

## **290 Sheppard Avenue West – Zoning Amendment Application – Preliminary Report**

Date: December 11, 2019

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 18 - Willowdale

**Planning Application Number:** 19 240165 NNY 18 OZ

**Related Applications:** 19 240176 NNY 18 SA

**Current Use(s) on Site:** The site is currently occupied by a two storey detached residential dwelling with a detached private garage in the rear yard.

### **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application located at 290 Sheppard Avenue West. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 290 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.

## ISSUE BACKGROUND

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### Application Description

This application proposes to amend City of Toronto Zoning By-law 569-2013 to incorporate the site into the By-law, and former North York Zoning By-law 7625 to provide appropriate development standards for the proposed development for the property at 290 Sheppard Avenue West to permit a six storey, 38 room hotel.

The proposed height of the six storey building is 19.9 metres. The building is proposed to be set back 0.0 metres from the front lot line following the conveyance of a 4.89 metre wide strip of land across the front of the lot for a road widening. A 13.5 metre rear yard setback for the new building from the rear (north) lot line is proposed. Six parking spaces are proposed to be located at grade at the rear of the site. Access is provided via a two way driveway from Sheppard Avenue West which passes through the building. The proposal will have an FSI of 2.42 and contain 1,403 square metres of Gross Floor Area.

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 Attachment 1 of this report, for a three dimensional representation of the project in context and Attachment 3 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 with applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2019) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

### A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan, 2019 establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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.

The Growth Plan (2019) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

### **Toronto Official Plan Policies**

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 Urban Structure Map 2 of the Official Plan and is designated *Mixed Use Areas* on Land Use Map 16. *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. Sheppard Avenue West is identified as a major street on Map 3 with a planned right-of-way width of 36 metres.

The application is also located within the Sheppard Lansing Secondary Plan. The site is designated *Mixed Use Areas "B"* subject to a maximum density of 2.5 times the area of the land as shown on Map 37-2. The *Mixed Use Areas "B"* area permits financial institutions; institutional uses; office use; retail and service commercial uses; residential uses in a townhouse or apartment building form; and, parks and open spaces.

Policy 3.2.1 of the Secondary Plan encourages the consolidation of lots to achieve a minimum frontage of 30.0 metres on Sheppard Avenue West to reduce curb cuts, provide active frontages and support the public realm.

Policy 3.5.1 (b) of the Secondary Plan states that buildings in *Mixed Use Areas "B"* are permitted to be a maximum height of 6 storeys. Further, Policy 3.6.3 states that a transition in scale to adjacent neighbourhoods will be provided through a 45 degree angular plane measured from a height of 10.5 metres at the minimum required 7.5 metre rear yard setback.

The Sheppard Lansing Secondary Plan can be found here:

<https://www.toronto.ca/legdocs/bylaws/2017/law0123.pdf>

## **Zoning By-laws**

The site is currently subject to the former North York Zoning By-law 7625. The property is zoned C6 Special Commercial Area. This zone permits a single family dwelling in existence as of May 15, 1991; business and professional offices; professional medical offices, financial institutions; places of worship; public libraries, museums and art galleries; and day nurseries. This zone requires a minimum front yard setback of 18.0 metres from the centreline of Sheppard Avenue, a 7.5 metre rear yard setback, and permits 0.0 metre side yard setbacks. A maximum building height of 8.0 metres is permitted.

The application proposes to incorporate the site into the City Zoning By-law 569-2013. The site is currently not included within this By-law. The City's Zoning By-law 569-2013 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 and Mid-rise Buildings Performance Standards and Addendum
- Best Practices for Bird-Friendly Glass; and
- Accessible Design.

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 been submitted and is being reviewed by staff.

## COMMENTS

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### Reasons for the Application

An amendment to the former City of North York Zoning By-law No. 7625 is required to permit the proposed building type and use, height and density, and to develop appropriate development standards for the proposed development.

An amendment to City of Toronto Zoning By-law 569-2013 is required to bring the site into the By-law and apply an appropriate zone and development standards for 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

Planning staff will continue to evaluate the application to determine its consistency with the PPS (2014) and conformity with A Place to Grow (2019) Plan.

Given the recognition in Provincial Policy of the importance of official plans and long term planning, conformity with the PPS and A Place to Grow will be informed by conformity with the City's Official Plan.

### Built Form, Planned and Built Context

Staff are assessing the suitability of the proposed site organization, building placement and setbacks, height and massing, based on Sections 2 (q) and (r) of the Planning Act; the City's Official Plan including the built form policies in Section 3.1.2, the public realm policies in Section 3.1.1, the built form policies in the Sheppard Lansing Secondary Plan and the City's Design Guidelines identified above.

The site abuts a stable, low-rise residential area to the north which is designated *Neighbourhoods*. The official plan and secondary plan policies require that development in *Mixed Use Areas* be compatible with adjacent and nearby *Neighbourhoods*, provide transition of scale and density towards *Neighbourhoods* through the stepping down of buildings and setbacks from adjacent/close by *Neighbourhoods*. The application appears from a preliminary review to comply with the angular plane requirements for the building massing. Staff are reviewing the application to determine whether an appropriate transition and screening of service and parking areas is provided in accordance with the official plan and secondary plan policies.

Should this development proceed without the corner lot at Addington Avenue, a blank wall of 6 storeys in a highly visible location will result. Planning staff will review the appropriateness of the east elevation which would likely remain visible given the small size of the remaining lot at the corner and limited development potential on this lot.

The applicant has submitted a Sun/Shadow in support of the application that is currently being reviewed by City staff.

### **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. There are three private trees on or adjacent to the site, proposed to be injured or removed. One new City-owned tree is proposed. Urban Forestry staff are reviewing the application and Arborist Report.

### **Infrastructure/Service Capacity**

Engineering and Construction Services staff are reviewing the Functional Servicing and Stormwater Management Report provided by the applicant with the submission, the purpose of which is intended to evaluate the effects of the proposed development on the City's municipal servicing infrastructure and watercourses and identify and provide the rationale for any new infrastructure and/or upgrades to existing infrastructure necessary to provide for adequate servicing to the proposed development.

The Transportation Impact Study submitted by the applicant, is currently being reviewed by Transportation Services and Transportation Planning staff, the purpose of which is to evaluate the effects of the development on the transportation system, and the recommended transportation and cycling improvements that are necessary to accommodate the travel demands and impacts generated by the development. The proposed hotel use and the time and pattern of trips the use will generate for the drop off and pick up of guests will be evaluated by staff to ensure there are not off-site impacts from the trips generated by the hotel on the surrounding residential neighbourhood.

Staff are also evaluating the appropriateness of the suggested Transportation Demand Management (TDM) measures.

### **Site Layout and Organization**

Staff are reviewing the appropriateness of the location and organization of the garbage storage location and whether the absence of a loading space for the building based on the proposed hotel use is appropriate.

The frontage of the subject lands is 15.24 metres. The site is a candidate for lot consolidation in accordance with the Sheppard West Secondary Plan and the applicant will be encouraged to consolidate the adjacent lot to the east into the development. The adjacent lot to the east is also less than 30 metres and could be 'orphaned' should this development proceed in its current form.

## **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 in Zoning By-law Amendments, on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision. New applications received on or after May 1, 2018 must comply with TGS Version 3.0.

The applicant has not submitted a TGS Checklist and this is one of the outstanding documents identified in the Notice of Incomplete Application issued on November 22, 2019. Staff will review the TGS Checklist when it is submitted by the applicant for compliance with the 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**

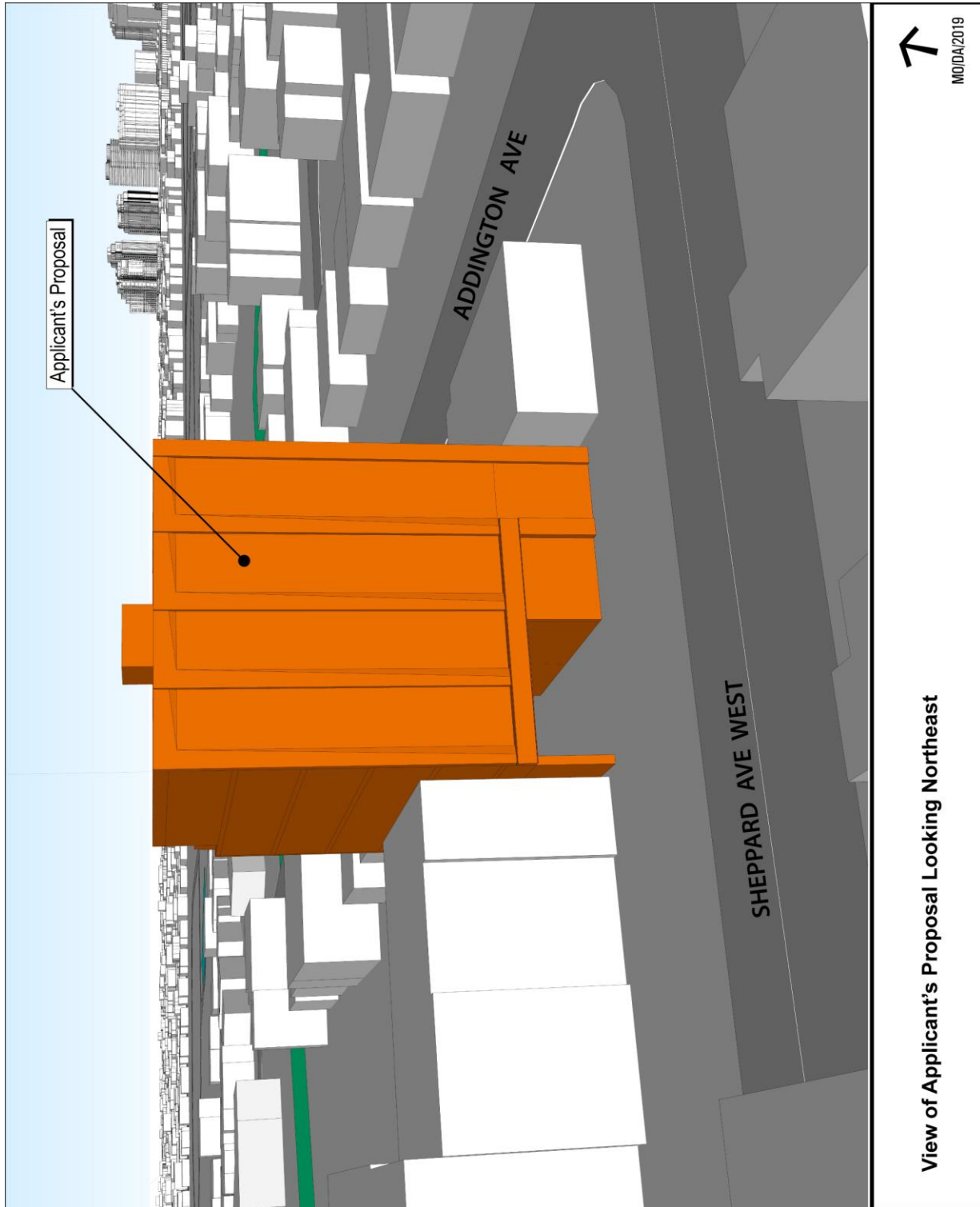
Attachment 1A & 1B: 3D Model of Proposal in Context

Attachment 2: Location Map

Attachment 3: Site Plan

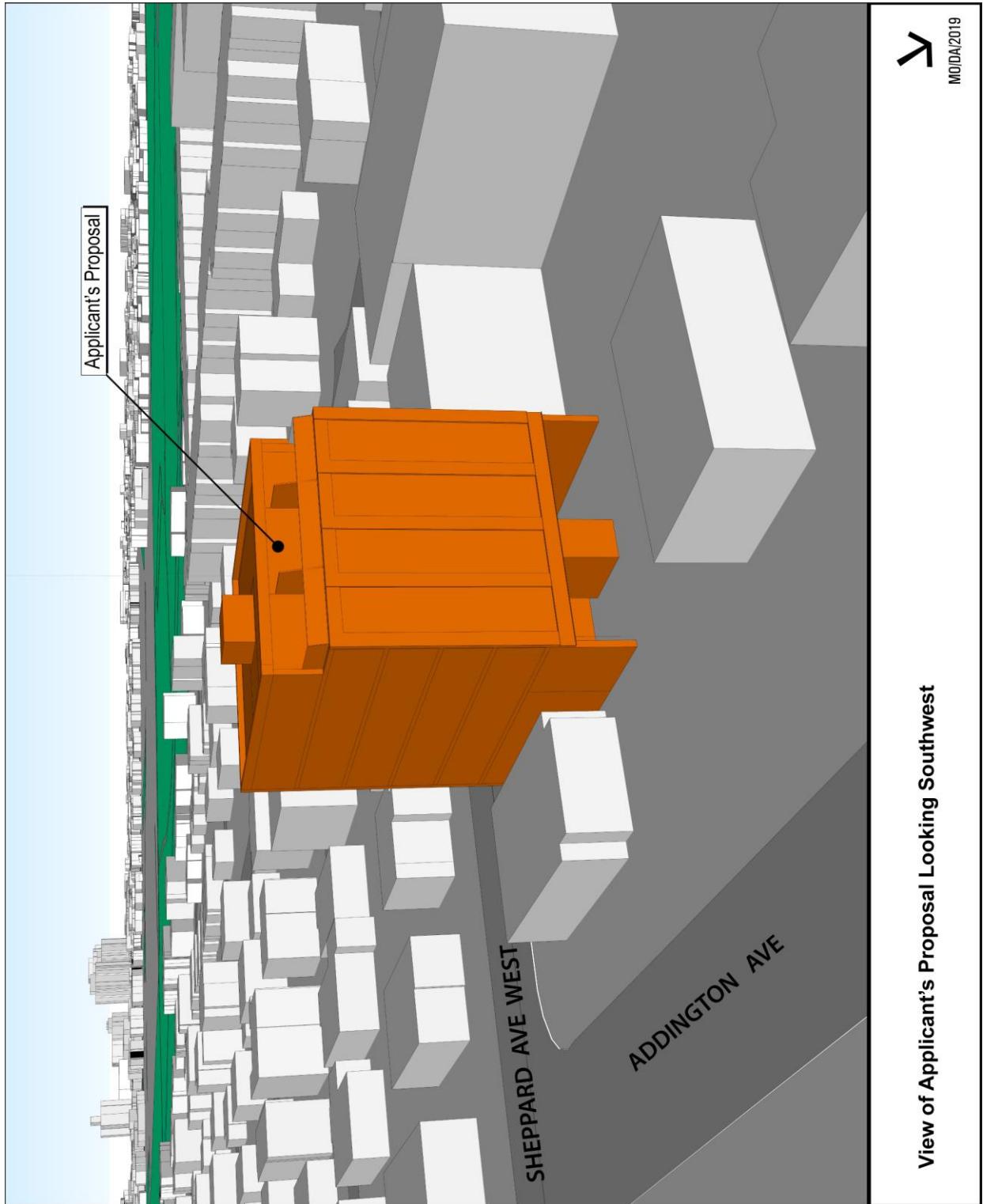
Attachment 4: Official Plan Map

Attachment 1A: 3D Model of Proposal in Context

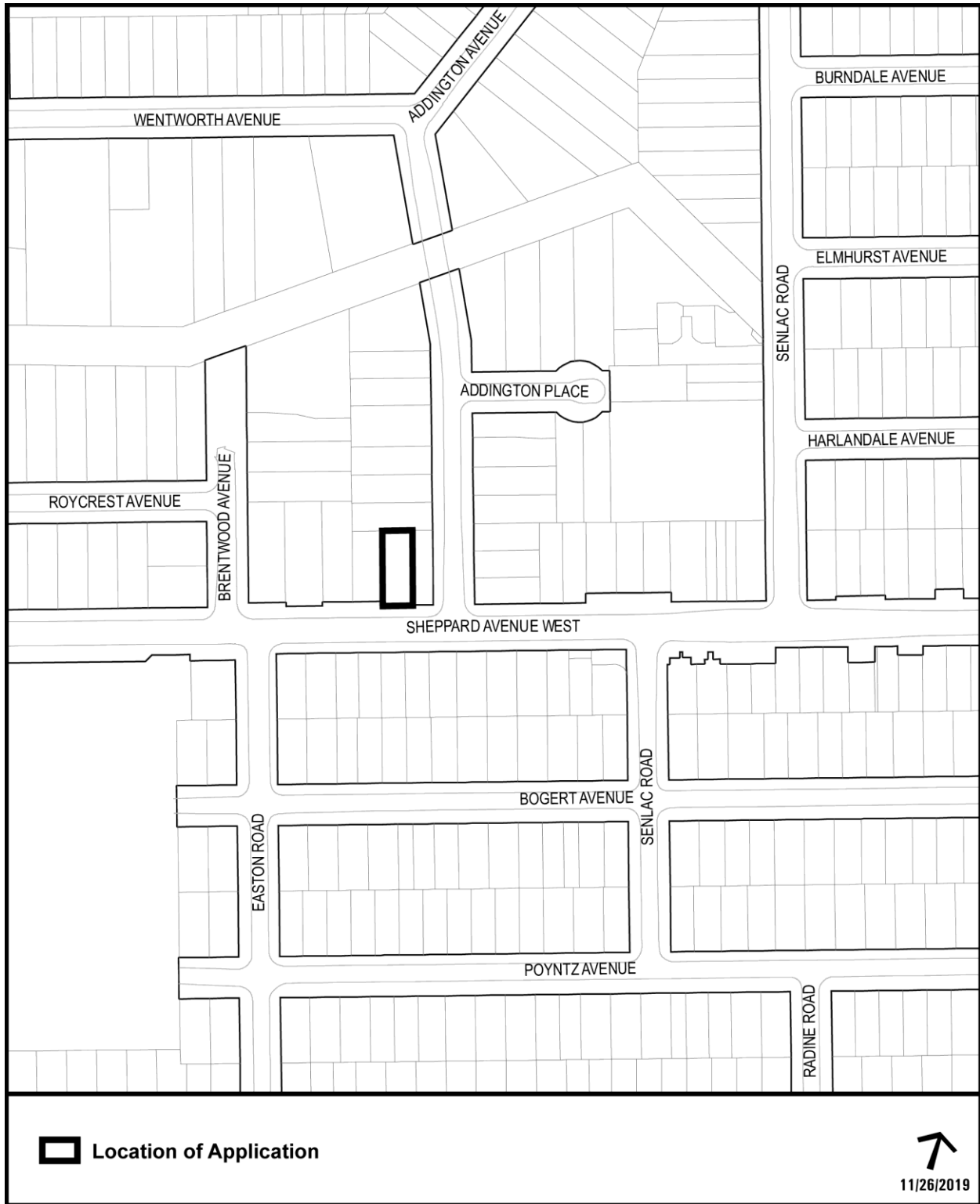




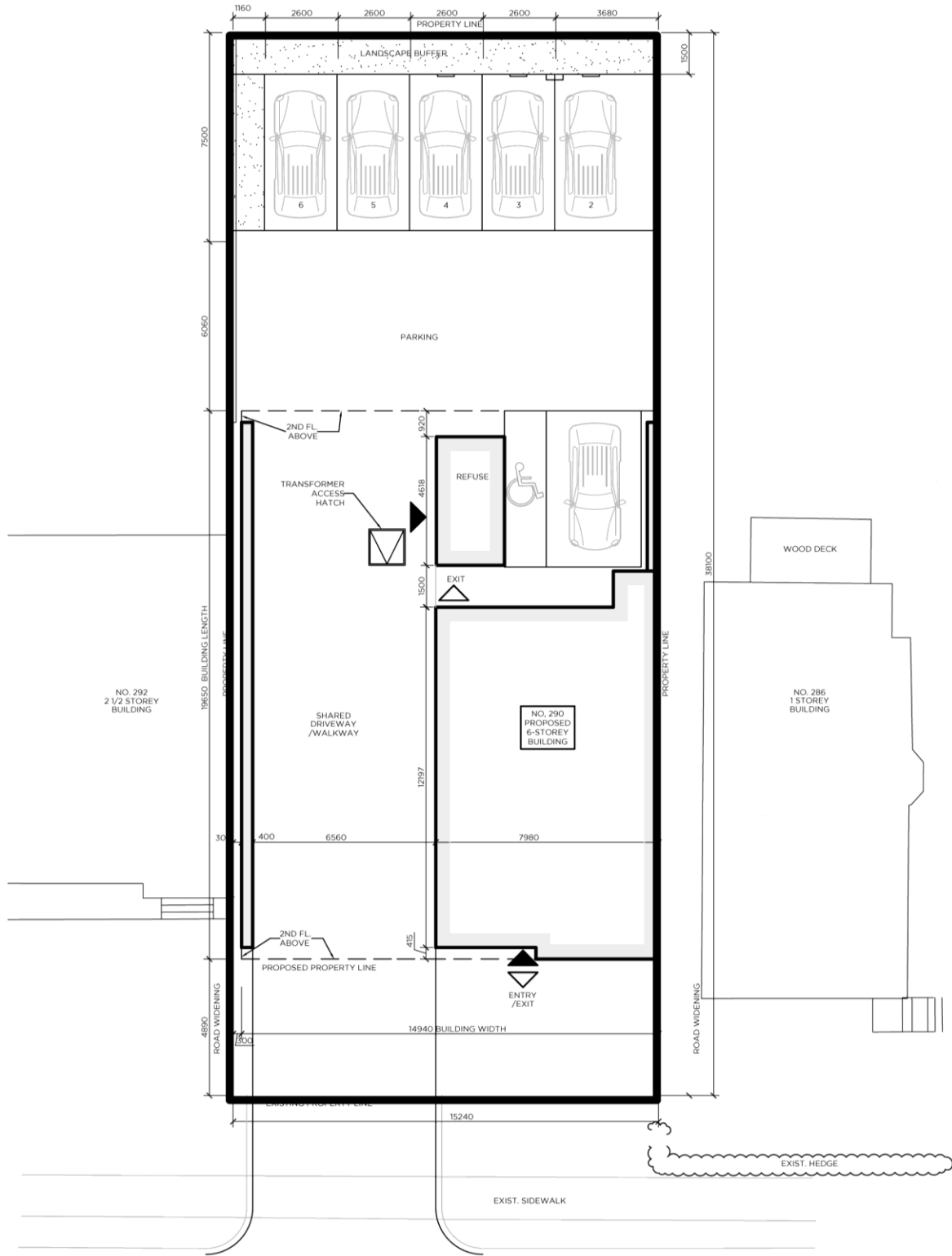
Attachment 1B: 3D Model of Proposal in Context



Attachment 2: Location Map



# Attachment 3: Site Plan

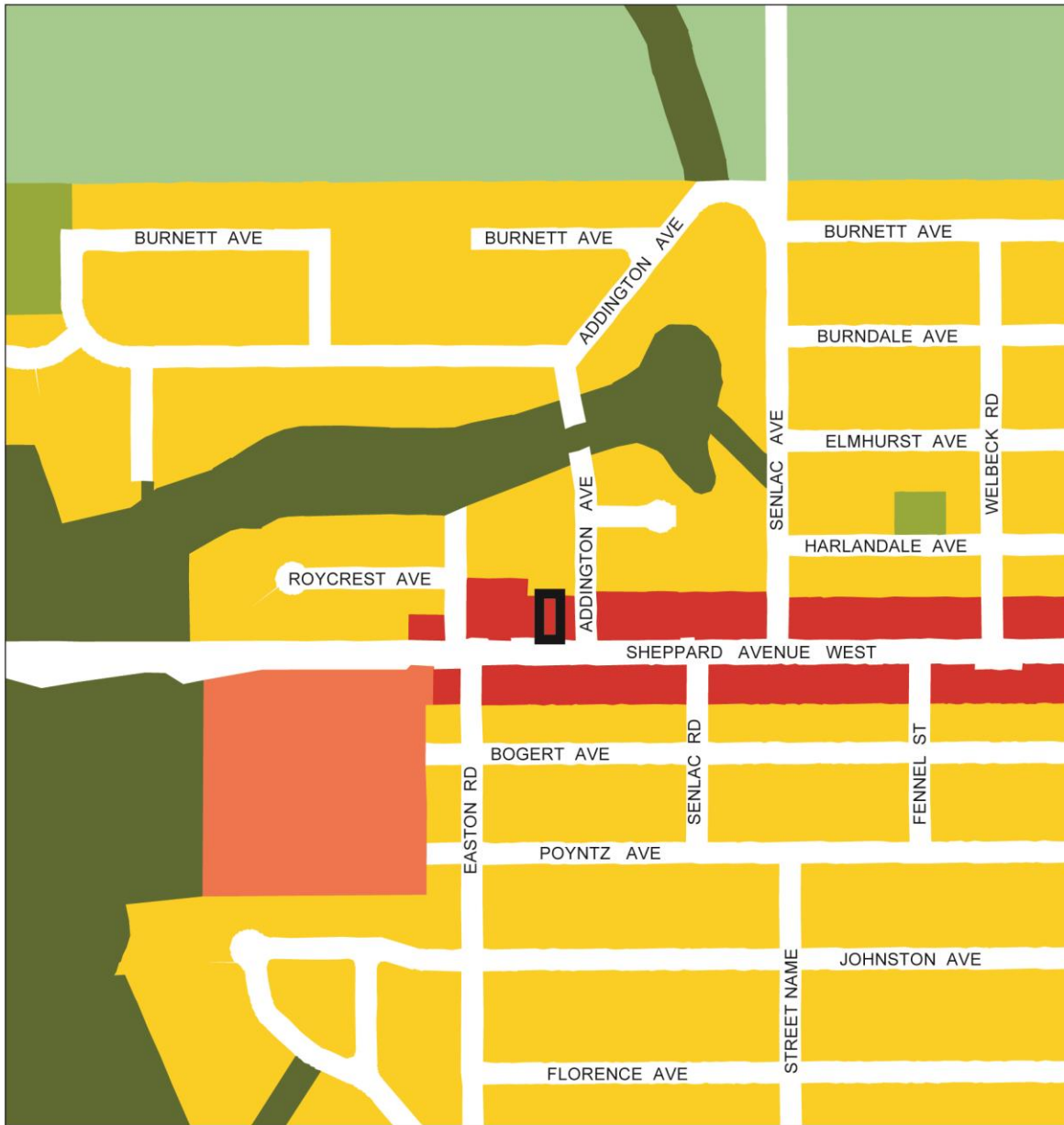


## SHEPPARD AVENUE WEST

### Site Plan











Attachment 4: Official Plan Map



290 Sheppard Avenue West

Official Plan Land Use Map #16

File # 19 240165 NNY 18 02

|   |                          |   |                          |
|---|--------------------------|---|--------------------------|
|  | Location of Application  |  | Parks & Open Space Areas |
|  | Neighbourhoods           |  | Natural Areas            |
|  | Apartment Neighbourhoods |  | Parks                    |
|  | Mixed Use Areas          |  | Other Open Space Areas   |

  
Not to Scale  
11/25/2019