

## **105 Sheppard Avenue East, 24 and 26 Leona Drive – Official Plan and Zoning By-law Amendment Application – Preliminary Report**

Date: December 7, 2020

To: North York Community Council

From: Acting Director, Community Planning, North York District

Ward: Ward 18 - Willowdale

**Planning Application Number:** 20 177426 NNY 18 OZ

**Related Application:** 20 177427 NNY 18 SA

**Current Use on Site:** a professional office building and two detached dwellings

### **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application located at 105 Sheppard Avenue East, 24 and 26 Leona Drive. The proposal is to amend the Official Plan and Zoning By-law to permit an 8-storey mid-rise residential building that contains 64 units with a total gross floor area of 4,374 square metres (floor space index of 3.0). The subject land is an assembly of three lots currently designated Mixed Use Areas. The existing professional office building and detached dwellings will be demolished to accommodate this development.

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 105 Sheppard Avenue East, 24 and 26 Leona Drive 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.

3. Staff review the application concurrently with the Sheppard Avenue Commercial Area Secondary Plan update.

## **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 an 8-storey residential building containing 64 units with a building height of 22.25 metres plus 3.70 metres for the mechanical penthouse. The proposed total gross floor area will be 4,374 square metres that will result in a floor space index of 3.0.

The proposed building would frame Sheppard Avenue East and Leona Drive with ground floor uses that include: a lobby, mail room, garbage collection and at-grade residential units directly accessible from Sheppard Avenue East.

The proposed first storey of the building would be set back 3 metres from Sheppard Avenue East while the remaining upper floors would have a 0 metre setback from Sheppard Avenue and Leona Drive. The building is designed to be within a 45-degree angular plane measured at a height of 10.5 metres from the south yard setback of 7.5 metres. Indoor and outdoor amenity space are proposed on the seventh floor, including private terraces with a combined total amenity space of 256 square metres.

Parking will be provided in a two-level underground parking garage containing 51 parking spaces and 49 bicycle parking spaces, which is accessed by a 6 metre wide driveway from Leona Drive. This driveway will also lead to the loading space at the rear of the building.

The subject site is an irregular shaped lot that occupies the southwest corner of Sheppard Avenue East and Leona Drive. The lot width on Sheppard Avenue is 38 metres and the lot depth on Leona Drive is 34 metres with a total site area of 1,458 square metres. The grade is level on the west portion of the site and then descends from west to east as the east portion of the site intersects with Leona Drive.

Sheppard Avenue East has a planned right-of way width of 36 metres and Leona Drive terminates into a cul-de-sac which prevents vehicular access from Sheppard Avenue East into the low-rise neighbourhood. However, a public sidewalk on the east side of Leona Drive provides a pedestrian connection into the residential neighbourhood. The site is located with a 500 to 800 metres distance from the Yonge-Sheppard Toronto

Transit Commission (TTC) subway station and a TTC bus shelter is located at the corner, immediately in front of the subject 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 #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).

The Growth Plan (2020) as amended 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 (2020) 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 are planned for the prescribed 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 an Avenue on Map 2 of the Official Plan and is designated as Mixed Use Areas on Land Use Map #16 (See Attachment #4). The application is also located within the Sheppard Avenue Commercial Area Secondary Plan.

## **Zoning By-laws**

The subject land is zoned Commercial Area (C7) in the City's former North York Zoning By-law 7625. The C7 zone permits a variety of residential, commercial and institutional uses up to a maximum height of 3-storeys or 12 metres. The Zoning By-law requires an opaque acoustic fence with a minimum height of 1.8 metres to be provided along the full length of the lot line that abuts any R or RM zone. The subject lands are not included in the City of Toronto Zoning By-law 569-2013.

## **Design Guidelines**

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

- Avenues and Mid-Rise Buildings including Performance Standards
- Growing Up: Planning for Children in New Vertical Communities
- Toronto Green Standards and Bird-Friendly Guidelines
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings
- Retail Design Manual

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 (20 177427 NNY 18 SA).

## **COMMENTS**

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### **Reasons for the Application**

An amendment to the Official Plan is required for the proposed building height of 22.25 metres and a density of 3.0 times the lot area, which exceeds the maximum height and density permissions provided for in the Sheppard Avenue Commercial Area Secondary Plan.

An amendment to the former City of North York Zoning By-law 7625 is required as the proposal does not comply with the existing performance standards with respect to: building heights, density, setbacks, parking and loading space requirements. Other areas of noncompliance may be identified through the review of the application. An amendment is also required to establish appropriate 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 (2020) as amended. In particular, staff will be applying the Growth Plan policies

that support the achievement of complete communities that provide a mix of land uses and housing options that support active living and meet people's need for daily living throughout an entire lifetime.

## **Official Plan Conformity**

Currently the Sheppard Avenue Commercial Area Secondary Plan (SACASP) update is underway which generally includes properties fronting onto Sheppard Avenue from Bonnington Place to the west and Clairtrell Road to the east. The study's objective is to update the policy framework to create a vibrant mixed-use avenue that promotes quality development and pedestrian environment improvements while providing appropriate neighbourhood protection.

Avenues and Mixed Use Areas are important corridors that provide a diversity of land uses and vibrant retail streets. Avenues will transform incrementally, building-by-building, introducing new forms of retail that take advantage of nearby transit and active transportation initiatives. These areas provide the greatest opportunity in the achievement of complete communities that can meet residents' needs for daily living throughout a lifetime. This includes convenient access to an appropriate mix of jobs, full range of housing, local stores and services and community amenities in close proximity. The ability to walk to amenities reduces the need to drive while simultaneously promoting healthy living. The proposed development is a single-use residential building. Staff will continue to encourage a proposal that conforms to the Avenue and the SACASP study's core objectives that includes a mix of uses on Sheppard Avenue East.

The applicant has submitted an Avenue Segment Study that assesses the impact of incremental development along Sheppard Avenue in a form and scale similar to the proposed development. Development in Mixed Use Areas on Avenues prior to an avenue study may be permitted when the proposal can sufficiently demonstrate that it meets Avenue and Mixed Use Areas policies, in particular, the Avenue policy 2.2.3.4. Staff will evaluate the proposed development and Avenue Segment Study concurrently with the Sheppard Avenue Commercial Area Secondary Plan review, so that the proposed development is consistent with the study's objectives and progress.

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

Reurbanization is anticipated and encouraged to create new housing and job opportunities on major streets such as Sheppard Avenue East, however each Avenue is different in terms of lot sizes and configuration, street widths and existing uses. In accordance with the Mixed Use Areas policies contained in policy 4.5.2 and the application of the Mid-Rise Building Performance Standards, staff will be reviewing the proposed massing, scale, siting and organization of the building in its existing and planned context. The review of the building's transition, setbacks (including appropriate at-grade residential setbacks), step backs, stepping down of heights in its relationship to Sheppard Avenue, Leona Drive and the abutting residential neighbourhood will be evaluated to ensure the building's height and massing has a comfortable scale for pedestrians as the building wraps around the corner, as well as, limit the shadow

impacts on the surrounding properties and streets. A sun/shadow study has been submitted by the applicant to support the development and staff will evaluate the study's conclusions.

Built Form policies 3.1.2 will also be applied to the proposal to ensure development will appropriately frame and support streets, while providing active, ground floor uses that have views onto the adjacent streets. On a corner site, the development should be located along both street frontages and give prominence to the corner. In addition, the organization and location of vehicle access, circulation and service areas will be designed to minimize their impact on the public realm and surrounding properties whenever possible.

Every significant new multi-unit residential development will provide indoor and outdoor amenity space for residents of the new development. Staff will be reviewing the suitability of the location and configuration of the proposed indoor and outdoor amenity space.

The Plan also recognizes the importance of good design that contributes to an attractive and comfortable pedestrian environment and streetscape. The public realm is a network of public and private spaces that fosters the achievement of complete communities and active transportation. This development will be reviewed in coordination with the SACASP public realm objectives that seek to improve the attractiveness, walkability and connectivity for all users of all ages and abilities.

## **The Growing Up Guidelines**

In July 2017, Toronto City Council adopted the Growing Up Urban Design Guidelines and directed Planning staff to apply the guidelines in the evaluation of new multi-unit residential developments to increase liveability for larger households including families with children at the neighbourhood, building and unit scale. In order to provide a critical mass of larger units, the guideline recommends a minimum of 25% larger residential units: 10% of the units should be three bedroom units and 15% of the units should be two bedroom units, primarily located in the lower portions of the building. The guidelines also recommends a minimum unit size range of 87-90 square metres for two bedroom units and unit size range of 100 to 106 square metres for three bedroom units.

The proposed building contains a unit breakdown of 48, 1- bedroom units, 14, 2- bedroom units and 2, three-bedroom units. Staff will work with the applicant to provide an appropriate range of units at appropriate unit sizes to secure family suitable housing.

## **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 that indicates the removal of six City-owned trees and the removal of twelve privately-owned trees. The Arborist Report is currently

under review by Urban Forestry staff to assess the appropriateness of the proposed tree removal, protection and replacement plan.

## **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.

A Community Services and Facilities Study has been submitted by the applicant. Staff will review the study and determine whether the existing community services and facilities can adequately serve the proposed development.

## **Infrastructure/Servicing Capacity**

A Functional Servicing and Stormwater Management report has been submitted by the applicant to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development. In addition, determining the potential cumulative impact of all proposed applications in the area of similar scale and intensity should also be reviewed by staff.

An Urban Transportation Consideration Report was submitted by the applicant, the purpose of which is to evaluate the effects of a 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. The Yonge-Sheppard subway station is located within 500 to 800 metres from the subject site and staff are reviewing the transportation and parking impacts in addition to multi-modal improvements that support active transportation.

## **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 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.

## **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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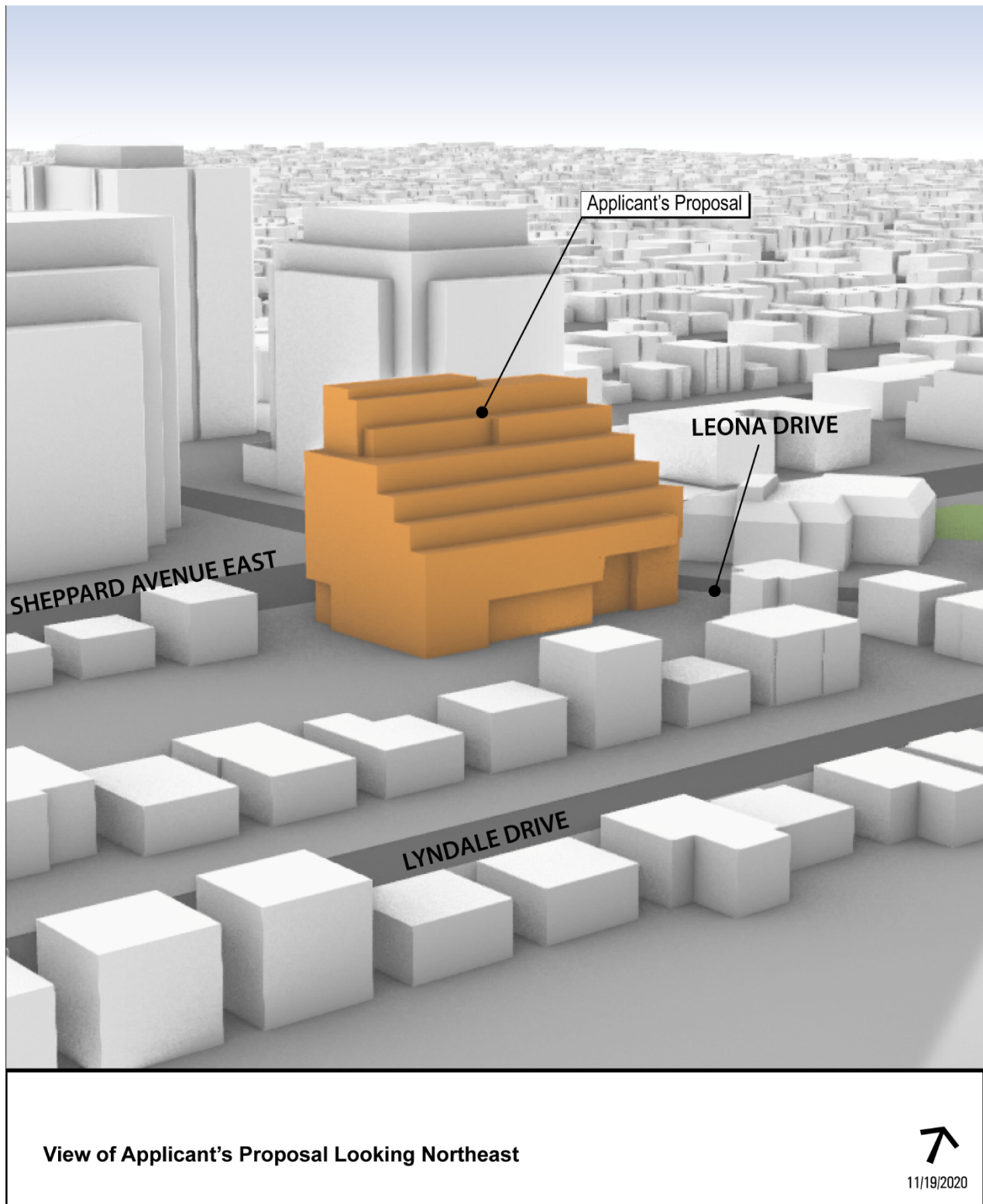
John Andreevski, Acting Director  
Community Planning, North York District

## **ATTACHMENTS**

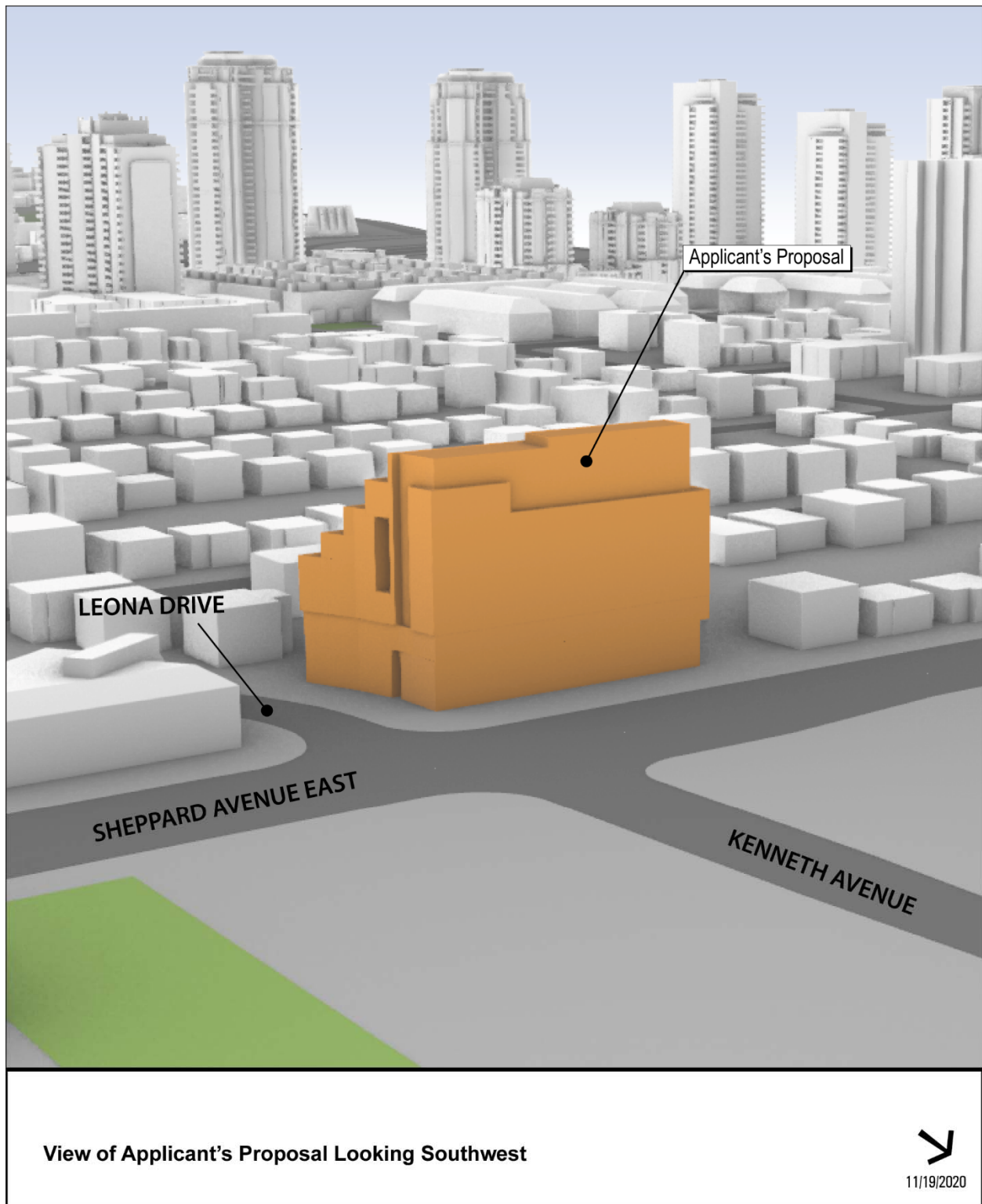
### **City of Toronto Drawings**

Attachment 1a: 3D Model of Proposal in Context  
Attachment 1b: 3D Model of Proposal in Context  
Attachment 2: Location Map  
Attachment 3: Site Plan  
Attachment 4: Official Plan Map

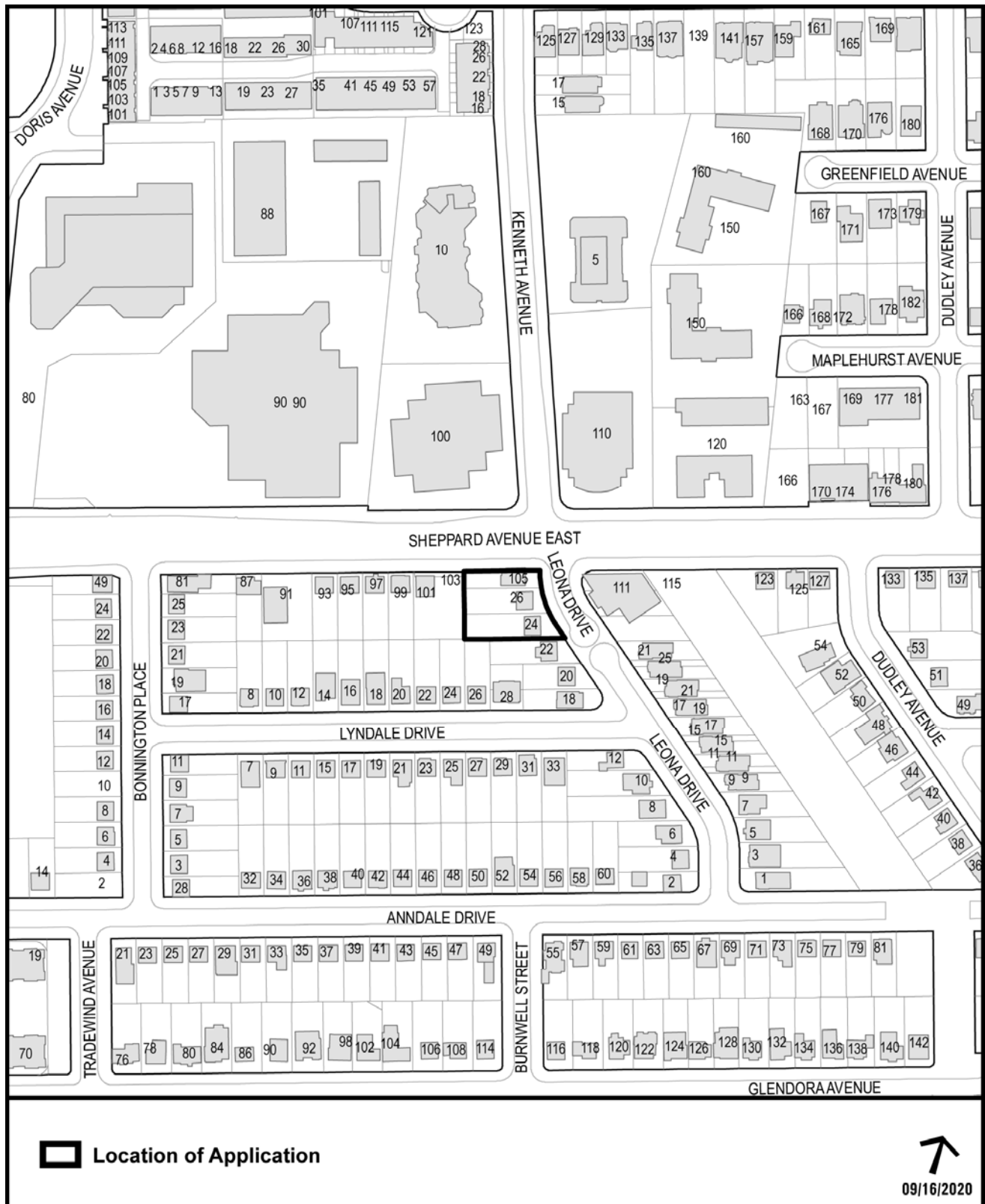
## Attachment 1a: 3D Model of Proposal in Context



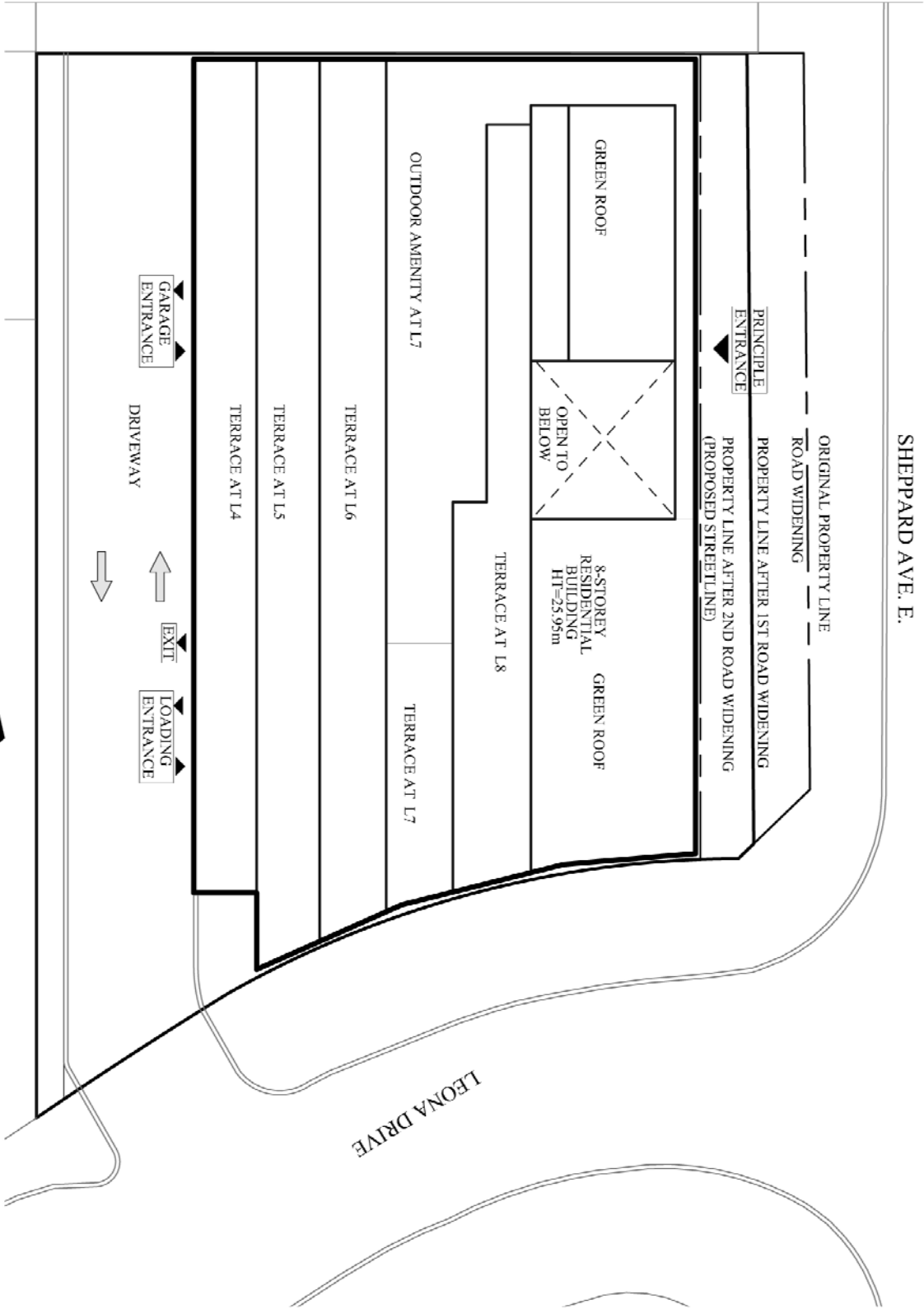
## Attachment 1b: 3D Model of Proposal in Context



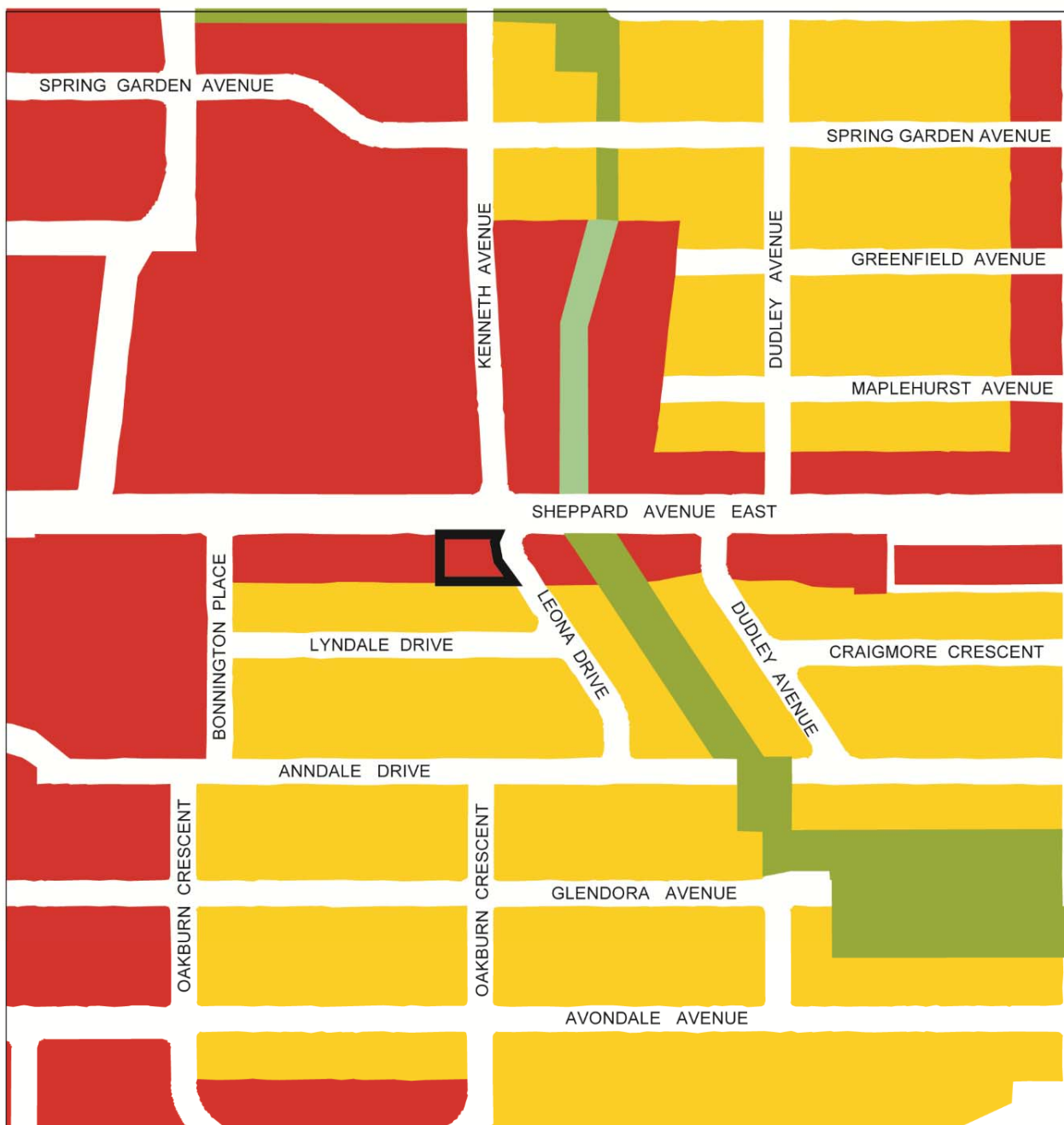
## Attachment 2: Location Map



Attachment 3: Site Plan



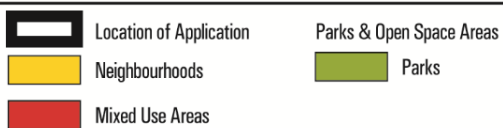
## Attachment 4: Official Plan Map



105 Sheppard Ave. East, 24 Leona Dr. & 26 Leona Dr.

### Official Plan Land Use Map #16

File # 20 177426 NNY 18 0Z



Not to Scale  
09/16/2020