

680 - 688 Sheppard Avenue East – Official Plan Amendment and Zoning Amendment Applications – Preliminary Report

Date: January 16, 2020

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 17 - Don Valley North

Planning Application Number: 19 248099 NNY 17 OZ

Related Applications: 19 248116 NNY 17 RH

Notice of Complete Application Issued: December 10, 2019

Current Use(s) on Site: 680 Sheppard Avenue East : a three and a half storey vacant, former residential co-operative ownership building containing 30 units and surface parking. The property known as 688 Sheppard Avenue East is developed with a three and a half storey rental residential apartment building containing 35 rental apartment units and surface parking.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 680 - 688 Sheppard Avenue East. 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

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 680-688 Sheppard Avenue East.
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.

3. Staff review the application concurrently with the Sheppard Avenue East (Bayview to Leslie) Focused Planning Review.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

Sheppard Avenue East (Bayview to Leslie) Focused Planning Review

On June 26 - 29, 2018, City Council passed a motion directing City Planning, in consultation with appropriate City Divisions to review the existing policies contained within the Sheppard East Subway Corridor Secondary Plan and analyse the existing and planned built form context to clarify, refine, and/or strengthen the appropriate density and height limitations and other planning and built form policies for the Mixed Use Areas and Institutional Areas located to the north and south of Sheppard Avenue East between the east side of Bayview Avenue and the east side of Leslie Street. The subject site falls within this study area. This Council motion also directed staff to evaluate whether there is potential for appropriate, grade-related, low-rise intensification opportunities on existing older two-storey and three-storey townhouse and apartment building properties in the vicinity of Talara Drive and Highway 401 that are designated Neighbourhoods and Apartment Neighbourhoods.

ISSUE BACKGROUND

Application Description

This application proposes to amend the Sheppard East Subway Corridor Secondary Plan and the Multiple Residential zoning by-law provisions for the properties at 680 - 688 Sheppard Avenue East to permit a multi-storey residential building with a daycare facility on the ground level, fronting onto Sheppard Avenue East. The proposed residential building is comprised of a total of 527 units, which includes 35 rental replacement units and 492 condominium units. The total gross floor area is 38,163 square metres, including a daycare of 695 square metres in size. The proposal includes 168 one-bedroom units, 179 one-bedroom plus den units, 128 two-bedroom units, and 52 three-bedroom units. The overall floor space index is 5.03 times the area of the site.

The proposed building is comprised of an irregularly shaped, stepped 24 storey (73.75 metre) residential tower sitting on top of a 7 storey (21.5 metre) rising to 9 storey (27.7 metre) base building fronting onto Sheppard Avenue East. The tower portion of the building then steps down to 16 storeys (49.55 metre) in height around the middle of the building and then further steps down to a 10 storey (31.55 metre) building towards the rear of the site, with a final stepping down to 8 storeys (24.45 metre) along the west and

north sides of the building. The overall length of the building is approximately 112 metres long.

The building is accessed via one driveway from Sheppard Avenue East located towards the east portion of the site, which leads to an internal driveway/courtyard generally located in the middle of the site. A total of 342 parking spaces are proposed, comprised of 5 short-term surface parking spaces and 337 spaces located in a two-level underground garage. With respect to bicycle parking spaces, a total of 437 bicycle parking spaces are provided, which is made up of 400 resident and 37 visitor spaces. A total of 53 bicycle parking spaces are located indoors, on the ground level, in a secured room adjacent to the internal courtyard pick-up/drop-off area, and a total of 32 surface bicycle parking spaces are located outdoors along either side of the internal driveway. The remaining 352 bicycle parking spaces are located in the P1 underground parking level. The proposal also includes a large (2,937 square metre) private outdoor amenity space at the northeast quadrant of the site.

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.

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: A Place to Grow: 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.

Planning for Major Transit Station Areas

The Growth Plan (2019) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities.

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 Urban Structure Map 2 of the Official Plan and is designated *Apartment Neighbourhoods* on Land Use Map 19. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service, and office uses that serve the needs of area residents. Sheppard Avenue East 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 East Corridor Secondary Plan (the "Secondary Plan"). The site is designated as *Apartment Neighbourhoods* and is partially located within the Bessarion Node (Area B) as shown on Map 9-3. The subject site is not identified as a key development area. The Bessarion Node is located around the Bessarion subway station on the Toronto Transit Commission's (TTC) Line 4.

The Secondary Plan states that the Bessarion subway station is to be a walk-in community station primarily serving the nearby designated stable residential community, with limited development opportunities on the large surplus former industrial blocks and on some properties fronting on Sheppard Avenue East. New development within the Bessarion Node will be focused primarily south of Sheppard Avenue East, on the lands designated Mixed Use Areas, east of Bessarion Road; and on the lands along the south side of Sheppard Avenue East, west of Bessarion Road, which are designated as Mixed Use Areas; and on the Mixed Use Areas designations on the north side of Sheppard Avenue. No new Mixed Use Areas designations will be permitted on residential lands north of Sheppard Avenue.

The site abuts properties designated *Apartment Neighbourhoods* to the north, west and southeast along Sheppard Avenue East. The northeast portion of the site abuts properties designated *Neighbourhoods*. New development is to be designed sensitively to the nearby low density residential uses and minimize adverse impact of built forms on homes (Policy 4.4.2 (c)). The Secondary Plan calls for compatible transitions in density, height, and scale between development nodes and stable residential areas. Generally, the highest densities and building heights should be promoted closest to the subway stations, and to a lesser extent along arterial roads.

The urban design policies of the Secondary Plan recognize that new buildings should be sufficiently set back from the Sheppard Avenue road allowance to accommodate the planned widening of Sheppard Avenue to 36 metres and any streetscape initiatives of the City, such as the installation of cycle tracks planned for this area in 2022. Policy 4.4.2 (b) of the Secondary Plan states that the height and massing of buildings should minimize excessive shadowing, wind or snow drifting effects within blocks, along streets, and within open space areas.

Policy 4.4.2 (e) states that buildings should be designed with a maximum height based on a 1:1 height to street width ratio, which in this case the street width is 36 metres. However exceptions to this standard may be accommodated through the treatment of bulk and mass of buildings, as well as detailed articulation of the elevation. Policy 4.4.2 (f) states that along those parts of the Sheppard Avenue frontage, not in proximity to subway stations, the maximum height will generally be six storeys, and one and two storey base buildings are encouraged. It is intended that the greatest density, height, and mass of new buildings will be along Highway 401, at the major intersections, and at locations with the greatest accessibility to public transit.

The Sheppard East Corridor Secondary Plan can be found here:

<https://www.toronto.ca/wp-content/uploads/2017/11/9805-cp-official-plan-SP-9-SheppardEast.pdf>

Zoning By-laws

The site is zoned Multiple-Family Dwellings Third Density Zone (RM3) in the City of North York Zoning By-law 7625. This zoning permits a number of multiple residential type buildings, including apartment house dwelling, converted dwellings, duplex dwellings, as well as some institutional uses such as a hospital, nursing home, and religious institution. Day nurseries are also permitted in apartment house dwellings. For apartment house dwellings, the maximum lot coverage is 35% of the area of the lot, and the maximum gross floor area is 75% of the area of the lot. The maximum permitted building height is 9.2 metres.

The site is also zoned Residential Multiple Dwelling Zone (RM) in City of Toronto Zoning By-law 569-2013. Apartment buildings, duplexes, triplexes, fourplexes, as well as detached and semi-detached dwellings are permitted in this zone. The permitted maximum lot coverage is 35% and the permitted maximum density is 0.75 times the area of the lot. The permitted maximum height is 12 metres.

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;
- Growing Up: Planning for Children in New Vertical Communities Design Guidelines;
- Bird-Friendly Guidelines; 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 not been submitted.

Rental Housing Demolition and Conversion By-law

The applicant submitted an application on November 12, 2019 for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the existing rental housing units, as the lands subject to the application contain six or more residential units, of which at least one is rental. As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

COMMENTS

Reasons for the Application

An amendment to the Sheppard East Subway Corridor Secondary Plan is being sought to identify the site as a key development area on Map 9-2 of the secondary plan and assign it a permitted density of 5.03 times the area of the site.

An amendment to the former City of North York Zoning By-law No. 7625 and to the City of Toronto Zoning By-law 569-2013 is required to permit the proposed height and density, as well as to incorporate site specific 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

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 (2019). Staff are assessing the appropriateness of the scale and intensity of the development at this location.

Official Plan Conformity

The site is subject to the policies of the Sheppard East Subway Corridor Secondary Plan. The lands are designated Apartment Neighbourhoods, and the site is not identified as a Key Development Area. The Sheppard East Subway Corridor Secondary Plan contains policies such as policy 4.4.2 (c) that directs the highest densities and building heights to be closest to the subway stations and to a lesser extent along arterial roads. The Secondary Plan stipulates that the greatest density, height, and mass of new buildings will be along Highway 401, at the major intersections, and at locations with the greatest accessibility to public transit. At a proposed height of 24 storeys at the tallest portion of the building, and at a density of 5.03 times the area of the site, the proposed

application represents the highest height and density for a site within the Secondary Plan area that is not located at a major intersection, at a subway station, or part of a large comprehensive development.

Staff are reviewing the appropriateness of the proposed Official Plan amendment and the proposal's overall impact on the Secondary Plan's structure.

Built Form, Site Layout, 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 transportation policies in Section 2.2, the built form policies in the Sheppard East Subway Secondary Plan, and the City's Design Guidelines identified above.

The Secondary Plan policies regarding height state that there is a desire to relate the height and mass of development to a pedestrian scale while framing the street edge at a scale that balances the street width. Policy 4.4.2 (f) stipulates that along those parts of the Sheppard Avenue frontage not in proximity to subway stations, the maximum height will generally be six storeys, and one and two storey podiums are encouraged. The applicant is proposing a building that is 24 storeys at its tallest part (74 metres), with base building elements along Sheppard Avenue East of seven storeys (21.5 metres) and nine storeys (27.7 metres), a middle tower portion of 16 storeys (49.5 metres), and the building at the rear, is ten storeys (31.5 metres). The proposal would represent the tallest existing or approved building in the immediate area fronting onto Sheppard Avenue East, which range in height from six to ten storeys. In addition, the base building expression of a seven to nine storey base building does not extend the general six-storey streetwall expression of this segment of Sheppard Avenue East.

Staff are also reviewing the massing of the proposed building, as the proposed building is a combination of a seven to nine storey base building, on top of a 24 storey tower which then steps down to a 16 storey tower and ten storey mid-rise building at the rear. The total building length is 112 metres long. Staff have concerns regarding the appropriateness of this proposed height, scale and massing of the proposed building for this portion of Sheppard Avenue East and whether the height, scale and massing conform to the policies of the Official Plan and Secondary Plan.

The site abuts a stable, low-rise residential area to the north east which is designated Neighbourhoods. The official plan policies require that development be compatible with adjacent and nearby Neighbourhoods, provide transition of scale and density towards Neighbourhoods. Staff are reviewing the application to determine whether an appropriate transition is being provided.

Staff are also assessing the proposal against the Mid-Rise Building Performance Standards and Addendum, including guidelines related to height, streetwall, buildings setbacks and stepbacks, front angular planes and rear angular planes and providing transition towards the stable residential neighbourhood. As currently proposed, the

development does not fit within the mid-rise guidelines angular plane requirements from Sheppard Avenue East or from the abutting low-rise residential neighbourhood.

Staff are also reviewing the appropriateness of the proposed building setbacks, both along Sheppard Avenue East as well as the side yard setbacks and the rear yard setback as well as the location and organization of the vehicular access to the building and the impact of the proposed development on the public realm. Further information is also required about the underground location of the TTC's Line 4 subway line and whether there are any proposed impacts to it as a result of the proposed development.

The applicant has submitted a Sun/Shadow Study and a Pedestrian Level Wind Study in support of the application that are currently being reviewed by City staff.

Sheppard Avenue East (East of Bayview to Leslie) Focused Planning Review

As noted above in the Decision History section of this report, City staff are undertaking a focused planning review of this segment of Sheppard Avenue East, between the east side of Bayview Avenue and the east side of Leslie Street, with a particular focus on built form, transportation, and servicing issues. Staff recommend that this application be reviewed concurrently with the focused planning review, so that the cumulative impacts of such a proposed increase in density and height on transportation and servicing infrastructure and other remaining soft sites in the area can be better understood.

Given the increases in height and density proposed as part of this application, staff have requested the applicant to provide a cumulative impact analysis which analyses what the impacts are on built form, transportation, and servicing infrastructure, should other potential sites in the study area also seek this same increase in density and height as this proposal. This cumulative impact analysis would not only inform the City's review of the application, but also inform the City's focused planning review.

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 proposed development would require the removal of eight City-owned trees and seven trees subject to the Private Tree By-law. The Arborist Report, Tree Preservation and Landscape Plans have been circulated to Urban Forestry staff for review.

Open Space and 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 Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people. The site is in the second highest 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. Staff are reviewing whether there is the potential and a suitable location for an on-site public park.

Housing

A Housing Issues Report is required for Official Plan Amendments and Zoning By-law Amendments and Plans of Condominium for applications that seek to demolish existing rental properties, intensify existing rental sites, convert existing rental housing to condominiums or applications that propose residential development on sites in excess of five hectares. As the applicant is proposing to demolish and replace at least 35 residential rental apartment units, a Housing Issues Report has been submitted for review by staff.

Section 3.2.1 of the Official Plan defines rental housing as "a building or related group of buildings containing one or more rented residential units, including vacant units that have been used for rented residential purposes, and units that are being or have last been used for rented residential purposes in equity co-operative or co-ownership housing, but does not include condominium-registered or life-lease units". Staff have requested further information on the existing building at 680 Sheppard Avenue East, including information on whether the building is currently condominium-registered, in order to determine if the total number of existing units on site (i.e. 65) are subject to the City's replacement policies.

Staff are *also* evaluating the appropriateness of the rental housing replacement proposal, including the size, unit design and associated amenities for the proposed replacement housing. Staff are also evaluating the suitability of the tenant relocation and assistance strategy for the affected tenants.

The Council-adopted Growing Up: Planning for Children in New Vertical Communities draft urban design guidelines provide guidance on the proportion and size of larger units recommended in new multi-unit residential developments. Guideline 3.0 states that the ideal unit size for large units, based on the sum of the unit elements, is 90 m² for two-bedroom units and 106 m² for 3-bedroom units, with ranges of 87-90 m² and 100-106 m² representing a diversity of sizes for such bedroom types while maintaining the integrity of common spaces to ensure their functionality. Staff are reviewing the proposed unit types and sizes to determine whether the Growing Up guidelines are satisfied by the proposal.

Community Services and Facilities

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

Staff are evaluating the impact of the proposed development and local development activity on community services and facilities, including an assessment of existing capacity to support proposed future population. Staff are also reviewing Secondary Plan CS&F policies, site specific policies and growth related studies that apply to the application.

The applicant is proposing a child care facility as part of the proposed development, and it is unclear whether the proposed day nursery is a non-for-profit or a private day nursery. City staff are reviewing whether the proposed facility meets Childcare Services space and terms requirements for a non-profit child care facility, should the proposed facility be a non-profit child care facility.

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.

The proposal in its current form has a gross floor area of 38,163 square metres, and would be subject to the Section 37 community benefits policies in the Official Plan.

Infrastructure/Service Capacity

Engineering and Construction Services staff are reviewing the Site 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 also to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development.

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

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-laws, on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Staff are reviewing the TGS Checklist 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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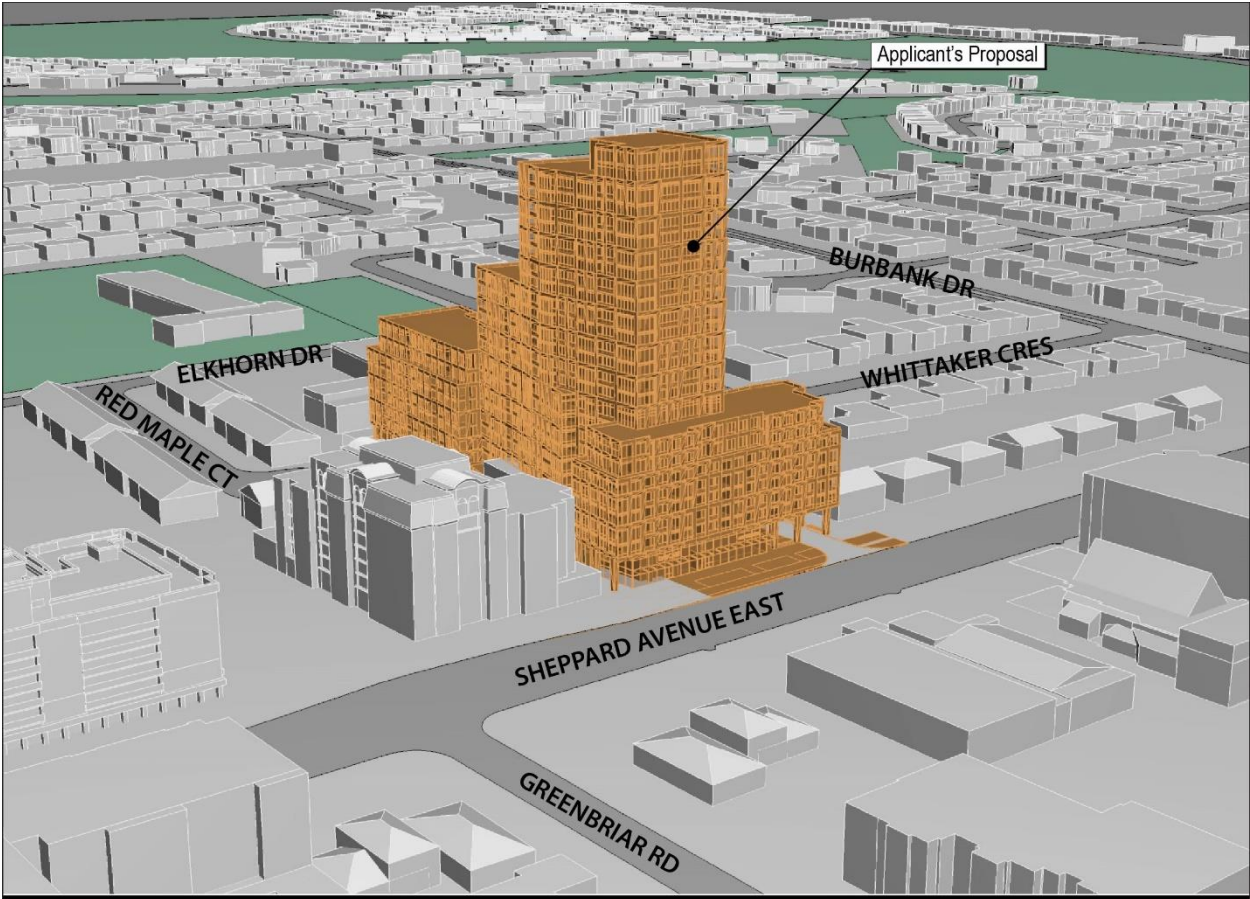
SIGNATURE

Giulio Cescato, MCIP, RPP, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1A: 3D Model of Proposal in Context (Looking Northeast)
Attachment 1B: 3D Model of Proposal in Context (Looking Southwest)
Attachment 2: Location Map
Attachment 3: Site Plan
Attachment 4: Official Plan Map

Attachment 1A: 3D Model of Proposal in Context (Looking Northeast)

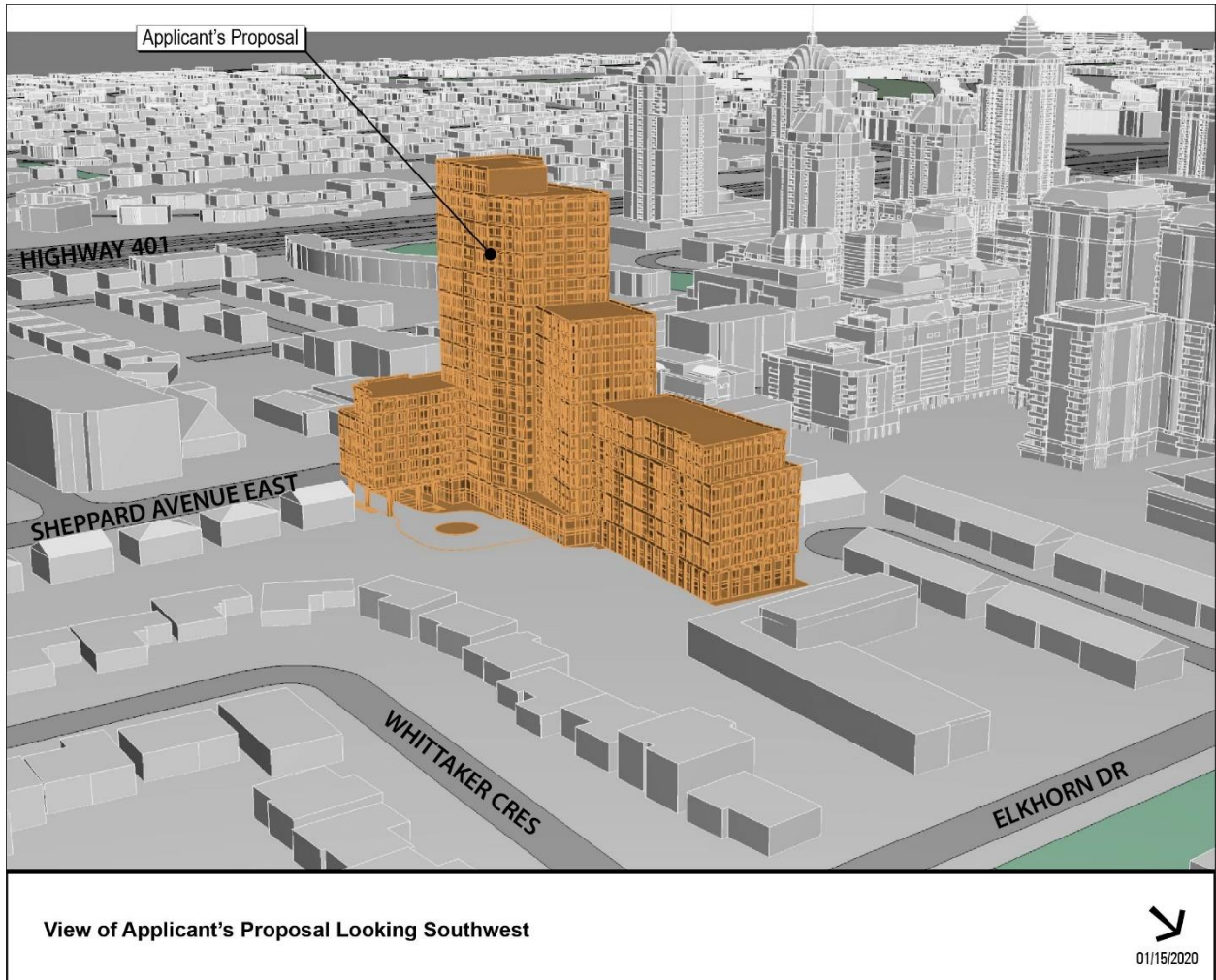


View of Applicant's Proposal Looking Northeast

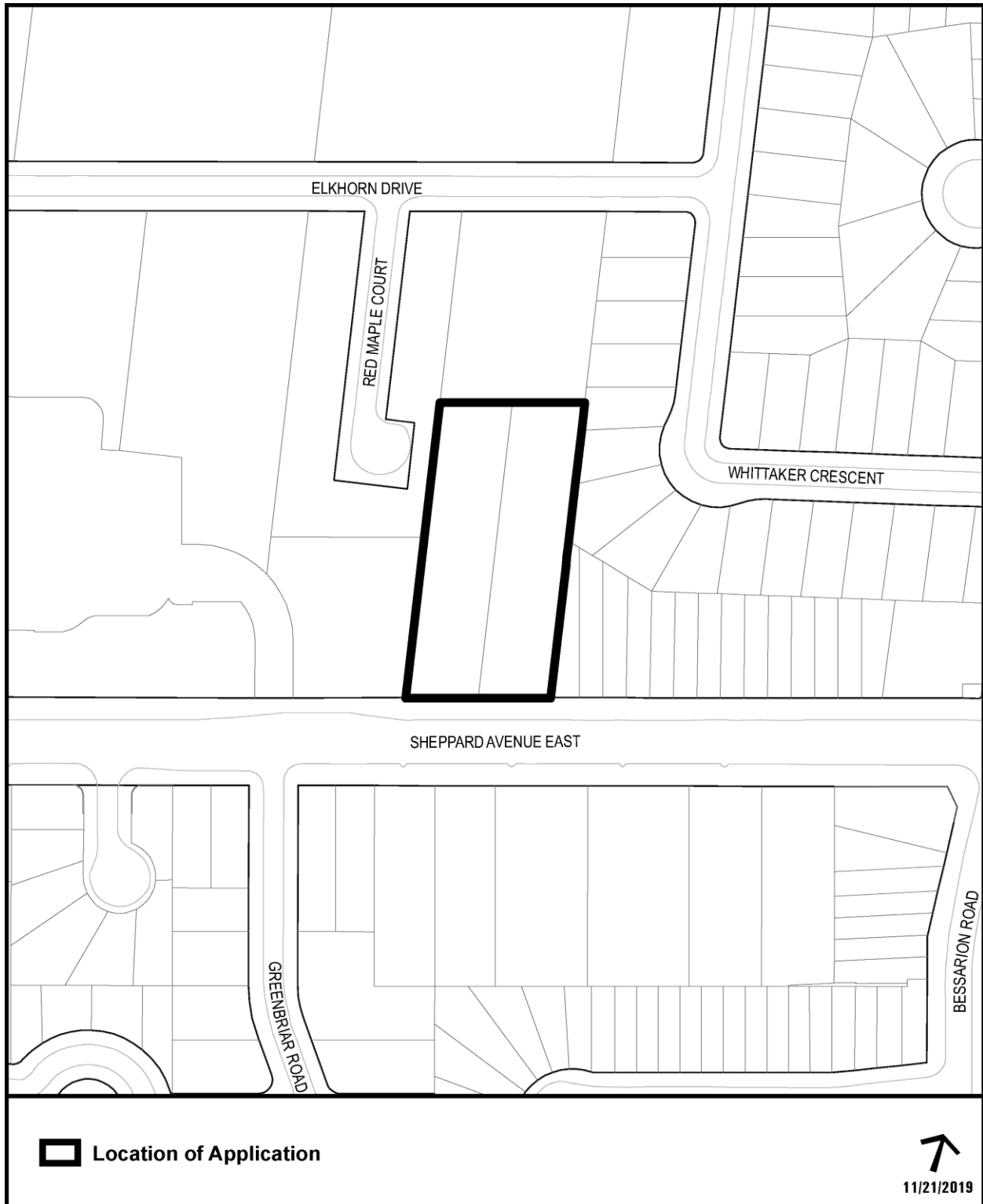


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Attachment 1B: 3D Model of Proposal in Context (Looking Southwest)



Attachment 2: Location Map

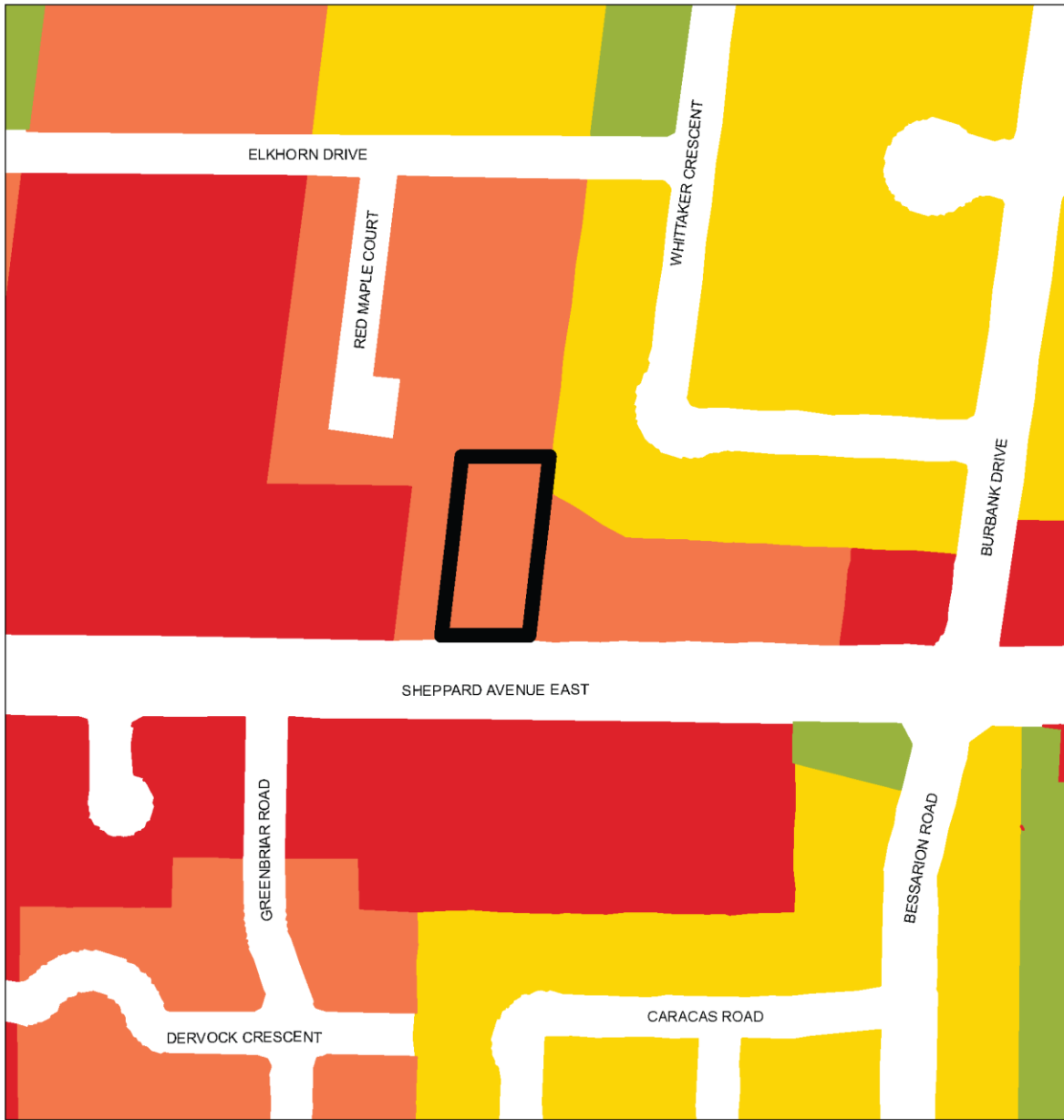


Attachment 3: Site Plan



Site Plan 

Attachment 4: Official Plan Map



680-688 Sheppard Avenue East

Official Plan Land Use Map #19

File # 19 248099 NNY 17 0Z

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


Not to Scale
11/21/2019