

# **824 Sheppard Avenue West and 177, 179, 181 Cocksfield Avenue – Official Plan and Zoning By-law Amendment Application and Rental Housing Demolition and Conversion Application – Preliminary Report**

Date: November 9, 2020

To: North York Community Council

From: Acting Director, Community Planning, North York District

Wards: Ward 6 - York Centre

**Planning Application Number:** 20 205918 NNY 06 OZ and 20 205924 NNY 06 RH

**Notice of Complete Application Issued:** November 9, 2020

**Current Use(s) on Site:** Two 2-storey mixed use buildings with commercial uses at grade and 14 residential rental units above and one 1-storey, detached residential dwelling.

## **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application located at 824 Sheppard Avenue West and 177, 179, 181 Cocksfield Avenue. A 14-storey mixed use building is proposed on the site of two existing mixed use buildings and one detached residential dwelling. The existing buildings would be demolished. 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 824 Sheppard Avenue West and 177, 179, 181 Cocksfield Avenue 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 City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

## **ISSUE BACKGROUND**

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### **Application Description**

This application proposes to amend the Sheppard West / Dublin Secondary Plan, former City of North York Zoning By-law 7625 and City of Toronto Zoning By-law 569-2013 for the property at 824 Sheppard Avenue West, 177, 179 and 181 Cocksfield Avenue, to permit a 14-storey (47.9 metres including the mechanical penthouse) mixed use building with 19,483 square metres of gross floor area (GFA), including 462 square metres of commercial space at grade and 360 square metres of daycare space at grade, resulting in an FSI of 4.0.

Along Sheppard Avenue West, the 14-storey portion of the building would be set back a minimum of 3.0 metres from the south property line. Above the ground floor the second storey would cantilever back towards the south lot line, to provide protection from the elements for the commercial spaces below. There would be a 5-storey base building expression, before stepping back 3.0 metres on floors 6 to 10. At the 11th floor, the building step backs would be more prominent as the building form would follow in the line of the front angular plane, pushing the massing away from Sheppard Avenue West, having regard for the angular plane recommendations contained within the City's Avenues and Mid-Rise Guidelines. The 14th floor of the building would consist of both indoor and outdoor amenity, as well as mechanical equipment. It would not contain any residential units. On Sheppard Avenue West, the 5-storey base building expression would be built to the east and west lot lines, providing for a 0-metre setback, beyond which (20 metres) the building would set back a minimum of 5.5 metres from the east lot line and 7.5 metres from the west lot line.

The building would step down to 6 storeys (21.1 metres) on Cocksfield Avenue. The 6-storey portion would have a 3-storey expression to frame the street. The 6-storey building would be set back a minimum 3.0 metres from the north property line. Above the third storey, floors 4 to 6 would be stepped back an additional 3.0 metres. The 6-storey portion of the building would be connected to the 14-storey portion of the building by a 3-storey podium. A 13-metre separation distance would be provided between the north and south buildings on the 4th floor. This separation distance would be increased to 15 metres on the 5th and 6th floors.

Three commercial units are proposed facing Sheppard Avenue West with a fourth commercial unit immediately to the north, facing the private driveway. The daycare space is proposed at grade along Cocksfield Avenue. It would have an adjacent outdoor playground in the east side yard.

The application proposes a total of 270 (rental) residential units, including 54 affordable rental units (20%). Of the 270 residential units, there would be 30 studio units, 162 1-bedroom units, 62 2-bedroom units and 16 3-bedroom units. There are currently 14 rental apartments on site, which are all proposed to be demolished and then replaced in the new development.

The development proposes a total of 597 square metres of indoor amenity space (2.2 square metres per unit) and 867 square metres of outdoor amenity space (3.2 square metres per unit). Indoor and outdoor amenity space would be spread throughout the building on the ground, second, fourth and rooftop levels. On the ground level, two dog wash areas, a lounge and a shared office space are proposed. Approximately 282.5 square metres of indoor amenity space is proposed on the fourth floor which would be directly connected to 415 square metres of outdoor amenity terrace separating the north and south buildings. An additional 97.6 square metres of indoor amenity space is proposed on the roof level, which would be similarly connected to a 207.8 square metre outdoor amenity terrace. An additional 139.6 square metres of outdoor amenity space is proposed on the ground floor along the east property line.

A private driveway would run the length of the lot, along the western property line, from Sheppard Avenue West to Cocksfield Avenue. It would provide vehicular access to two drop off areas, the underground parking ramp, 1 Type 'G' loading space and 1 Type 'C' loading space. The abutting pedestrian walkway would provide access to two separate residential lobbies. There would be two levels of underground parking containing a total of 213 parking spaces, including 197 parking spaces for residents (including 9 barrier-free parking spaces) and 16 parking spaces for commercial uses and visitors. There would be a total of 203 bicycle parking spaces, including 184 residential long-term spaces and 19 residential short-term spaces.

Along Sheppard Avenue West, a 2.7-metre wide road widening is provided to accommodate the planned right-of-way width of 36 metres. Sheppard Avenue West has an emerging character of midrise, mixed use buildings, while Cocksfield Avenue is a local street characterized by low density residential uses.

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.

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

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (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 (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

## **Growth Plan for the Greater Golden Horseshoe (2020)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) 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 (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

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, and better connected 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 (2020), 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 (2020) 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 (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

## **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 Map 16. *Mixed Use Areas* permit and are expected to absorb most of the anticipated increases in retail, office, and service employment in Toronto, as well as much of the new housing.

The application is also designated *Mixed Use Area 'B'* in the Sheppard West / Dublin Secondary Plan. The preferred form of mixed use development on lands designated *Mixed Use Area 'B'* will contain ground floor commercial uses with upper floor residential uses. The maximum height is 5 storeys and the maximum density is 2.0 times the area of the lot.

On September 21, 2020 the Minister of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. The decisions are final and not subject to appeal. OPA 480 outlines built form design criteria for mid-rise buildings. Section 3.1.3.4 states that mid-rise buildings will be designed to have heights generally no greater than the width of the right-of-way, building massing will step back at a height equal to 80% of the adjacent right-of-way width and allow for daylight and privacy on occupied ground floor units through building massing. Section 3.1.3.6 states that mid-rise buildings on deep sites should be designed to provide and frame accessible and well-proportioned open spaces that have access to sunlight and daylight.

### **Zoning By-laws**

The subject site is zoned C1 – General Commercial Zone in former City of North York Zoning By-law 7625. Site-specific By-law 8523 applies only to the portion of the site municipally addressed as 824 Sheppard Avenue West and 179-181 Cocksfield Avenue. Within the C1 zone, permitted uses include a range of commercial uses, such as restaurants and retail stores, professional offices, hotels, theatres, and other uses. In addition, all uses permitted in an R5 and RM5 zone are permitted subject to those zone provisions including apartment dwellings, multiple attached dwellings, and others. The maximum building height is 9.2 metres or 3 storeys, whichever is greater.

The subject site is also zoned CR 1.0 (c1.0; r1.0) SS3 (x215) in City of Toronto Zoning By-law 569-2013. The CR (Commercial Residential) zone permits a range of commercial and residential uses including apartment buildings, offices, retail stores, personal service shops, financial institutions, and eating establishments, as well as a mixed-use building. The 1.0 (c1.0; r1.0) component of the zoning permits an overall density of 1.0 times the lot area, a maximum commercial density of 1.0 times the lot area, and a maximum residential density of 1.0 times the lot area. A height limit of 10.5 metres (3-storeys) is permitted.

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 guideline(s) will be used in the evaluation of this application:

- Avenue and Mid-Rise Building Guidelines
- Growing Up: Planning for Children in New Vertical Communities
- Pet-Friendly Design Guidelines for High Density Communities

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 yet been submitted.

## **Rental Housing Demolition and Conversion By-law**

The applicant submitted an application (file no. 20 205924 NNY 06 RH) on October 13, 2020 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**

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### **Reasons for the Application**

An application to amend the Sheppard West/Dublin Secondary Plan, former City of North York Zoning By-law 7625 and City of Toronto Zoning By-law 569-2013 is required to permit the proposed height of 14 storeys and the proposed density of 4.0 times the area of the lot. The Zoning By-law Amendment is also required to implement other performance standards as necessary to facilitate this development. The Rental Housing Demolition and Conversion Application is required because the proposal will require the demolition and replacement of 14 existing rental apartment units.

### **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:

## Official Plan Conformity

Staff are reviewing the application to determine conformity with the Official Plan. The key sections of the Official Plan that will be used to evaluate the proposal include, but are not limited to: Section 2.2.3 Avenues: Reurbanizing Arterial Corridors, Section 2.3.1 Healthy Neighbourhoods, Section 3.1.1 The Public Realm, Section 3.1.2 The Built Form, Sections 3.1.3.4 and 3.1.3.6 Built Form - Mid-Rise Buildings, Section 3.2.1 Housing, Section 4.5 Mixed Use Areas, Section 5.1.1 Height and/or Density Incentives and the Sheppard West / Dublin Secondary Plan.

Staff will be assessing the proposed transition between the land designated *Mixed Use Areas* and the land designated *Neighbourhoods*. Appropriate transition in scale can be achieved through various design methods that include angular planes, stepping heights, appropriate location and orientation of the building, and the use of setbacks and step backs of building mass. Staff will also be assessing the appropriateness of the proposed height and density, in the context of the Sheppard West / Dublin Secondary Plan.

The site is contextually different from recent approvals on Sheppard Avenue West because the *Mixed Use Areas* site does not immediately abut a *Neighbourhoods* designation, but rather the site is separated from nearby *Neighbourhoods* designations by Cocksfield Avenue and adjacent lots that are also designated *Mixed Use Areas*. However, appropriate transitions from the lands designated as *Neighbourhoods*, are still required.

## Built Form, Planned and Built Context

The application proposes a 14-storey (47.9-metre) mixed use building on Sheppard Avenue West that would step down to a 6-storey (21.1-metre) building on Cocksfield Avenue. The southern 14-storey portion of the building would be connected to the northern 6-storey portion of the building by a 3-storey podium.

Sheppard Avenue West has an emerging character of existing and approved mid-rise buildings that range in height from 6 to 10 storeys. The proposed building is taller at 14 storeys, but the lot is deeper than other mid-rise sites (122.6 metres), and it does not immediately abut a *Neighbourhoods* designation. The application has some regard for the Avenues and Mid-Rise Buildings Study with respect to a front 45-degree angular plane taken from a height of 80% of the width of the right-of-way, creating step backs in the building massing. However, mid-rise buildings are defined as buildings that are no taller than the width of their adjacent street right-of-way. The ultimate width of the Sheppard Avenue West right-of-way is 36 metres, so the proposed building exceeds that height by 11.9 metres. The width of the Cocksfield Avenue right-of-way width (20 metres) should also be considered with regard to height and massing of the 6-storey (24.2-metre) north building.

The length and scale of the building will be reviewed from a massing and impact assessment. The proposed separation distance of 13 to 15 metres between the north and south buildings will be analyzed for potential privacy impacts. The proposed side yard setbacks will also be reviewed, in the context of the potential for future development to the west and east. The proposed outdoor amenity space on the ground

floor is not connected to an indoor amenity space and would be separated from the building by the Type 'G' loading space. The appropriateness of the location and usability of this space will be reviewed. The relationship of the proposed building to nearby *Neighbourhoods* designations will be carefully analyzed through the Sun/Shadow Study. The Pedestrian Level Wind Study will also be reviewed.

### **Growing Up: Planning for Children in New Vertical Communities**

On July 28, 2020 City Council adopted the updated Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines and directed City Planning staff to apply the Growing Up Guidelines in the evaluation of new and under review multi-unit residential development proposals with greater than 20 residential units. The objective of the guidelines is to direct how new development can better function for larger households and increase liveability at three scales: the unit, the building, and the neighbourhood. The applicant is proposing the following unit mix:

Studio: 30 units (11%);  
One-bedroom: 162 units (60%);  
Two-bedroom: 62 units (23%); and  
Three-bedroom: 16 units (6%).

Pursuant to the guidelines, the proportion of 3-bedroom units is less than the recommended 10%, while the proportion of 2-bedroom units exceeds the minimum 15%. Growing Up Guidelines also recommend minimum unit sizes for two and three-bedroom units. Staff will be requesting that the applicant provide additional information related to the unit sizes for review against the Growing Up Guidelines. Other matters related to the guidelines will also be considered during the review of the subject application.

### **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.

The applicant submitted a Community Services and Facilities Report dated October, 2020. Staff are reviewing the CS&F Study that was submitted with the application to determine whether any capital improvements or expansion of facilities opportunities



were identified by the applicant or by staff and following up Study deficiencies to identify other issues that need to be addressed.

### **Infrastructure and Servicing Capacity**

The applicant submitted a Functional Servicing and Stormwater Management Report and Geotechnical + Hydrogeological Investigation. The Functional Servicing Report is intended to evaluate the effects of the development on the City's municipal servicing infrastructure and watercourses and to identify the need for any new infrastructure and upgrades to existing infrastructure necessary to provide for adequate servicing for the proposed development. Staff are reviewing the application to determine if there is sufficient infrastructure capacity to accommodate the proposed development, in addition to the potential cumulative impact of all proposed applications in the area of this application.

Staff are reviewing the Transportation Study submitted by the applicant, the purpose of which is to evaluate the effects of a development or re-development on the transportation system, but also to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development. A review of the proposed number of parking spaces will also be conducted by Transportation 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/Tree Preservation Plan. It proposes to remove 3 City trees and save 1 City tree. It also proposes to remove 3 private trees and 5 boundary trees. The Arborist Report/Tree Preservation Plan is currently under review by City staff.

### **Housing**

A Housing Issues Report is required for Official Plan Amendments / Zoning By-law Amendments and Plans of Condominium for applications that seek to demolish existing rental buildings, intensify existing rental sites, convert existing rental housing to condominiums or that propose residential development in excess of five hectares.

A Housing Issues Report was submitted with the application. It is important to provide larger residential dwelling units suitable for a broad range of households, including families with children. Staff will need to evaluate the appropriateness of the rental housing replacement proposal, including the size, unit design and associated amenities for the proposed replacement housing. Staff would also comment on the suitability of a tenant relocation and assistance strategy for the affected tenants.

## **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.

Staff are reviewing the proposal to determine if the provision of Section 37 community benefits may be required in relation to the development.

If it is determined that Section 37 benefits will be secured please refer to the Council approved Implementation Guidelines and Protocol for Negotiating Section 37 Community Benefits which are available here: <https://www.toronto.ca/wp-content/uploads/2017/08/8f45-Implementation-Guidelines-for-Section-37-of-the-Planning-Act-and-Protocol-for-Negotiating-Section-37-Community-Benefits.pdf>.

## **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 intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured 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. Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

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Doug Stiles, Planner  
Tel. No. 416-395-7145  
E-mail: [Doug.Stiles@toronto.ca](mailto:Doug.Stiles@toronto.ca)

## **SIGNATURE**

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John Andreevski, Acting Director  
Community Planning, North York District

## **ATTACHMENTS**

### **City of Toronto Drawings**

Attachment 1a: 3D Model of Proposal in Context Looking Northeast

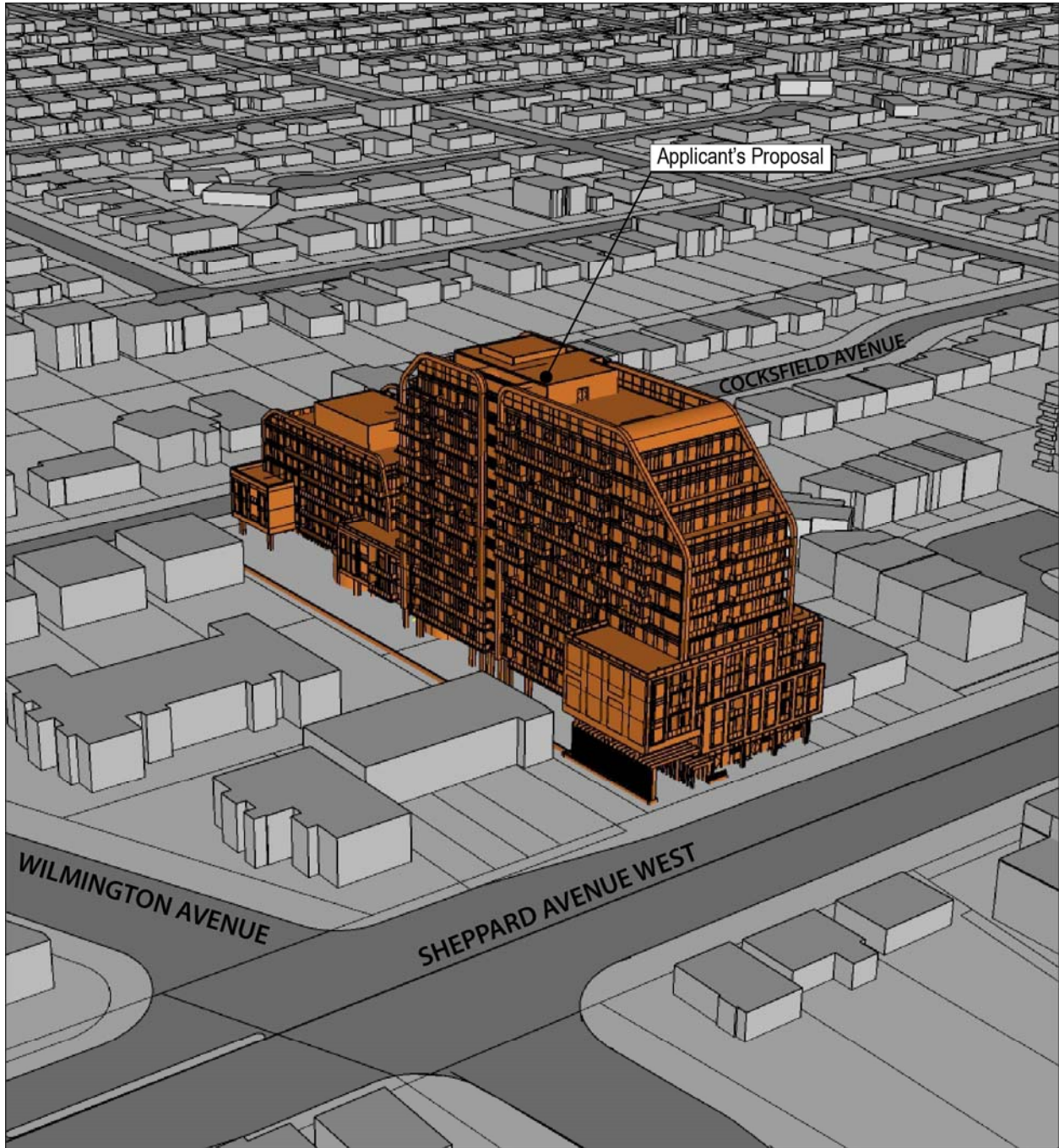
Attachment 1b: 3D Model of Proposal in Context Looking Southwest

Attachment 2: Location Map

Attachment 3: Site Plan

Attachment 4: Official Plan Map

Attachment 1a: 3D Model of Proposal in Context Looking Northeast

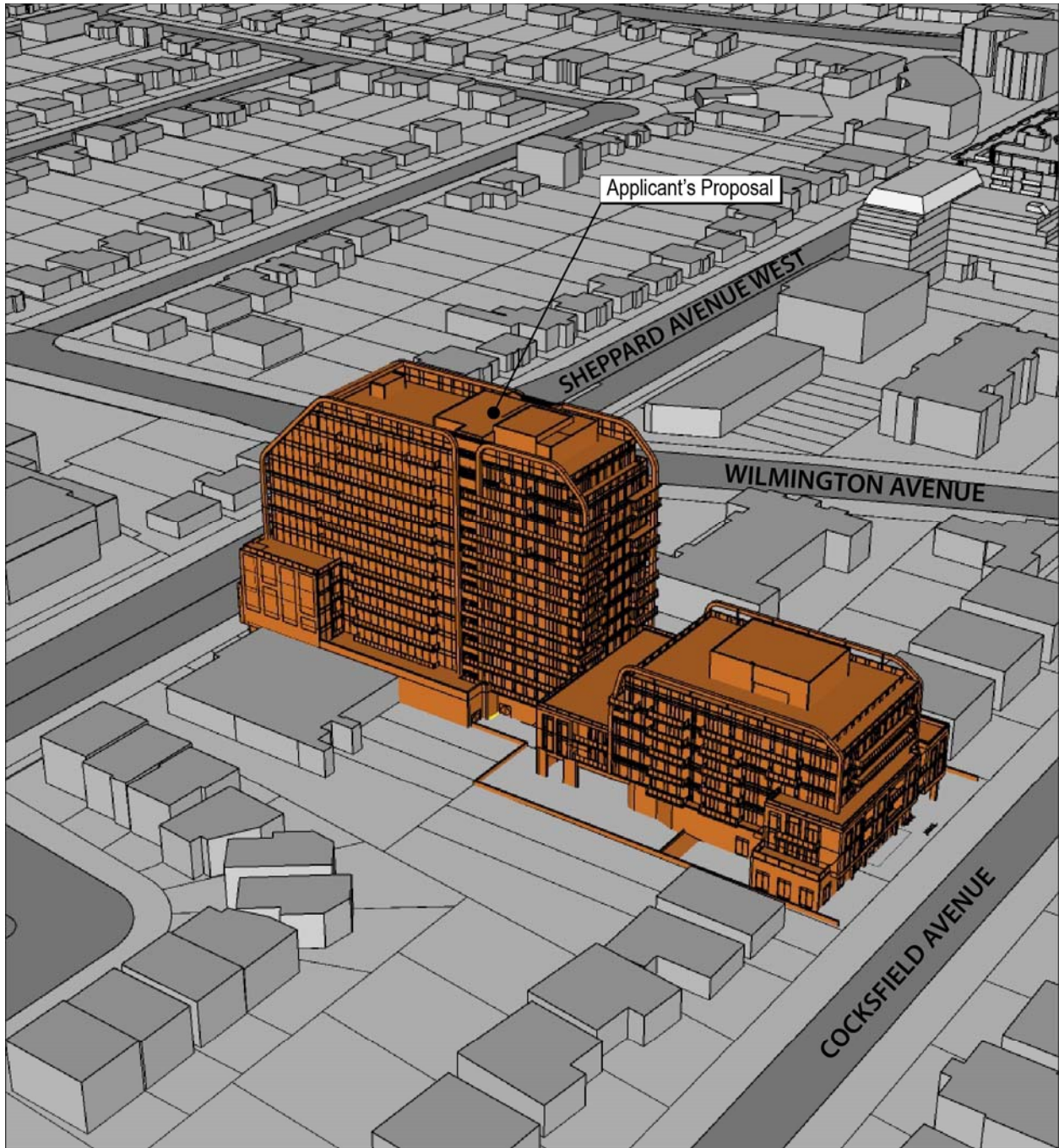


View of Applicant's Proposal Looking Northeast



11/05/2020

Attachment 1b: 3D Model of Proposal in Context Looking Southwest

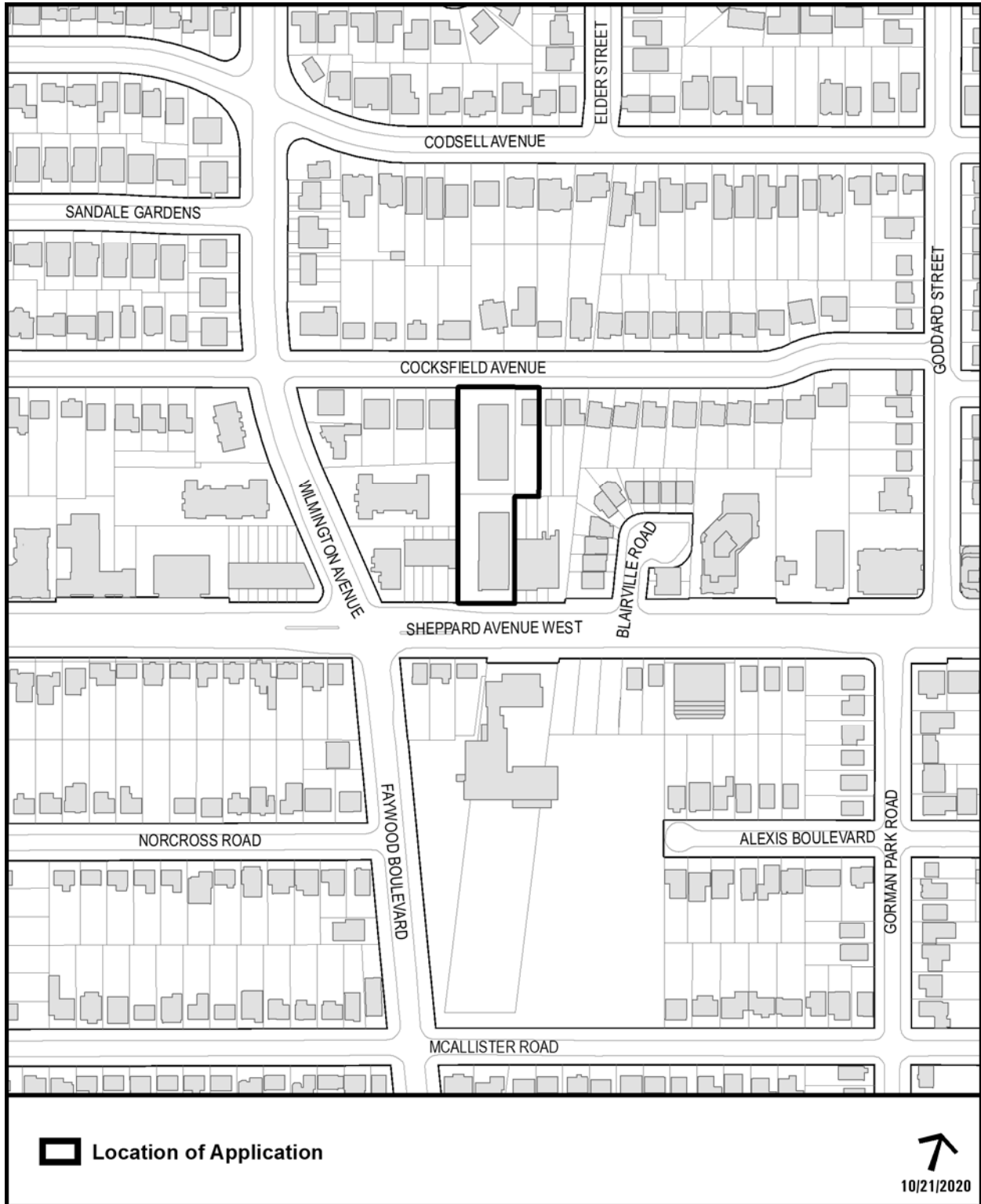


**View of Applicant's Proposal Looking Southwest**

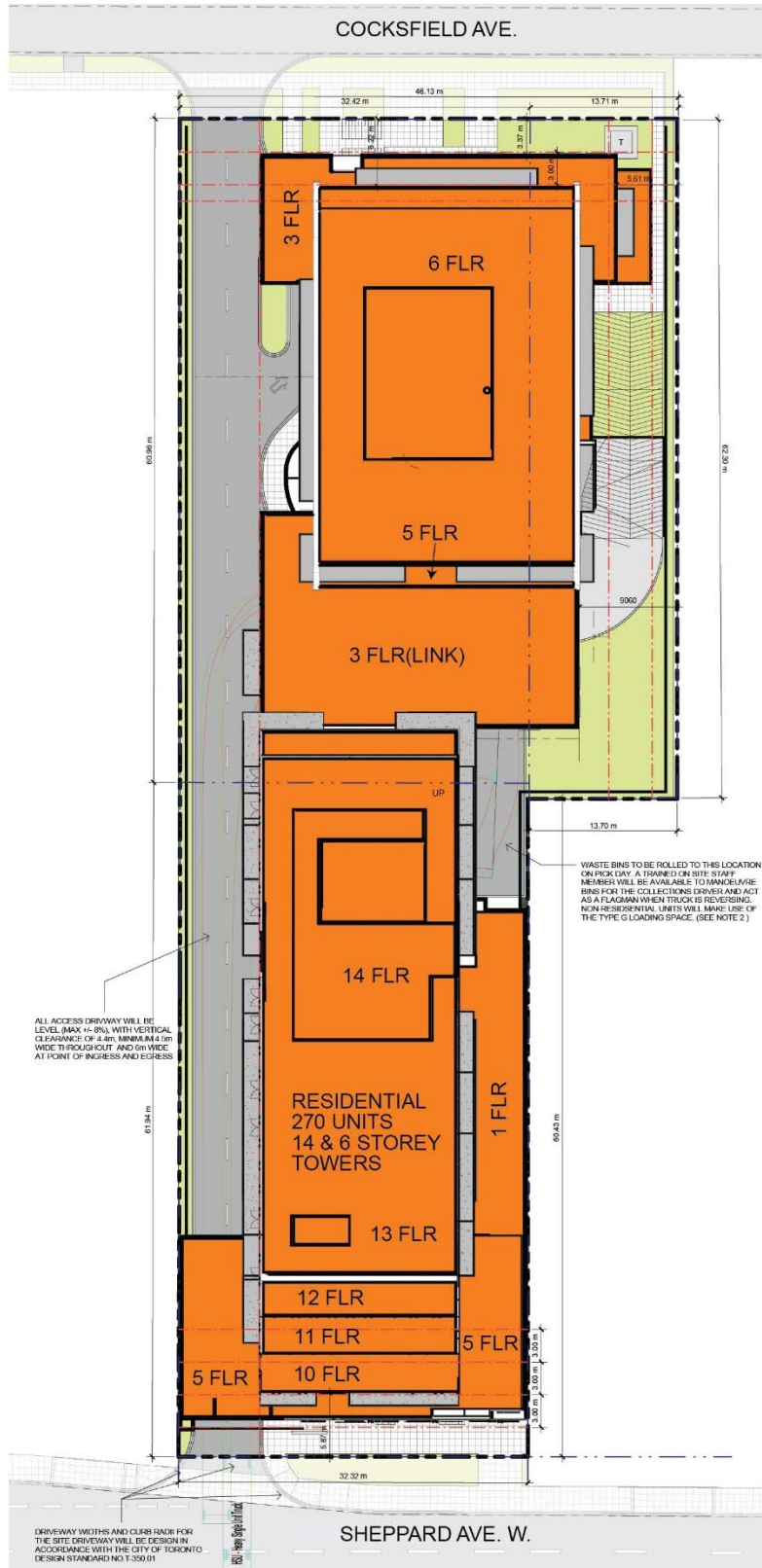


11/05/2020

Attachment 2: Location Map



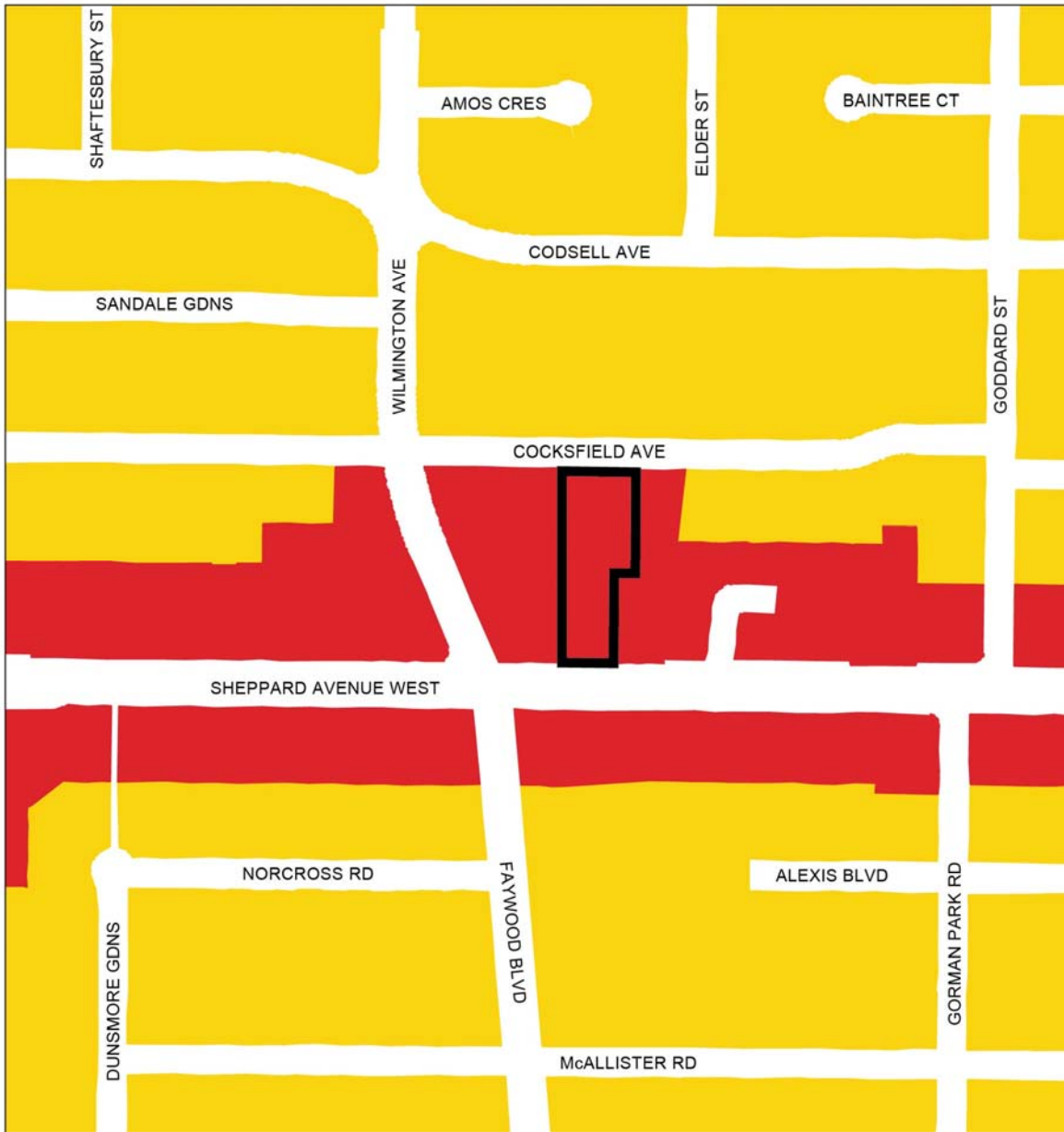
Attachment 3: Site Plan



Site Plan



Attachment 4: Official Plan Map



824 Sheppard Avenue West and 177, 179 & 181 Cocksfield Avenue

Official Plan Land Use Map #16

File # 20 205918 NNY 06 0Z

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas

  
Not to Scale  
10/21/2020