall mechanical

penthouse for a total height of 33.2 metres) and a 148.8m<sup>2</sup> green roof (30% of available roof space) over a portion of the ninth floor and mechanical penthouse. A total of 85 residential units are proposed consisting of 19 one-bedroom units, 56 two-bedroom units and 10 three-bedroom units. The ground floor height would be 4.5 metres. A total of 289m<sup>2</sup> of indoor amenity space is proposed on the ground and ninth floors. A 99-square metre common outdoor terrace would be connected to the ninth floor indoor amenity space. The building would have a total gross floor area of 7,905 square metres and a Floor Space Index (FSI) of 4.73 (under former City of North York By-law 7625).

Access to the underground parking garage and loading area would be via a private driveway accessed from Gorman Park Road. A total of 84 parking spaces are proposed to be provided with 77 spaces on two underground parking levels and 7 surface parking spaces in the rear yard. A total of 86 bicycle parking spaces are also proposed, of which 77 would be for the use of residents and 9 would be for the use of visitors. The resident bicycle parking would be located in a room on the ground floor and in an accessory structure in the rear yard. The visitor spaces would be at the surface. A loading space would be located in the rear, internal to the building.

The ground floor would be set back 1.0 to 3.0 metres from Sheppard Avenue West, with the second floor overhanging to the lot line. The ground floor would be set back 2.4 to 4.3 metres from Gorman Park Road, with the second floor generally overhanging to the lot line. The 2.4-metres setback would accommodate exclusive use patios for the ground floor units. A 2.76-metre road widening would be required for Sheppard Avenue West.

### **Site and Surrounding Area**

The site is located on the southwest corner of Sheppard Avenue West and Gorman Park Road. It consists of an assembly of three lots, each with a single detached dwelling. The site has a frontage of approximately 40 metres on Sheppard Avenue West and 50 metres of frontage on Gorman Park Road. The total area of the subject site is 1,987 square metres. The land slopes slightly from west to east and from south to north.

Land uses surrounding the site are as follows:

*North:* Mixed-use and residential buildings ranging in height from 5 to 9 storeys and a 1-storey place of worship on Sheppard Avenue West.

*West:* Single detached dwellings to the immediate west and a 7-storey mixed-use building on Sheppard Avenue West.

*South:* Single detached dwellings on Gorman Park Road and Alexis Boulevard.

*East:* Single detached dwellings to the immediate east, 3.5-storey townhouses and a future 9-storey mixed-use building (file no. 12 139344 NNY 10 OZ) on Sheppard Avenue West.

## **Provincial Policy Statement and Provincial Plans**

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

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

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

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

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

- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

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

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

### **Official Plan**

Most of the site (the northern portion of 128 Gorman Park Road, 130 and 132 Gorman Park Road) is designated as *Mixed Use Areas* in the Official Plan. *Mixed Use Areas* are made up of 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.

The southern portion of 128 Gorman Park Road is designated *Neighbourhoods* in the Official Plan. *Neighbourhoods* are physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

The Healthy Neighbourhood policies of the Plan (Section 2.3.1) also state that *Neighbourhoods* are considered to be physically stable areas. Development within *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

The Official Plan contains specific development criteria related to lands designated *Neighbourhoods*. Policy 4.1.5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical character of the neighbourhood, including in particular:

- a) patterns of streets, blocks and lanes, parks and public building sites;
- b) size and configuration of lots;
- c) heights, massing, scale and dwelling type of nearby residential properties;
- d) prevailing building type(s);
- e) setbacks of buildings from the street or streets;
- f) prevailing patterns of rear and side yard setbacks and landscaped open space;

- g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- h) conservation of heritage buildings, structures and landscapes.

No changes will be made through rezoning that are out of keeping with the physical character of the neighbourhood.

The prevailing building type will be the predominant form of development in the neighbourhood. Some Neighbourhoods will have more than one prevailing building type. In such cases, a prevailing building type in one neighbourhood will not be considered when determining the prevailing building type in another neighbourhood.

Section 5.3.1.3 states that amendments to the Official Plan that are not consistent with its general intent will be discouraged. Development permitted under an amendment to the Plan is to be compatible with its physical context and will not affect nearby Neighbourhoods or Apartment Neighbourhoods in a manner contrary to the neighbourhood protection policies of this Plan.

In addition, this portion of Sheppard Avenue West is identified on Map 2 of the Official Plan as *Avenues*. *Avenues* are corridors along major streets intended for incremental reurbanization 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. A 2.76-metre road widening would be required for Sheppard Avenue West in order to accommodate the planned right-of-way of 36 metres in the Official Plan.

The Official Plan can be found here:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=03eda07443f36410VgnVCM10000071d60f89RCRD>

### **Official Plan Amendment 320**

As part of the City's ongoing Official Plan Five Year Review, Council adopted Official Plan Amendment No. 320 (OPA 320) on December 10, 2015 to strengthen and refine the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods, allow limited infill on underutilized *Apartment Neighbourhood* sites and to implement the City's Tower Renewal Program.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, which decision has been appealed in part. The OMB commenced the hearing of appeals of OPA 320 in May 2017 and it remains ongoing.

On December 13, 2017 the OMB issued an Order partially approving OPA 320 and brought into force new Policies 10 and 12 in Section 2.3.1, Healthy Neighbourhoods and Site and Area Specific Policy No. 464 in Chapter 7. Other portions of OPA 320 remain

under appeal, and these appealed policies as approved and modified by the Minister are relevant and represent Council's policy decisions, but they are not in effect. More information regarding OPA 320 can be found at the following link:  
[www.toronto.ca/OPreview/neighbourhoods](http://www.toronto.ca/OPreview/neighbourhoods).

### **Sheppard West/Dublin Secondary Plan**

Even though only one lot within the assembly (132 Gorman Park Road) falls within the area covered by the Sheppard West/Dublin Secondary Plan (and is designated *Mixed Use Area 'B'* on Map 23-1), the majority of the assembly is designated as *Mixed Use Areas* in the Official Plan. The remainder of the site (128 and 130 Gorman Park Road) is outside the boundary of the Secondary Plan. The objective of the Secondary Plan is to encourage and maintain a diversity of residential, institutional, service commercial, office and open space uses along the corridor stretching from Bathurst Street in the east towards Allen Road and Downsview Subway Station in the west.

In *Mixed Use Area 'B'* of the Sheppard West/Dublin Secondary Plan, the preferred form of mixed use development contains ground floor commercial uses with upper floor residential uses. The Secondary Plan provides greater densities for development parcels that provide a mix of commercial and residential uses and which have a frontage on Sheppard Avenue West greater than 30 metres. Given the proposed residential use and 40-metre frontage on Sheppard Avenue West for the property at 132 Gorman Park Road, the maximum permitted density for the site under the Secondary Plan is 1.75 times the area of the lot. The maximum building height under the Secondary Plan is 5 storeys.

In addition to the policy requirements of the overall Official Plan, the Sheppard West/Dublin Secondary Plan contains further measures requiring buffering between new development on Sheppard Avenue West and properties to the rear of these sites which are designated *Neighbourhoods*. These measures include the provision and maintenance of suitable fencing and a 1.5 metre landscape strip along the property lines between new developments and *Neighbourhoods*. Also, the height of any new building is not to exceed the horizontal distance separating the building from adjacent lands designated *Neighbourhoods*. This horizontal distance cannot be less than 9.5 metres.

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

[http://www1.toronto.ca/static\\_files/CityPlanning/PDF/23\\_sheppard\\_west\\_dublin\\_oct2009.pdf](http://www1.toronto.ca/static_files/CityPlanning/PDF/23_sheppard_west_dublin_oct2009.pdf)

### **Avenue & Mid-Rise Buildings Study**

At its meeting on July 6, 7 and 8, 2010, City Council adopted a staff recommendation to use the Performance Standards for Mid-Rise Buildings in the “Avenues & Mid-Rise Buildings Study” (May 2010) in evaluating future mid-rise building development applications for a two year monitoring period. At that time, Council provided City Planning with a series of directions to encourage the realization of the 'vision' of the Avenues more quickly, and to monitor the Performance Standards over a two-year

period. The Performance Standards are guided by Official Plan objectives to create healthy, liveable and vibrant main streets while protecting the stability and integrity of adjacent Neighbourhoods. They are intended to provide simple, straightforward guidance for those seeking to develop mid-rise projects on the Avenues.

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines.

## **Zoning**

The northern portion of the site (130 and 132 Gorman Park Road) is zoned Residential Fourth Density (R4) by former City of North York Zoning By-law 7625. The property at 128 Gorman Park Road has a split zoning under former City of North York Zoning By-law 7625. The northern portion of 128 Gorman Park Road is zoned Residential Fourth Density (R4), while the southern portion of 128 Gorman Park Road is zoned Residential Sixth Density (R6). Both the R4 and R6 zones permit single detached dwellings and accessory structures.

The northern portion of the site (130 and 132 Gorman Park Road) is zoned Residential Detached (RD (F15.0; a550)(x5)) by City of Toronto Zoning By-law 569-2013. The property at 128 Gorman Park Road has a split zoning under City of Toronto Zoning By-law 569-2013. The northern portion of 128 Gorman Park Road is zoned Residential Detached (RD (F15.0; a550)(x5)), while the southern portion of 128 Gorman Park Road is zoned Residential Detached (RD (F12.0; a370)(x1463)). Both zoning categories permit single detached dwellings and accessory structures.

## **Site Plan Control**

An application for Site Plan Control would be required, but has not yet been submitted.

## **Green Roof By-law**

On May 26, 2009 City Council adopted the Green Roof By-law (By-law 583-2009). The by-law requires new residential buildings to provide a green roof if the development has a gross floor area of 2000 square metres or greater and a height of greater than six storeys. The applicant is proposing a 148-square metre green roof, which represents 30% of the available roof space.

By-law 583-2009 can be accessed at:

<http://www.toronto.ca/legdocs/bylaws/2009/law0583.pdf>.



## Tree Preservation

The application is subject to the City of Toronto Private Tree By-law and a Tree Inventory and Preservation Plan has been submitted and is currently under review by Urban Forestry staff.

## Community Consultation

Staff held a community consultation meeting on December 7, 2016 to present the proposal to the community and receive their feedback. Approximately 15 members of the public attended the meeting. At the meeting, the following concerns were raised by residents:

- Concern with a 9-storey building partly within a *Neighbourhoods* designation;
- The owner should incorporate adjacent properties under their ownership (795 and 799 Sheppard Avenue West) and build a wider project along Sheppard West, rather than a project that goes deeper into the neighbourhood (797 Sheppard Avenue West is not under their ownership);
- Concern with adding additional properties into the *Mixed Use Area 'B'* of the Sheppard West/Dublin Secondary Plan;
- Shadow impacts on the public realm;
- The proposed number of visitor parking spaces is deficient and should be increased;
- The proposed amount of amenity space is deficient and should be increased;
- The negative impact of the proposed transition of built form on adjacent properties, including loss of privacy and overlook;
- Impacts of the proposed servicing area at the rear of the building on adjacent properties;
- The 3.7-metre height of the proposed bicycle storage building is too tall;
- Concerns with maintaining the structural integrity of adjacent dwellings during the future construction phase;
- The overall height of the building is too tall;
- Traffic impacts; and
- Preference for driveway access to be from Sheppard Avenue West, rather than Gorman Park Road.

## Reasons for the Application

Most of the site is designated as *Mixed Use Areas* in the Official Plan. However, an Official Plan Amendment is required to address the southern portion of the site, which is designated as *Neighbourhoods*. The applicant's draft Official Plan Amendment proposes to re-designate the entire site as *Mixed Use Areas*.

The Sheppard West/Dublin Secondary Plan allows the northern portion of the subject lands (132 Gorman Park Road) to be developed with a residential building having a maximum density of 1.75 times the area of the lot and a building height of five storeys. The applicant's draft Official Plan Amendment proposes to amend the boundary of the Sheppard West/Dublin Secondary Plan to include the entire site and to allow a 9-storey

building with a density of 4.03 FSI (or 4.73 FSI under former City of North York Zoning By-law 7625).

Amendments to the former City of North York Zoning By-law No. 7625 and City of Toronto Zoning By-law 569-2013 are required to permit the proposed mixed use development at the proposed height and density and to establish appropriate performance standards.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The proposal is consistent with the Provincial Policy Statement 2014 and conforms to and does not conflict with the Growth Plan for the Greater Golden Horseshoe, 2017. It would efficiently use land in an area that is well served by municipal infrastructure. The proposal would provide a mix of residential unit sizes and promote intensification along an arterial road, which is well served by public transit.

### **Land Use**

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 mostly designated *Mixed Use Areas* in the Official Plan, which permits a broad range of residential and commercial uses intended to absorb much of the future residential growth in the city. The northerly parcel is designated *Mixed Use Area 'B'* 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 application proposes an entirely residential development. The proposed residential use is appropriate and supported by the Official Plan and the Sheppard West/Dublin Secondary Plan. However, within the *Mixed Use Area 'B'* designation, the preferred form of mixed use development contains ground floor commercial uses with upper floor residential uses. Commercial uses at grade would provide a lively pedestrian amenity with an improved streetscape. Commercial uses should be proposed at grade along Sheppard Avenue West.

While most of the site is designated as *Mixed Use Areas*, there is a split designation across the southern-most lot, 128 Gorman Park (*Mixed Use Areas* and *Neighbourhoods*). The designation aligns with the split zoning of this lot (R4 and R6). Furthermore, only one of the three lots (132 Gorman Park Road) falls within the area covered by the

Sheppard West/Dublin Secondary Plan. On its own, it is unlikely 132 Gorman Park Road could be developed in accordance with the policies of the Secondary Plan.

While the applicant owns the adjacent 795 Sheppard Avenue West and 799 Sheppard Avenue West properties, the property between the two (797 Sheppard Avenue West) is under separate ownership. However, it is possible that if these three properties (795, 797 and 799 Sheppard West) were consolidated in the future, they could be redeveloped pursuant to the Sheppard Avenue West / Dublin Secondary Plan, and/or consolidated with the subject lands to form a comprehensive development.

### **Density, Height and Massing**

The Sheppard West/Dublin Secondary Plan includes policies intended to protect abutting lands designated *Neighbourhoods* from the increased level of development along the corridor. These policies form the framework that guides the review of any development proposed within the Secondary Plan area, particularly those which request an amendment to the Plan for additional heights or densities.

The height is proposed to be 9 storeys and 29.2 metres, plus a 4-metre tall mechanical penthouse for a total height of 33.2 metres. This overall height is consistent with recent approvals on this portion of Sheppard Avenue West.

As the applicant has proposed to add the entire site to the Sheppard Avenue West/Dublin Secondary Plan, all parts of the building, including balconies and the mechanical penthouse, would need to be contained beneath a 45-degree angular plane from the rear lot lines (including the southwest corner where the depth of the adjacent lot varies). At present, only the first four floors would be beneath the angular plane. Above the fourth floor, living space, balconies and the mechanical penthouse would project into the angular plane. The applicant has also shown a shallow lot angular plane, with which the proposed building nearly complies. While the 50-metre deep lot is considered a shallow lot under the Avenue & Mid-Rise Buildings Study, the Sheppard Avenue West/Dublin Secondary Plan requires a 45-degree angular plane from lands designated *Neighbourhoods*. Complying with the angular plane Official Plan policy would help to decrease density, maintain privacy and minimize overlook.

Massing could also be improved by providing step backs and by adhering to the Mid-Rise Building Performance Standards. Specifically, the height of the westerly blank sidewall should be reduced to 6 storeys and the upper storeys should step back 5.5 metres from the westerly lot line to allow for glazing and visual interest.

The setback from the Sheppard Avenue West lot line would range from 1.0 metre to 2.5 metres. Amenity spaces are currently proposed at this part of the building. If commercial uses were proposed here, the building could be built at the lot line (provided weather protection measures were incorporated into the design). The setback from the Gorman Park Road lot line would generally be 2.4 metres. Three residential units are currently proposed at this part of the building. Their exclusive use patios along Gorman Park Road

should have planters along this lot line to provide some separation between the patio and City sidewalk and afford privacy for these residential units.

### **Avenue & Mid-Rise Buildings Study**

Pursuant to Performance Standard #8B, blank sidewalls should be designed as an architecturally finished surface and large expanses of blank sidewalls should be avoided. Blank side wall conditions may be acceptable up to a height of 6 storeys if treated properly. Required side step-back walls would allow for sufficient glazing. To mitigate the impact of blank side walls, they should be designed with a material finish that complements the architectural character of the main building façade, such as brick. The proposed westerly sidewall is 9 storeys, generally blank and the upper storeys do not step back. The height of the westerly blank sidewall should be reduced to 6 storeys and the upper storeys should step back 5.5 metres from the westerly lot line to allow for glazing and visual interest, as per the Guidelines.

Other than the sidewall condition, the proposal has regard for the Mid-Rise Building Performance Standards. The building height would be less than the width of the Sheppard Avenue West right-of-way. The ground floor height would be 4.5 metres, which is the ideal height to accommodate commercial uses to animate the street. On Sheppard Avenue West, there would be a 2.2-metre step back above the 7<sup>th</sup> storey and an additional 2.0-metre step back above the 8<sup>th</sup> storey. On Gorman Park Road, there would be a 3.7-metre step back above the 7<sup>th</sup> storey. The step backs would push the massing of the upper floors away from the public streets. The upper floors would be contained within a 45-degree angular plane, taken from a height of 80% of the right-of-way width, on the front of the building. There would be 148.8 square metres of green roof (30% of the available roof space).

### **Sun/Shadow Studies**

The applicant's architect conducted a shadow analysis of the proposal on March 21<sup>st</sup> and September 21<sup>st</sup>. Since the subject property is on the south side of Sheppard Avenue West, the shadow mostly falls on the Sheppard Avenue West right-of-way. In the late afternoon, there would be some impact on adjacent properties to east. These properties are also designated *Mixed Use Areas 'B'* by the Sheppard West/Dublin Secondary Plan. The shadow impacts are acceptable.

### **Traffic Impact, Access and Parking**

In order to assess the traffic impacts of this proposal, the applicant's transportation consultant prepared a Transportation Study Report. Transportation Services staff reviewed the report and require significant revisions to the report to address issues including the synchro network, data inputs, clarification of methodology and recommended improvements.

Vehicular access would be taken from Gorman Park Road. A total of 84 parking spaces (77 for residents, 7 for visitors) are proposed to be provided in a two-level underground parking garage. One Type G loading space is proposed. The vehicular access from Gorman Park Road and the loading space are acceptable to Transportation Services staff.

However, the proposal would require a minimum of 12 visitor parking spaces. On-street parking cannot be used to meet the minimum visitor parking requirement. The proposed number of parking spaces must comply with the parking rates within City of Toronto Zoning By-law 569-2013 or a reduction in parking spaces must be justified in a parking study, to the satisfaction of Transportation Services staff. Planning staff would prefer all surface parking spaces to be removed and incorporated within the underground parking garages.

A total of 85 bicycle parking spaces are proposed. There would be a total of 76 (stacked) long-term bicycle parking spaces located in a room on the ground floor, directly accessible from the rear driveway and in a 3.7-metre tall, stand-alone structure. There would be 9 short-term bicycle parking spaces at grade. Planning staff would prefer all long-term bicycle parking be incorporated within the building, not within a stand-alone structure. Overhead doors are proposed at the rear of the building to mitigate concerns of noise from parking and loading areas.

## **Servicing**

Pursuant to the most recent comments from Engineering and Construction Services staff dated October 11, 2016, there are outstanding issues including, but not limited to:

- Update the Geotechnical Report to provide required information regarding permanent ground water quality and quantity, specific to the site;
- A Hydrogeological Investigation Report is required to confirm whether or not groundwater will need to be pumped as part of the design of the building;
- Revisions to the Functional Servicing Report, required prior to rezoning;
- Revisions to the Stormwater Management Report, required prior to rezoning; and
- Compliance with the Toronto Green Standard Checklist (TGS).

This report recommends that the City Solicitor request the Ontario Municipal Board to withhold its Order approving the Official Plan and Zoning By-law amendments until the outstanding information has been provided to the satisfaction of the Executive Director, Engineering and Construction Services.

## **Amenity space**

Eighty-five units would generate the need for 170 square metres of indoor amenity space and 170 square metres of outdoor amenity space (at a rate of 2.0 square metres per dwelling unit). The indoor amenity space is proposed within two rooms at grade, along Sheppard Avenue West, totalling approximately 170 square metres. The proposed outdoor amenity space consists of only 45 square metres at the corner of Sheppard Avenue West and Gorman Park Road. The outdoor amenity space must be increased for a development of 85 units, and located internal to the site. It should be contiguous with the indoor amenity space.

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows the local parkland provisions across the City. The lands which are subject to 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 local parkland provision and is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The applicant has submitted an application to construct a 9-storey building with 85 dwelling units, consisting of 7,905.6 square metres of residential gross floor area. At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the required parkland dedication is 1,133 square metres or 57% of the lot area. However, there is a cap of 10% which is applied for sites that are less than 1 hectare in size. The parkland dedication for the residential component would therefore be 199 square metres.

Staff recommend that the parkland dedication requirement be satisfied through a cash-in-lieu payment. The parkland dedication for the subject site is too small to be functional. The actual amount of cash-in-lieu to be paid will be determined at issuance of the building permit. This parkland payment is required under Section 42 of the Planning Act, and is required as a condition of the building permit application process.

## **Application Timeline**

The application was submitted on August 17, 2016. A Community Consultation Meeting was held on December 7, 2016. All comments were provided to the applicant on February 15, 2017. The appeal was received by the City Clerk's Office on October 24, 2017. Only one submission of materials was ever received. No further submission was made prior to the appeal.

## **Streetscape**

This proposal supports the objectives of the Toronto Official Plan to achieve an aesthetically pleasing streetscape in the following manner:

- The Sheppard Avenue West right-of-way would be widened 2.76 metres pursuant to the Official Plan, providing opportunities for landscaping in the public boulevards;
- The building would be sited along Sheppard Avenue West to define the street edge;
- Nine new street trees on Sheppard Avenue West and Gorman Park Road are proposed to enhance the streetscape and the pedestrian experience;
- The building would incorporate architectural elements including a base building, articulated balconies and canopies to create a pedestrian scale while providing visual interest along Sheppard Avenue West; and
- The ground floor (including the main entrance) would generally be inset for weather protection.

However, as noted earlier, ground floor commercial uses are required along the Sheppard Avenue West frontage. The applicant would also restore those sections of the municipal boulevard including sidewalks, where they propose to close the existing driveways, replacing the access points with appropriate landscaping and a continuous poured raised concrete curb.

### **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The applicant is required to meet Tier 1 of the TGS, but has not demonstrated compliance.

### **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. Given the proposed GFA, this development would not be subject to Section 37 policies.

### **Conclusion**

City Staff oppose the proposed development in its current form as it does not represent good planning. The applicant made only one submission of plans and reports and did not address concerns raised by staff and local residents with respect to land use, appropriate built form, density, landscaping, parking, amenity space, traffic and engineering. Staff are of the opinion that a midrise building can be constructed on this site. However, the following issues must be addressed:

- Compliance with a 45-degree rear angular plane measured from the rear lot line, (that also accommodates the jog in properties designated *Neighbourhoods* at the southwest corner of the site);
- Stepping the upper floors on the west side of the building;
- Reduction in density as a result of the angular plane and building steps;
- Designing the southern portion of 128 Gorman Park Road (within the *Neighbourhoods* designation) primarily as a landscape strip;
- The provision of an appropriate number of parking spaces for visitors;
- Commercial uses at grade along Sheppard Avenue West;
- Privacy measures for ground floor residential uses facing Gorman Park Road; and
- The provision of an appropriate amount of outdoor amenity space.

This report recommends that Staff attend the Ontario Municipal Board hearing in opposition to the current proposal and continue discussion with the applicant to address the issues outlined in this report.

## **CONTACT**

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Tel. No. 416-395-7145  
Fax No. 416-395-7155  
E-mail: [doug.stiles@toronto.ca](mailto:doug.stiles@toronto.ca)

## **SIGNATURE**

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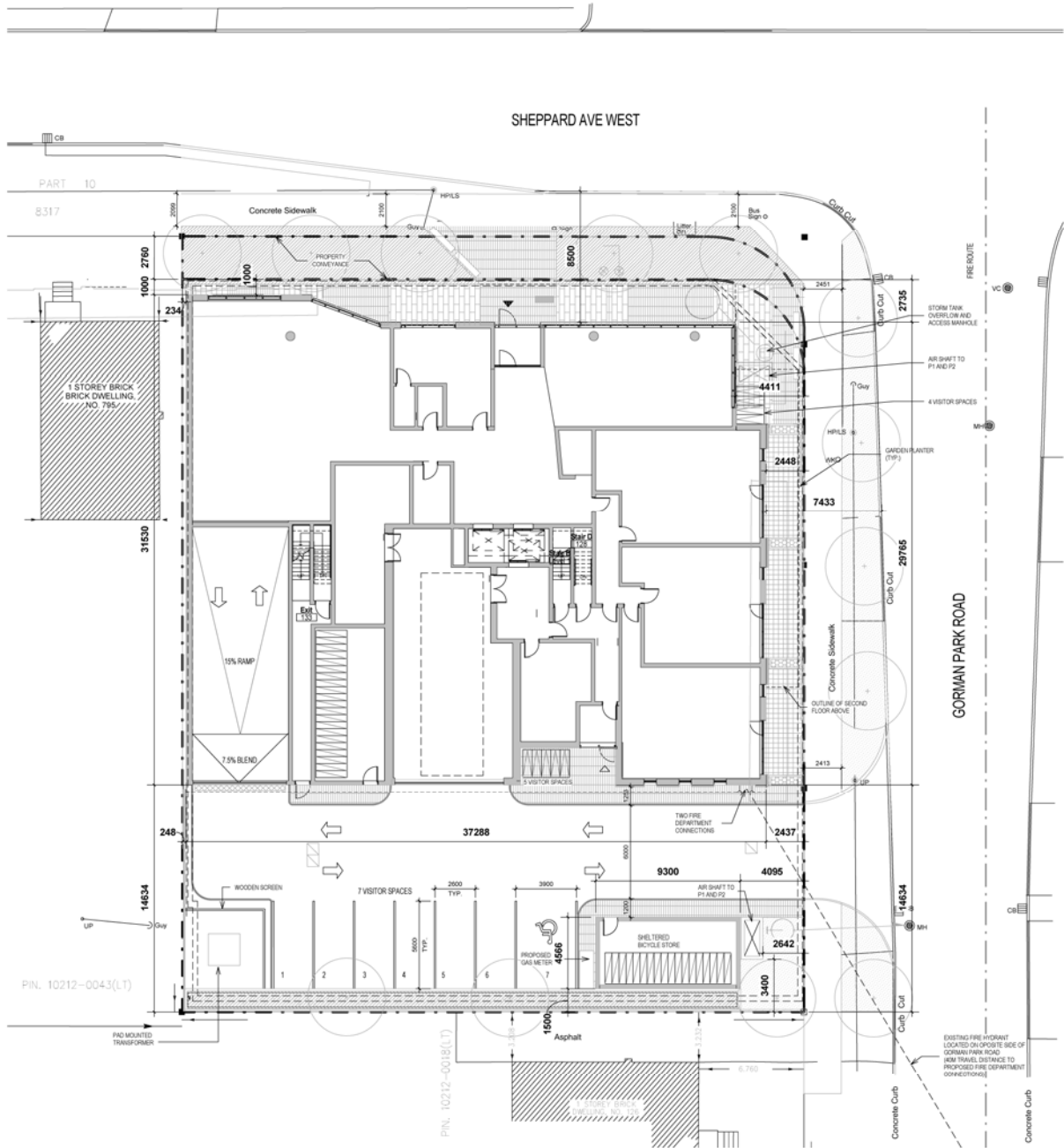
Joe Nanos, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2a: North Elevation (Sheppard Avenue West)  
Attachment 2b: East Elevation (Gorman Park Road)  
Attachment 2c: South Elevation (Rear)  
Attachment 2d: West Elevation  
Attachment 3a: Former City of North York Zoning By-law 7625  
Attachment 3b: City of Toronto Zoning By-law 569-2013  
Attachment 4a: Official Plan  
Attachment 4b: Sheppard West / Dublin Secondary Plan  
Attachment 5: Application Data Sheet



# Attachment 1: Site Plan



## Site Plan

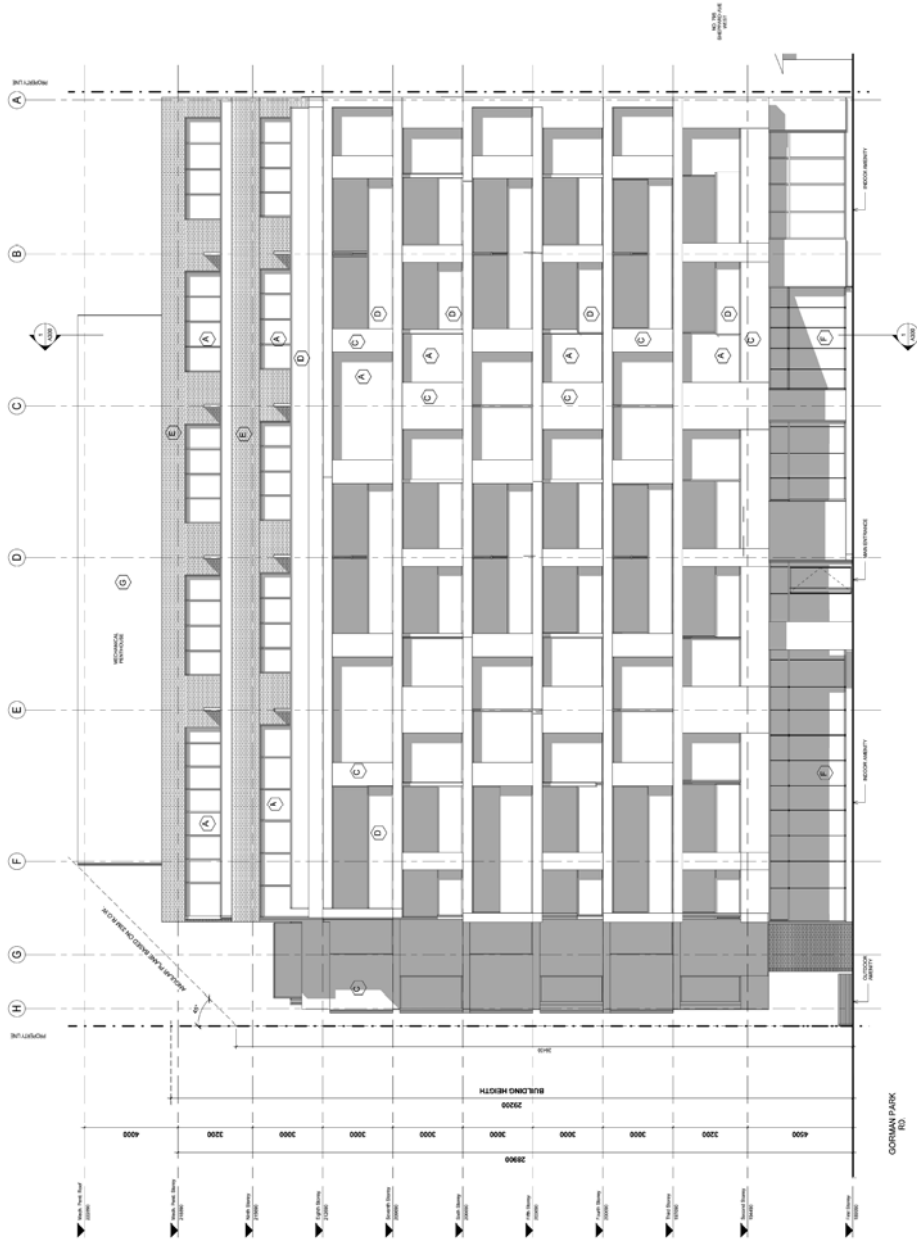
128, 130 & 132 Gorman Park Road

Applicant's Submitted Drawing

Not to Scale   
08/30/2016

File # 16 208768 NNY 10 02

**Attachment 2a: North Elevation (Sheppard Avenue West)**



**North Elevation**

**128, 130 & 132 Gorman Park Road**

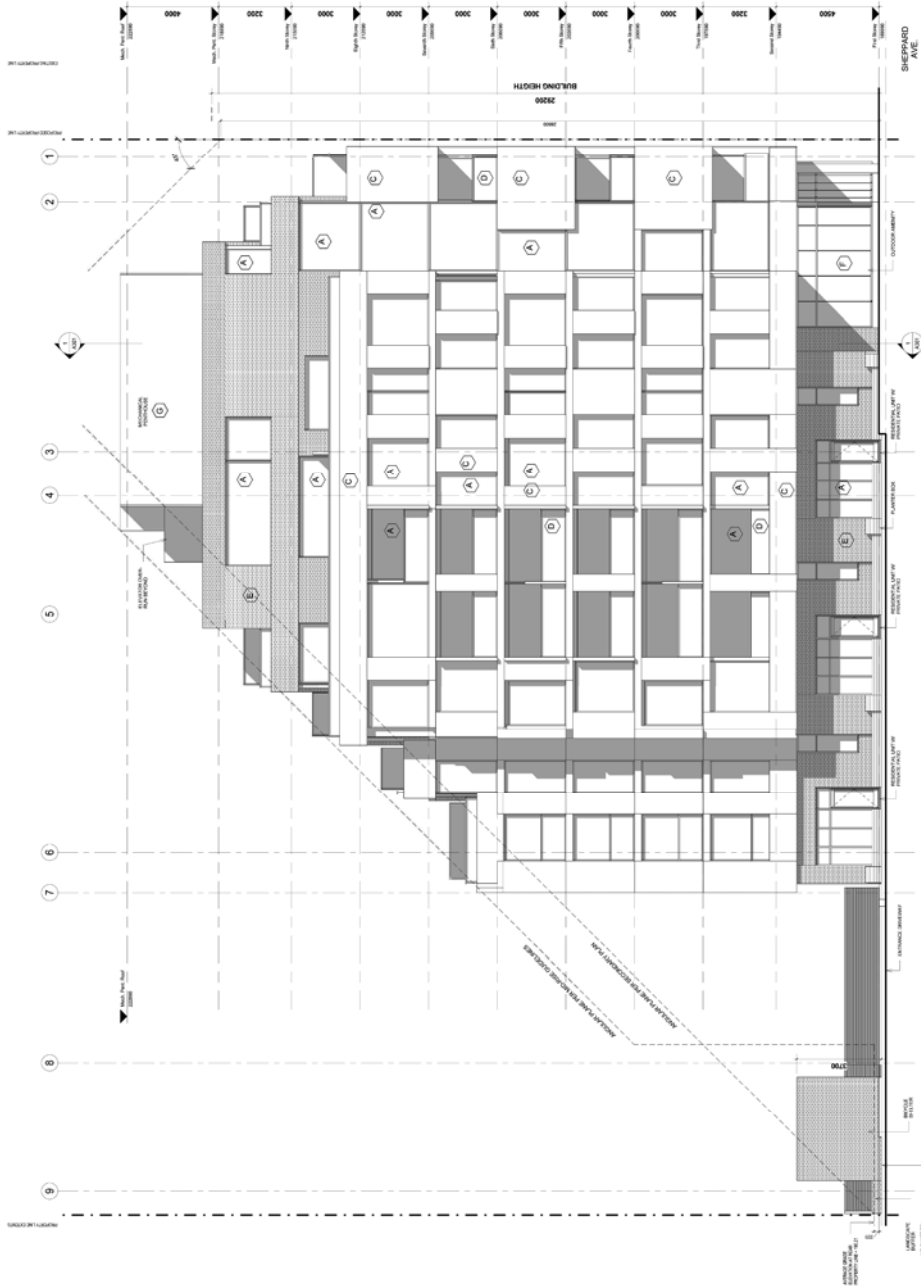
**Elevations**

Applicant's Submitted Drawing

Not to Scale  
08/30/2016

File # 16 208768 NNY 10 0Z

**Attachment 2b: East Elevation (Gorman Park Road)**



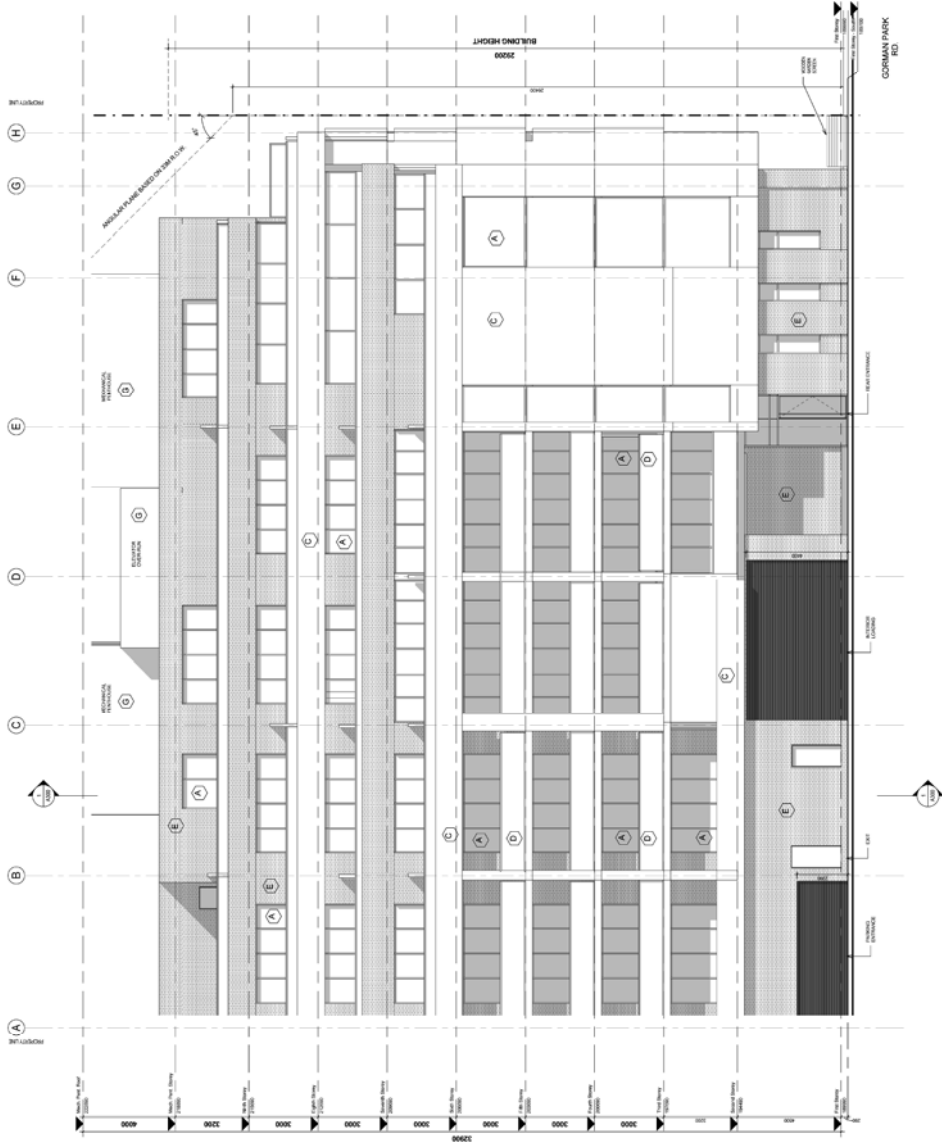
**East Elevation**

**128, 130 & 132 Gorman Park Road**

**Elevations**  
 Applicant's Submitted Drawing  
 Not to Scale  
 08/30/2016

File # 16 208768 NNY 10 0Z

Attachment 2c: South Elevation (Rear)



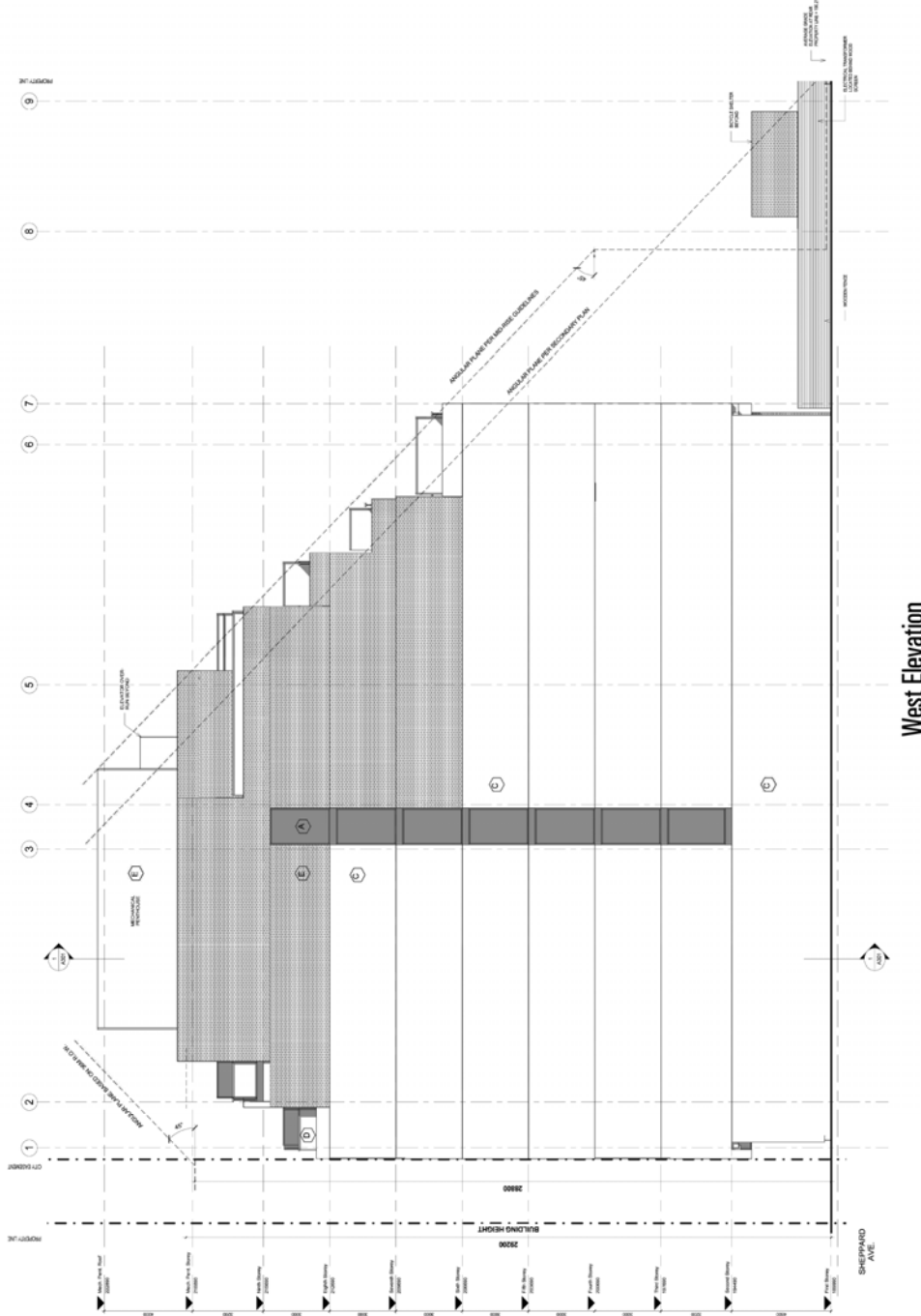
North Elevation

128, 130 & 132 Gorman Park Road

Elevations  
 Applicant's Submitted Drawing  
 Not to Scale  
 08/30/2016

File # 16 208768 NNY 10 0Z

**Attachment 2d: West Elevation**



West Elevation

128, 130 & 132 Gorman Park Road

**Elevations**  
 Applicant's Submitted Drawing

Not to Scale  
 08/30/2016

File # 16 208768 NNY 10 0Z

**Attachment 3a: Former City of North York Zoning By-law 7625**



**128, 130 & 132 Gorman Park Road**  
File # 16 208768 NNY 10 0Z

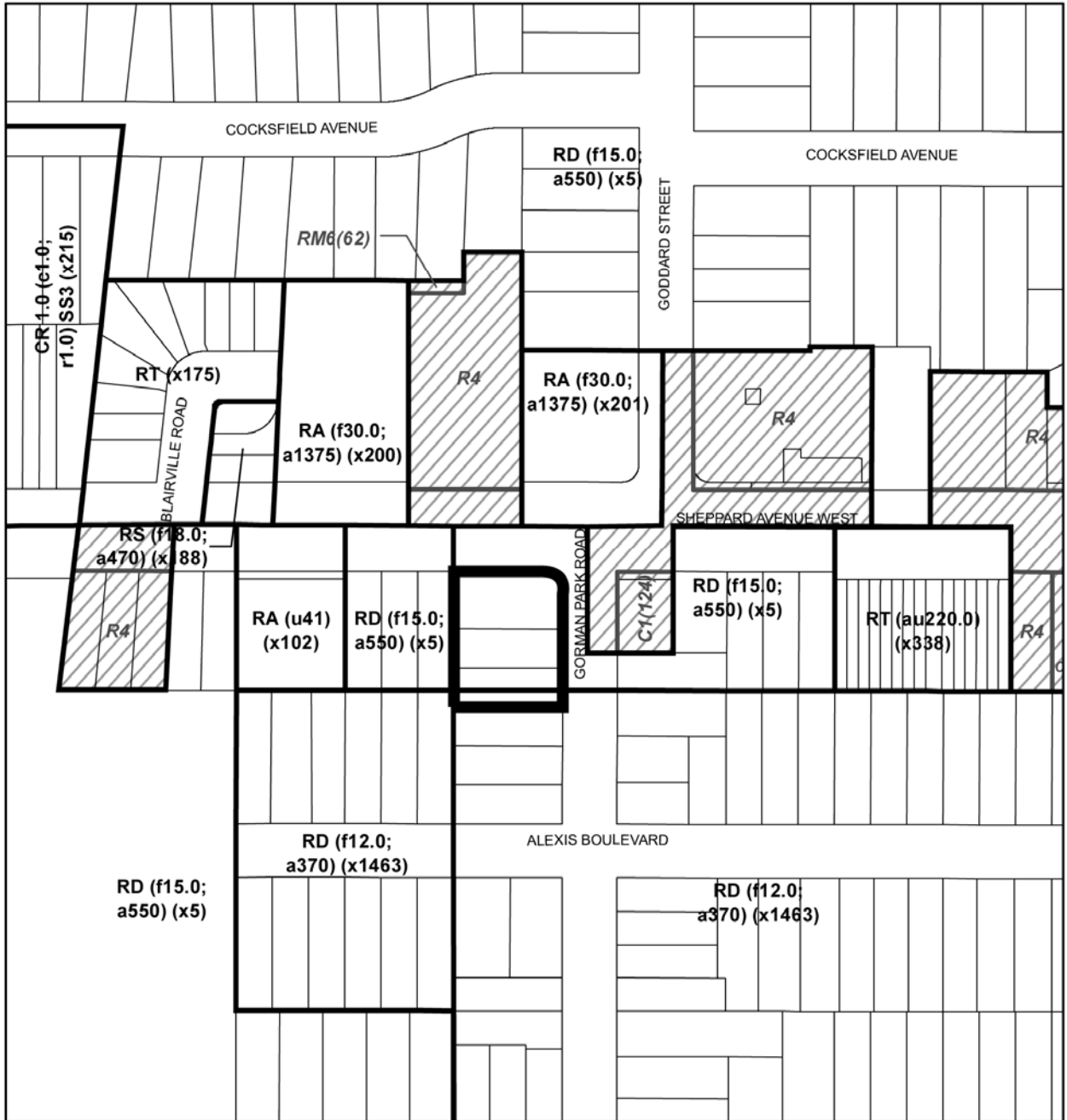
- R4 One-Family Detached Dwelling Fourth Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone
- RM1 Multiple-Family Dwellings First Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone

- RM6 Multiple-Family Dwellings Sixth Density Zone
- C1 General Commercial Zone



Not to Scale  
Zoning By-law 7625 as amended  
Extracted 08/30/2016

Attachment 3b: City of Toronto Zoning By-law 569-2013



Zoning By-Law No. 569-2013

128, 130 & 132 Gorman Park Road

File # 16 208768 NNY 10 0Z

Location of Application

RD Residential Detached  
RS Residential Semi-Detached

RT Residential Townhouse  
RA Residential Apartment  
CR Commercial Residential

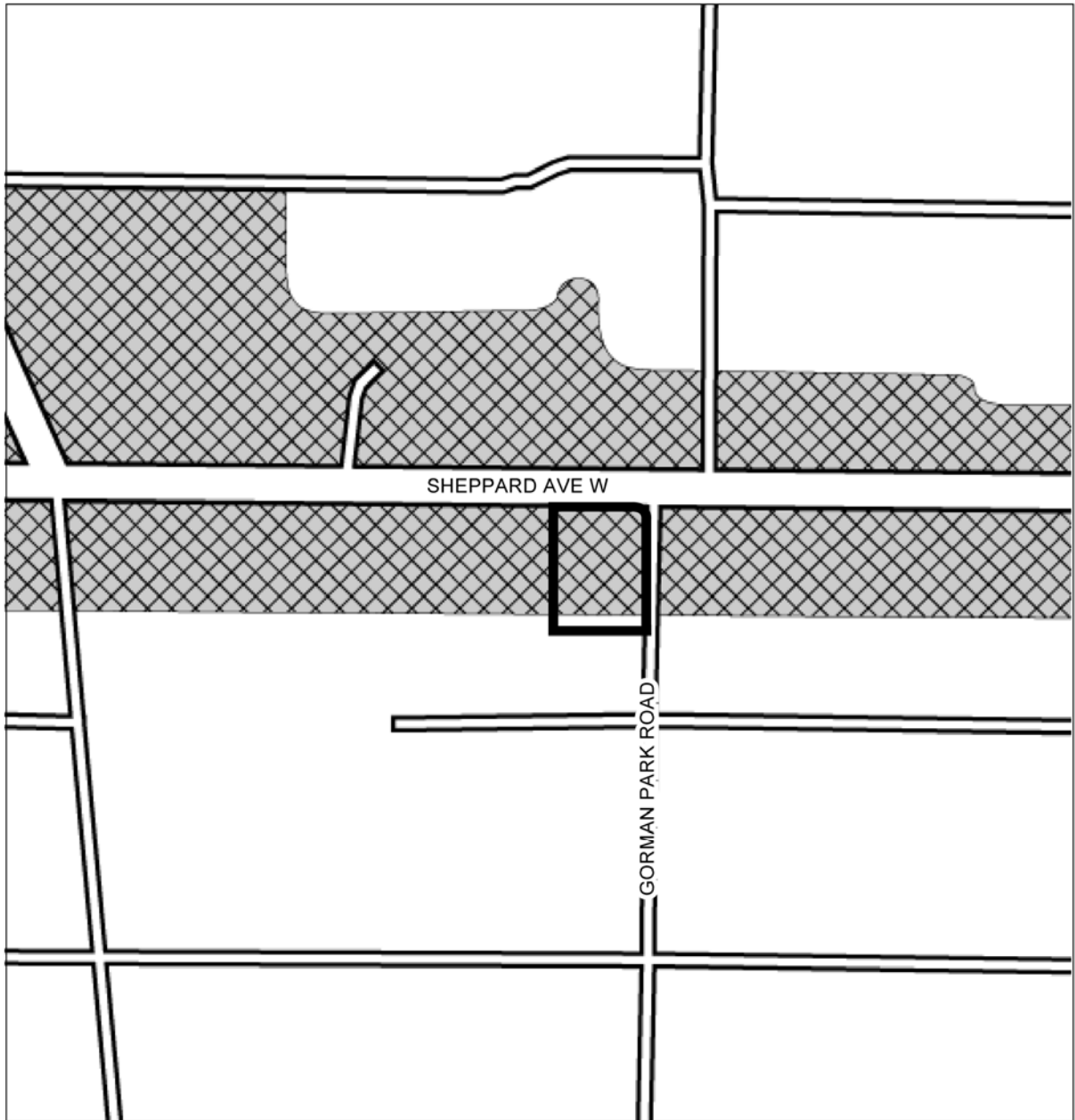
See Former City of North York By-Law No. 7625

R4 One-Family Detached Dwelling Fourth Density Zone  
RM6 Multiple-Family Dwellings Sixth Density Zone  
C1 General Commercial Zone



Not to Scale  
Extracted: 08/31/2016

Attachment 4a: Official Plan



 **TORONTO** City Planning  
Extract from Official Plan

128, 130 & 132 Gorman Park Road

File # 16 208768 NNY 10 02

-  Site Location
-  Neighbourhoods
-  Mixed Use Areas

  
Not to Scale  
08/30/2016





## Attachment 5: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	16 208768 NNY 10 OZ
Details	OPA & Rezoning, Standard	Application Date:	August 17, 2016
Municipal Address:	128, 130, 132 GORMAN PARK ROAD		
Location Description:	PLAN 1938 S PT LOT 4 N PT LOT 40		
Project Description:	A 9-storey residential building with 85 residential dwelling units and 84 parking spaces.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
WALKER NOTT DRAGICEVIC ASSOC LTD 90 EGLINTON AVENUE E. TORONTO, ON, M4P 1A6	BOB DRAGICEVIC 90 EGLINTON AVENUE E. TORONTO, ON, M4P 1A6	SUPERKUL INC. 101-35 GOLDEN AVENUE TORONTO, ON, M6R 2J5	2224578 ONTARIO LTD 132 GORMAN PARK ROAD TORONTO, ON, M3H 3K9

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas and Neighbourhoodsk	Site Specific Provision:	Y
Zoning:	R4 and R6 / RD (f15.0; a550)(x5) and RD (f12.0; a370)(x1463)	Historical Status:	N
Height Limit (m):	10	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	1987	Height:	Storeys:	9
Frontage (m):	40		Metres:	33.2
Depth (m):	50			
Total Ground Floor Area (sq. m):	1094.1			<b>Total</b>
Total Residential GFA (sq. m):	7905.6		Parking Spaces:	84
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	7905.6			
Lot Coverage Ratio (%):	55.1			
Floor Space Index:	3.98 (under By-law 569-2013) / 4.73 (under By-law 7625)			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	19 (22%)
2 Bedroom:	56 (66%)
3 + Bedroom:	10 (12%)
Total Units:	85 (100%)

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	7905.6		0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Doug Stiles, Planner</b>
	<b>TELEPHONE:</b>	<b>416-395-7145</b>
	<b>EMAIL:</b>	<b>dstiles@toronto.ca</b>