

# **1100 Sheppard Avenue West – Official Plan and Zoning By-law Amendment Applications – Preliminary Report**

Date: June 5, 2019  
To: North York Community Council  
From: Director, Community Planning, North York District  
Wards: Ward 6 - York Centre

**Planning Application Number:** 19 132479 NNY 06 OZ

**Notice of Complete Application Issued:** June 4, 2019

**Current Use on Site:** The site is currently a grassed area adjacent to an existing office building (Domo Building) at 20 De Boers Drive.

## **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application located at 1100 Sheppard Avenue West. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff have scheduled a community consultation meeting for the application in conjunction with the Ward Councillor. The meeting is to be held on June 13, 2019 in the existing office building at 20 De Boers Drive.

## **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 1100 Sheppard Avenue West together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

## **FINANCIAL IMPACT**

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The recommendations in this report have no financial impact.

## **DECISION HISTORY**

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The lands subject to the current application were part of a larger parcel that has gone through a number of planning applications and has been incrementally developed. This is the final remaining development parcel. Briefly, the planning application history is as follows (See Attachments 3A to 3C):

In 2001, applications for Draft Plan of Subdivision (File no. 2001 035185 NNY 08 SB) and Zoning By-law Amendment (File no. 2001 035196 NNY 08 OZ) were filed with the City to enable mainly residential development with a mix and range of unit sizes on the site. Non-residential uses such as retail and office uses would be encouraged at grade. The approved subdivision created a public road which bisected the site from Sheppard Avenue West to W. R. Allen Road (now De Boers Drive) and created a park block of approximately 929 square metres. Both the Draft Plan of Subdivision and the Zoning By-law Amendment applications were appealed to the Ontario Municipal Board where they were approved, resulting in a registered Plan of Subdivision and a Zoning By-law 1185-2010(OMB), which remains in effect on the overall larger parcel. The approved Zoning By-law anticipated future development on the site for both north and south of De Boers Drive (See Attachment 3A).

The creation of De Boers Drive effectively separated the large block into two parcels and the southern parcel was sold to a developer who filed applications for residential condominium tower development. Applications were submitted for Site Plan Approval and Condominium Approval for four residential towers with grade-related non-residential uses to be developed in two phases. Phase 1 consisted of buildings now known as 1070 Sheppard Avenue West and 55 De Boers Drive (File numbers 2007 258694 NNY 08 SA and 2010 100688 NNY 08 CD). Phase 2 consisted of buildings now known as 1060 Sheppard Avenue West and 1 De Boers Drive (File numbers 2008 151497 NNY 08 SA and 2011 189974 NNY 08 CD). All four buildings are constructed and occupied. The park block which was created by the above-noted draft plan of subdivision is now seamlessly integrated with the private open space in the centre of the southern block owned by the surrounding condominiums. A maintenance agreement exists for the adjacent condominium corporations to maintain the park block on behalf of the city (See Attachment 3B).

A large furniture retail store and associated warehouse was located on the land parcel north of De Boers Drive for many years. In 2006, an application was received by the City to convert the building into a 5-storey office building with an internal parking structure through Site Plan Control (File number 2006 161522 NNY 08 SA). This building is known as 20 De Boers Drive. Between 20 De Boers Drive and W. R. Allen Road, the approved zoning by-law 1185-2010 (OMB) anticipated a 14-storey apartment building that is currently under construction (File number 17 170226 NNY 08 SA). This building will be known as 10 De Boers Drive and the parcel of land containing this building has been severed by Committee of Adjustment Application B0065/16NY.

The current application has been submitted to amend the Site and Area Specific Policy #55 of the Official Plan and Zoning By-law 1185-2010 (OMB) for the vacant parcel of the lands north of De Boers Drive, east of Sheppard Avenue West and west of the building known as 20 De Boers Drive (See Attachment 2 and Attachment 3C).

## **ISSUE BACKGROUND**

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### **Application Description**

This application proposes to amend the Official Plan Site and Area Specific Policy #55 and site-specific Zoning By-law 1185-2010 (OMB) to permit the development of a 14-storey (45.8 metre high), 385 unit residential apartment building containing 30,475 square metres of gross floor area. With a site area of approximately 4,506 square metres, the proposed density would be 6.4 times the lot area.

The proposed building includes a main pedestrian entrance on the west side of the building facing Sheppard Avenue West in a location that is mid-block to the site. Primary vehicular access and a secondary pedestrian access to the lobby would be located interior to the site on the east side of the building, accessed from a driveway between De Boers Drive and Kodiak Crescent. Parking would be provided in a 3-level below grade parking structure containing 345 parking spaces. Sixty-nine of those parking spaces would be fitted with electrical charging outlets.

The ground floor height would be 3.55 metres and proposed at-grade uses would include lobbies and a mail room, 19 residential units, indoor amenity space and servicing functions in the form of a garbage staging room.

Residential units would be provided with private amenity space in the form of balconies and terraces. The building would include 767 square metres of indoor and 699 square metres of outdoor amenity area, provided throughout the building including an outdoor amenity area on the roof top which would include wind-protected dining and BBQ areas, as well as a sound- and wind-protected children's play area with swings and slides, surrounded by landscaping and trees. Many of the upper level townhouse units have landscaped terraces that open to the communal area further extending the backyard for those families.

Long-term bicycle parking (262 spaces) for residents has been provided in a number of locations, including a secure bike room, in the first level (P1) of the below grade parking structure. Short term bicycle parking (28) spaces would be provided at-grade in a sheltered space.

Of the 385 residential units, the applicant proposes the following unit mix:

Studio	46 (12%)
One-bedroom	78 (20%)
One bedroom + den	70 (18%)
Two bedroom	146 (38%)
Three bedroom and three-bedroom and den	45 (12%)
Total	385 (100%)

The applicant has proposed 699 square metres of outdoor amenity space (for a rate of 1.8 square metres per unit) on the roof and 767 square metres of indoor amenity space (for a rate of 1.9 square metres per unit) throughout the building.

The following plans and reports/studies have been submitted with the application:

- Boundary Plan of Survey
- Topographical Survey
- Architectural Drawings, including Site Plan, Roof Plans, Floor Plans, Section, and Elevations
- Draft Official Plan
- Draft Zoning By-law Amendment
- Computer Generated Building Mass Model
- Toronto Green Standards Checklist
- Planning Rationale
- Pedestrian Level Wind Study
- Sun/Shadow Study
- Noise Impact Study
- Public Consultation Strategy Report
- Energy Strategy
- Parking, Loading and Transportation Impact Study
- Geotechnical Study/Hydrological Review
- Servicing and Stormwater Management Report
- Site Servicing Plan
- Environmental Impact Study
- Arborist/Tree Preservation Report.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachments 1A and 1B of this report, for a three dimensional representation of the project in context and Attachment 4 for the proposed site plan.

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

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform to applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2019). On May 2, 2019, the Province of Ontario released *A Place to Grow: Growth Plan for the Greater Toronto Horseshoe, 2019* ("A Place to Grow") which amends the Growth Plan for the Greater Toronto Horseshoe (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

### **Toronto Official Plan Policies and Planning Studies**

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from *The Planning Act* of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The current application is located on lands shown as *Avenues* on Map 2 of the Official Plan and *Mixed Use Areas* on Land Use Plan Map 16. *Mixed Use Areas* achieve a multitude of planning objectives by combining a broad array of residential uses, offices, retail and services, institutions, entertainment, recreation and cultural activities, and parks and open spaces. *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment and housing in Toronto in the coming decades. Much of the new development along the *Avenues* will have a residential emphasis.

The application is subject to Site and Area Specific Policy (SASP) #55 1100 Sheppard Avenue West in Chapter 7 of the Official Plan. Site and Area Specific Policy #55 was incorporated into the Official Plan to designate the original larger site (See Attachment 3A) *Mixed Use Areas*. SASP #55 contains required development criteria for the original larger site, including:

- A maximum density of 3.0 times the area of the lot, with the ability to increase density to 3.4 times the area of the lot upon the provision of specific community benefits;

- Building heights up to 45 metres which are to step down in height away from the Sheppard Avenue West and Allen Road intersection;
- The provision of public art in publicly accessible locations;
- The provision of a centrally located park;
- A requirement for resident parking to be located below grade;
- Servicing details, and
- How the site development is to be implemented.

## **Zoning By-laws**

The development site is zoned C4(7) by Zoning By-law 1185-2010 (OMB) under Zoning By-law 7625 of the former City of North York.

Permitted uses on this site include an Apartment House Dwelling as well as a variety of commercial uses including business and professional offices, financial institutions, professional medical offices, restaurants and retail stores, personal service shops, among others.

At the time of the By-law approval by the former Ontario Municipal Board, it was anticipated that the site would be developed with an apartment building. The site specific zoning by By-law sets out a range of the total gross floor area permitted on the subject lands as being between 14,000 and 20,000 square metres. The site specific zoning by-law also sets out the maximum building height on the subject lands at 234.1 metres above sea level or 35 metres, which would permit an 11- or 12-storey building. The delineation of the anticipated building is shown on Schedule C4(7) to By-law 1185-2010 along with minimum building setbacks and stepbacks. The proposed building is wholly within the building envelope identified in the C4(7) zone for the first 5 storeys and the remainder of the proposed building respects the general intent of the building delineation on the zoning schedule in terms of stepbacks and setbacks. Parking standards included in the zoning by-law reflect the standards of the former City of North York.

The property is subject to the Airport Hazard Zoning shown on Schedule 'D' of By-law 7625.

The site is not zoned by the City's Zoning By-law 569-2013, which may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

## **Design Guidelines**

The following design guidelines will be used in the evaluation of this application:

- Avenues & Mid-Rise Buildings Study
- Mid-Rise Building Performance Standards Addendum
- Growing Up: Planning for Children in New Vertical Communities
- Tall Buildings Guidelines.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

## **Site Plan Control**

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

## **COMMENTS**

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### **Reasons for the Application**

The applicant has applied for an amendment to the Official Plan to address the overall permitted density on the larger site, which was capped at 3.0 times the lot area, but could be increased to 3.4 times the lot area if certain development benefits are achieved. In particular, SASP #55 permits an increase in density for the larger site if the applicant enhances the pedestrian realm between the development and the Sheppard West Subway Station (formerly Downsview Subway Station). Maximum building heights are also set out in the Official Plan for this site through SASP #55 and the applicant is requesting an increase in the maximum building height from 35.0 metres to 45.0 metres.

The applicant has applied for a Zoning By-law Amendment for the purposes of updating the Gross Floor Area definition, amending the parking requirements to be consistent with the City of Toronto Zoning By-law 569-2013, increasing the height of the proposed building from 234.1 metres above sea level to 244.8 metres above sea level, and to introduce appropriate development standards to accommodate the proposed development.

### **ISSUES TO BE RESOLVED**

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

#### **Provincial Policies and Plans Consistency/Conformity**

City Planning Staff are evaluating this application against the PPS and the applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth Plan.

#### **Official Plan Conformity**

The Official Plan identifies that *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. Staff are reviewing the application against the Official Plan policies and SASP #55.

## **Built Form, Planned and Built Context**

Staff are reviewing the application against the policy framework identified in the Official Plan, particularly the Built Form policies outlined in Chapter 3 including the suitability of the proposed height, density, and massing and other built form issues. Staff will also assess the proposal against the *Mixed Use Areas* policies outlined in Chapter 4, and the design guidelines identified earlier.

Staff will assess whether the application is contextually appropriate and whether the proposal fits with the planned and built context, including appropriate setbacks and stepbacks. The contextual fit with neighbouring buildings will also be assessed. The appropriateness of the size and location of amenity space will be evaluated and a determination will be made as to whether the proposal has negative impacts upon the surrounding public realm.

Staff will utilize both the Avenues and Mid-Rise Buildings Study and the Tall Buildings Guidelines to assess the application. Technically, the building at 14-storeys is a tall building but the site specific Zoning By-law came into effect prior to the Council adoption of both the Mid-Rise Guidelines and the Tall Buildings Guidelines. Generally, the building is respecting the building delineation incorporated into the site-specific zoning schedule, which was originally crafted for a mid-rise building typology at 11 or 12 storeys. The nearest abutting building is a 5-storey office building to the east but there is a residential complex comprising 4 towers south of De Boers Drive, which approvals also pre-date the Mid-Rise Guidelines.

The subject site is in close proximity to the former Downsview Airport, now operated by Bombardier Aerospace and building height and design will have to comply to Bombardier's operating requirements.

A sun/shadow study was submitted and is currently under review by staff. Staff will identify if there are any shadow impacts on surrounding lands and the public realm that require resolution. As part of the application review, staff will review the pedestrian level wind assessment to ensure that the site and surrounding conditions are suitable and appropriate for pedestrians.

Staff will also assess whether sufficient site porosity has been provided for pedestrians and cyclists who wish to traverse the site from east to west and north to south. Staff have heard from residents and the local Duke Heights B.I.A. that this is an issue in this neighbourhood.

## **Family-Friendly Housing**

Staff are reviewing the application against the policy framework identified in the Urban Design Guidelines entitled *Growing Up: Planning for Children in New Vertical Communities*. The guidelines address how new multi-unit residential development can better address diverse households at various life stages. Suggestion is given that a minimum of 25% of larger units in buildings that contain 20 units or more (15% two bedrooms and 10% three bedrooms) primarily located in the lower portions of the building is appropriate, for example.



## **Amenity Space**

The site specific zoning by-law requires the provision of amenity space at a rate of a minimum 1.2 square metres per dwelling unit of indoor recreational amenity space and a minimum of 1.5 square metres per dwelling unit of outdoor recreational amenity space. The proposed development would meet this standard. Staff will assess whether the proposed locations and configurations of the amenity spaces are appropriate.

## **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 has submitted an Arborist Report in support of the application which is currently under review by City staff.

The Arborist Report identifies 27 trees which are located on the site or abutting City lands. Of these, seven (7) trees are protected by the City's Street Trees By-law or the Private Tree By-law. The remainder of the trees are under 30 centimetres in diameter and are not protected by the City by-laws. According to the applicant's landscape plan, the applicant proposes to protect 4 trees along De Boers Drive that are subject to protection under City By-laws. The remainder of the trees (23 trees) onsite and adjacent the site will be removed. An appropriate tree replacement and /or tree compensation plan will be required. In total 61 new trees would be proposed to be planted on site and this tree replacement plan will be assessed through the application evaluation.

## **On-Site Open Space**

Staff will be assessing the appropriateness of the amount of landscaped open space on site.

## **Section 37 Community Benefits**

The Official Plan provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title, when development thresholds in the Official Plan are met. As the proposed increase in height and density meets the thresholds, Section 37 benefits will be required and will be secured in a Section 37 Agreement.

## **Infrastructure/Servicing Capacity**

Staff are reviewing the application to determine if there is sufficient infrastructure capacity (road, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development.

Staff are reviewing a Functional Servicing and Stormwater Management Report submitted by the applicant to determine the effects of the proposed development on the city's municipal servicing infrastructure and watercourses, and whether there is sufficient capacity to accommodate the proposed development. Staff will determine if new infrastructure or any improvements to the existing infrastructure are required as a result of the proposed change in the development from what was approved in 2010. Any servicing upgrades required will be the responsibility of the Owner.

Staff are reviewing a Parking and Loading Needs Assessment Study submitted by the applicant to determine whether the proposed parking supply and loading facilities are appropriate. The 2010 zoning by-law contains parking and loading requirements that are currently out of date with the city's harmonized parking by-law and it is expected that updated parking standards would be encouraged as well as TDM measures given the proximity of the site to the Sheppard West Subway Station.

Given the density increase, a Traffic Study Addendum will be required.

### **Toronto Green Standard**

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

The applicant has submitted a TGS checklist, Version 3.0 and staff are reviewing compliance with Tier 1 performance measures.

## **Other Matters**

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

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## **SIGNATURE**

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Joe Nanos, Director  
Community Planning, North York District

## **ATTACHMENTS**

### **City of Toronto Drawings**

Attachment 1A: 3D Model of Proposal in Context (view from southwest)

Attachment 1B: 3D Model of Proposal in Context (view from northwest)

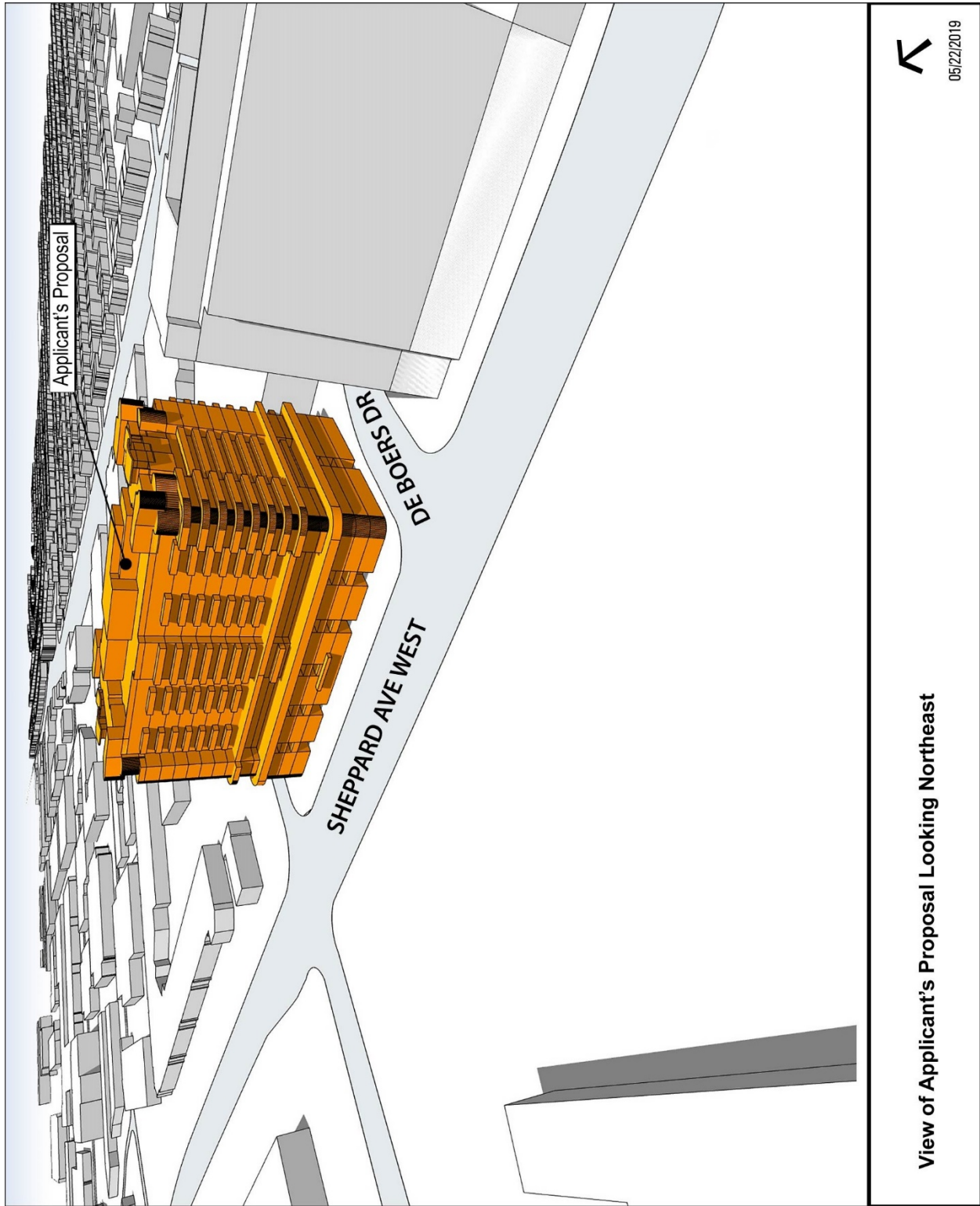
Attachment 2: Location Map

Attachment 3A - 3C: Planning Application History

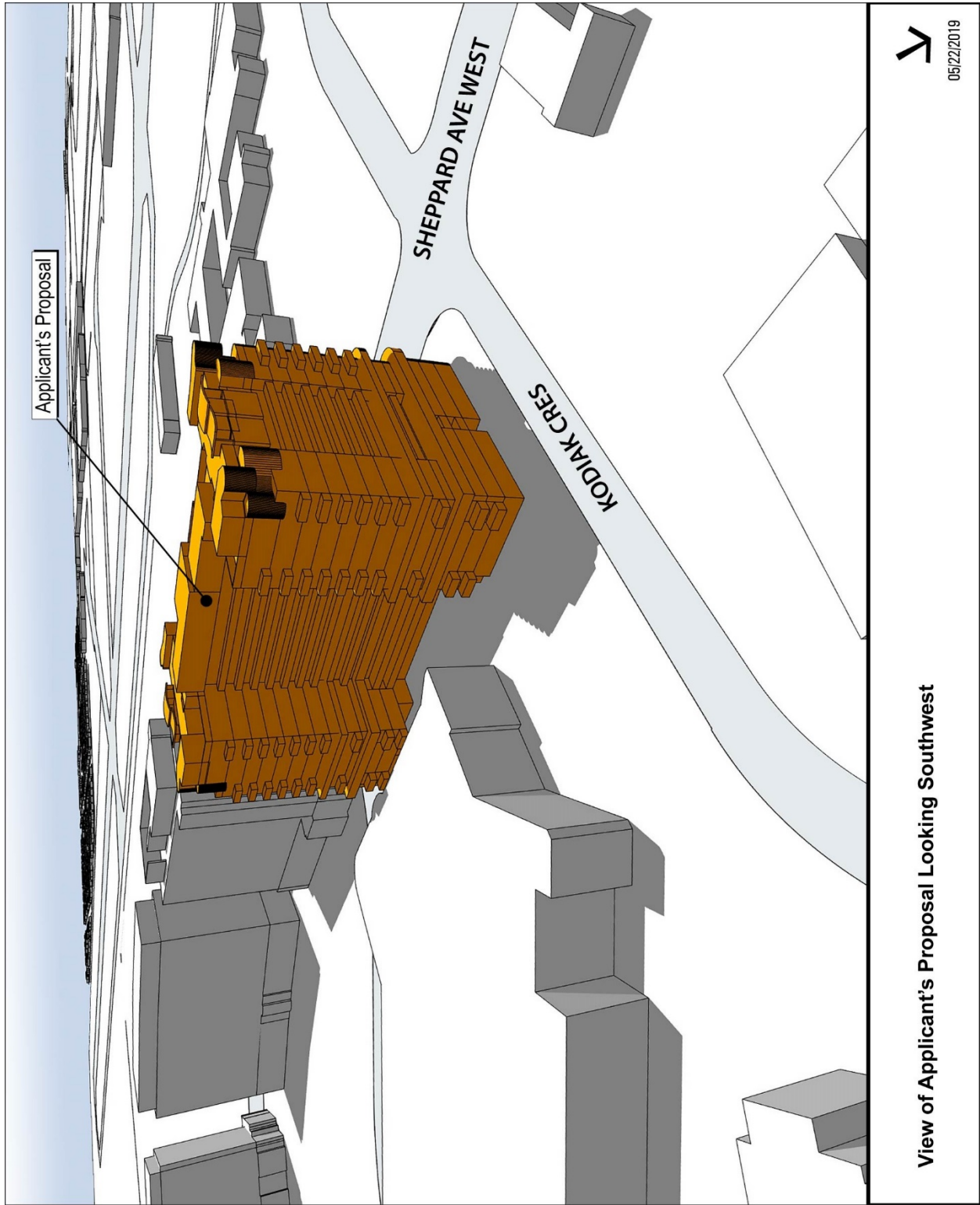
Attachment 4: Site Plan

Attachment 5: Official Plan Map

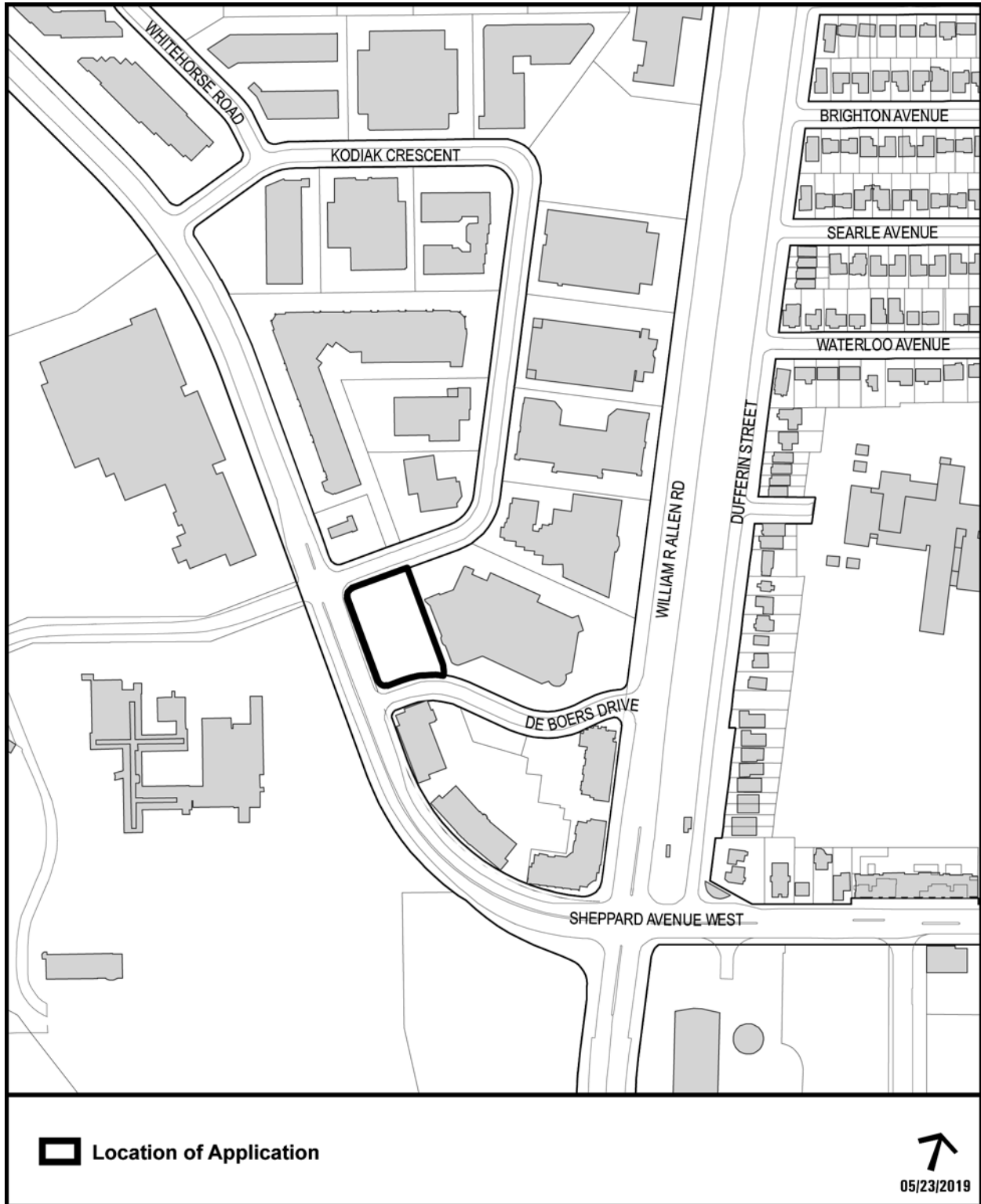
Attachment 1: 3D Model of Proposal in Context (view from southwest)



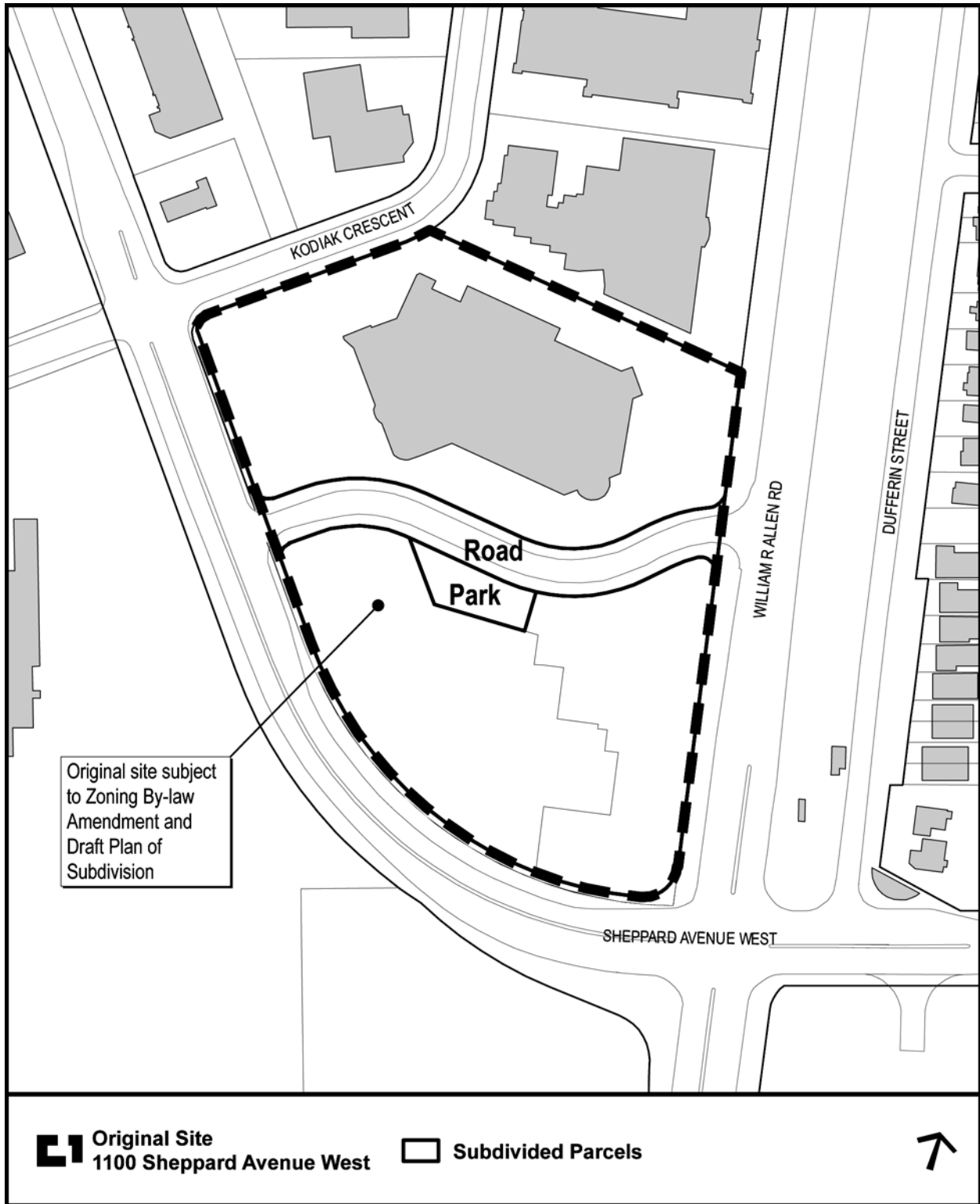
Attachment 1: 3D Model of Proposal in Context (view from northwest)



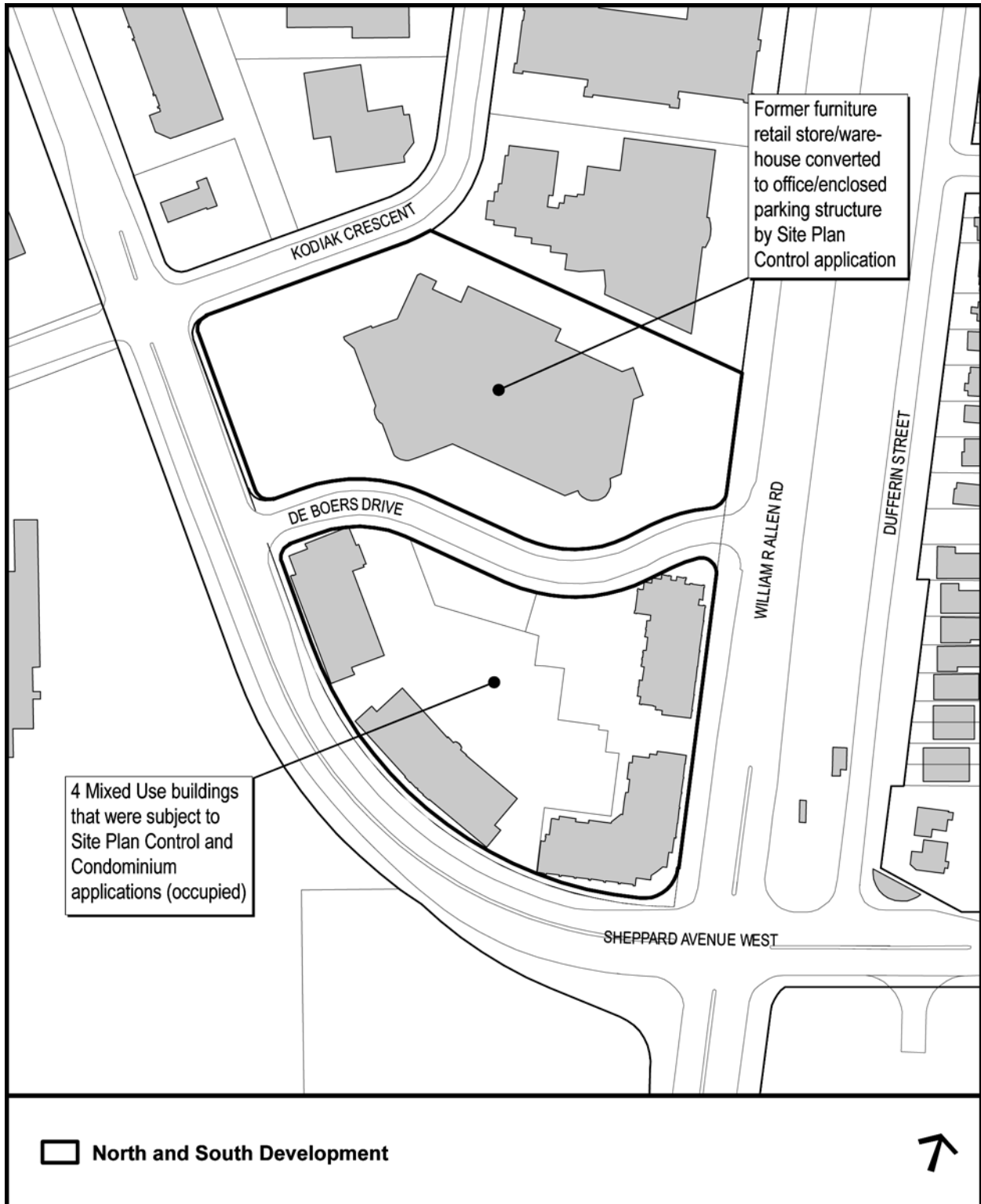
Attachment 2: Location Map



Attachment 3A: Planning Application History

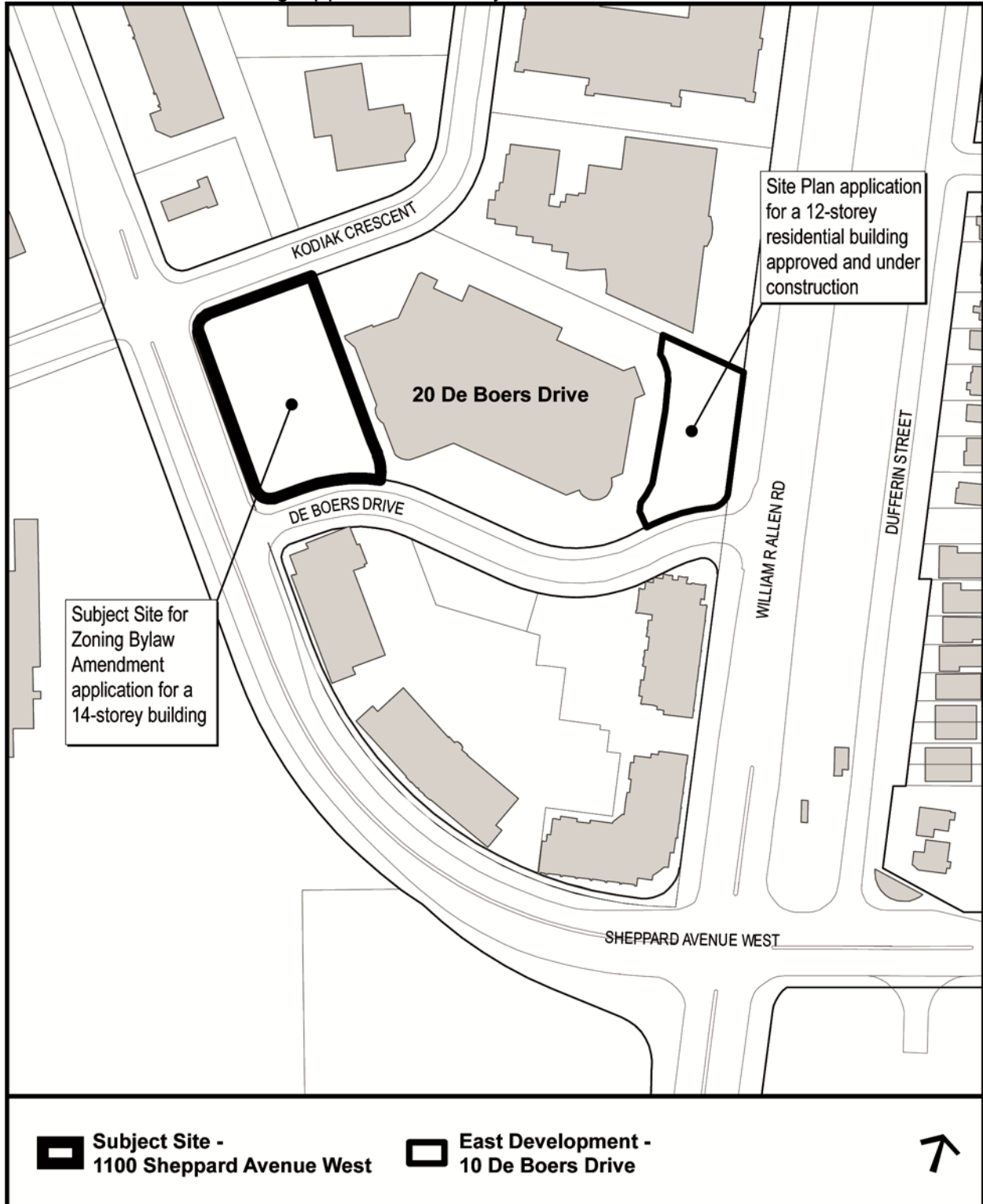


Attachment 3B: Planning Application History



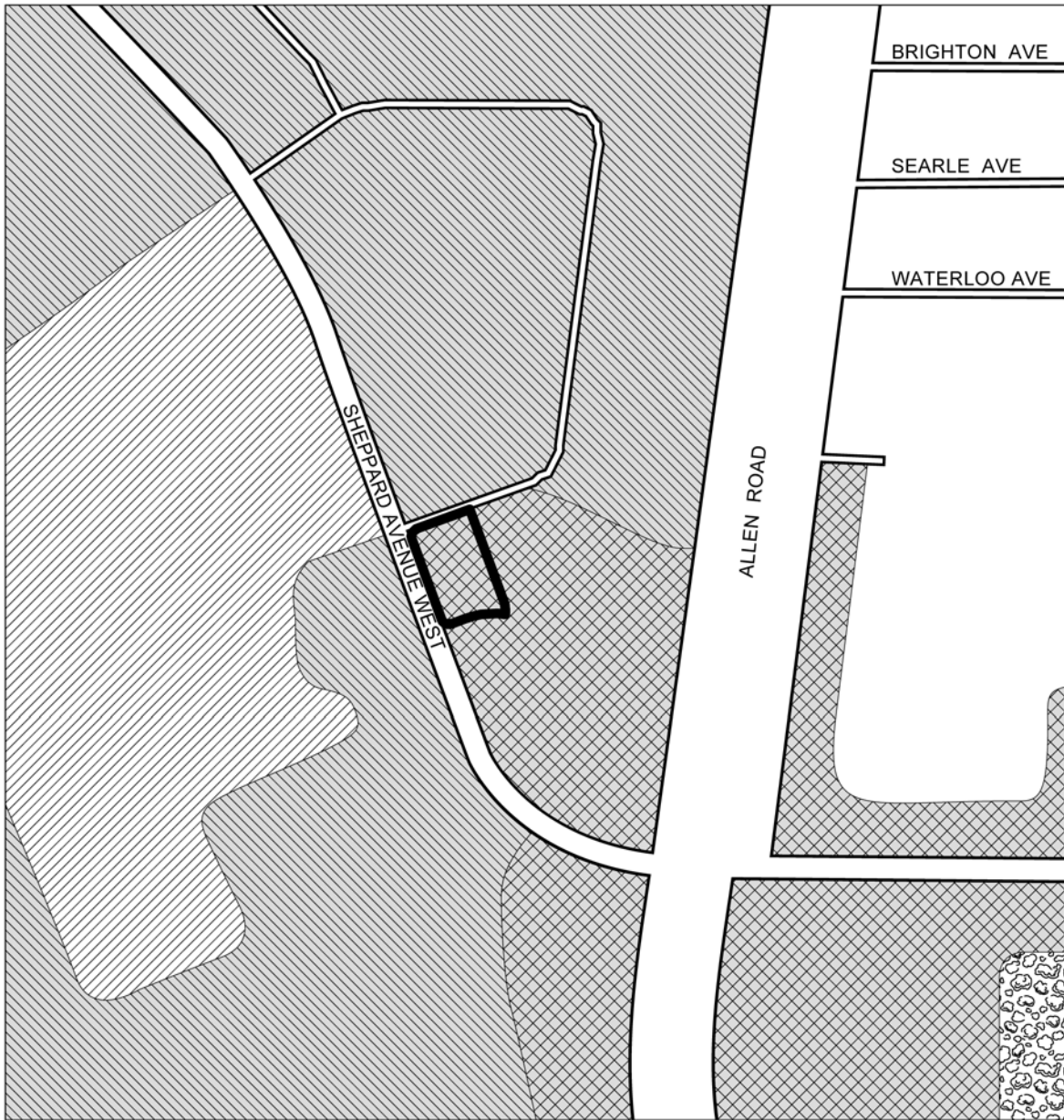


Attachment 3C: Planning Application History





Attachment 5: Official Plan Map



**Official Plan Land Use Map #16**

**1100 Sheppard Avenue West**

File # 19 132479 NNY 06 02

 Location of Application	 Parks & Open Space Areas	 Employment Areas
 Neighbourhoods	 Parks	
 Mixed Use Areas	 Institutional Areas	

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Not to Scale  
05/16/2019