

700, 702, 714 and 716 Sheppard Avenue West – Application to Lift Holding Provision (H) – Final Report

Date: August 20, 2021

To: North York Community Council

From: Acting Director, Community Planning, North York District

Wards: 6 - York Centre

Planning Application Number: 21 163861 NNY 06 OZ

SUMMARY

This application proposes to lift the Holding (H) symbol for the lands municipally known as 700, 702, 714 and 716 Sheppard Avenue West. This amendment would allow for the development of a 10-storey mixed-use building with 134 Residential units and 427 square metres of commercial space at grade.

The existing site-specific Zoning By-law contains a Holding (H) symbol due to existing sanitary capacity issues. A solution for the sanitary capacity issues has been identified and the contract for the works has been awarded. As such, the Chief Engineer and Executive Director of Engineering and Construction Services is satisfied that the works will be completed before occupancy of this project and is satisfied that the Hold can be lifted.

This report reviews and recommends approval of the application to lift the Holding (H) Symbol for the lands at 700, 702, 714 and 716 Sheppard Avenue West.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The redevelopment proposal is in keeping with the Official Plan and the Sheppard West/Dublin Secondary Plan. By lifting the hold the Council-approved development can proceed.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013, as amended, for the lands at 700, 702, 714 and 716 Sheppard Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 4 to this report.

2. City Council amend former City of North York Zoning By-No. 7625, as amended, for the lands at 700, 702, 714 and 716 Sheppard Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to this report.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-laws as may be required.

FINANCIAL IMPACT

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.

DECISION HISTORY

This site was previously subject to an application by the previous owner to amend the Official Plan and Zoning By-law 7625 (No. 11 330321 NNY 10 OZ) and for Site Plan Control (No. 11 330264 NNY 10 SA) to permit an 8-storey, mixed-use building with 97 residential units and 402 square metres of commercial space at grade. A Preliminary Report was considered at North York Community Council on March 20, 2012. A Community Consultation Meeting was held on June 26, 2012. An application for residential demolition was approved by North York Community Council on September 10, 2013 and the 4 existing single detached dwellings were demolished. The applications were closed due to inactivity on October 22, 2015. The 2012 Preliminary Report can be found here:

<http://www.toronto.ca/legdocs/mmis/2012/ny/bgrd/backgroundfile-45572.pdf>

New applications for Official Plan and Zoning Bylaw Amendments to permit a 10-storey, mixed-use building with 134 residential units and 427 square metres of commercial space at grade were submitted on April 25, 2016 and deemed complete on May 19, 2016. A Preliminary Report on the applications was adopted by North York Community Council on June 14, 2016 authorizing staff to conduct a community consultation meeting with an expanded notification area. The 2016 Preliminary Report can be found here:

<https://www.toronto.ca/legdocs/mmis/2016/ny/bgrd/backgroundfile-93753.pdf>

On February 5, 2020, a Final Report on the Official Plan Amendment and Zoning By-law Amendment Application was considered by North York Community Council and was adopted without amendment. On February 26, 2020, City Council adopted Item NY7.1 without amendments. A link to that report can be found at:

<https://www.toronto.ca/legdocs/mmis/2020/ny/bgrd/backgroundfile-145138.pdf>

PROPOSAL

The applicant proposes to develop the lands at 700, 702, 714 and 716 Sheppard Avenue West with a 10-storey (30.9-metre), 134-unit, mixed-use building on the north side of Sheppard Avenue West, east of Maxwell Street. A total of 10,427 square metres (under City of Toronto Zoning By-law 569-2103) or 11,919 square metres (under former City of North York Zoning By-law 7625) of gross floor area is proposed, which would result in a density of approximately 3.8 times the area of the lot, under former City of North York Zoning By-law 7625. Of the 134 residential units, 89 are proposed to be one-bedroom units and 45 are proposed to be two-bedroom units. Commercial space comprising of 427 square metres is proposed on the ground floor. A total of 269 square metres of indoor amenity space is proposed in the form of a gym and party room. The indoor amenity space would provide access to 613 square metres of outdoor amenity space, located on the ground floor in the northwest corner of the site. Vehicular access to 152 parking spaces within a two level underground garage would be located at the east end of the site.

Reasons for Application

On November 26, 2020, City Council enacted By-laws 1061-2020 and 1062-2020 which included holding provisions ("H"), due to existing sanitary sewer capacity issues. The Hold could be lifted at such time as the sanitary servicing solution is acceptable, to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services. The conditions to lift the Holding (H) Symbol have been met and an amendment to By-law 569-2013 as amended by 1061-2020 and By-law 7625 as amended by 1062-2020 are required to lift the Holding (H) Symbol to permit the previously Council approved development.

APPLICATION BACKGROUND

Application Submission Requirements

The following documents were submitted in support of the application:

- Cover letter; and
- Complete Application form.

The submitted documents are available on the City's Application Information Centre (AIC) which can be accessed via the following link:

<http://app.toronto.ca/AIC/index.do?folderRsn=8B1yP8s60BmtVB3stc6dBA%3D%3D>

The current application was submitted on June 1, 2021 and deemed complete as of that date.

Agency Circulation Outcomes

The application together with the applicable submission requirements noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting held by the North York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient use and management of land and infrastructure;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the Planning Act and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent

with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the 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;
- 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).

Staff have reviewed the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Toronto Official Plan

The site is designated as *Mixed Use Areas* in the Official Plan. *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. The Official Plan also contains policies regarding appropriate transition between *Mixed Use Areas* and adjacent *Neighbourhoods*. Development within *Mixed Use Areas* will be located and massed in such a way as to provide a transition between areas of different development intensity and scale.

In addition, this portion of Sheppard Avenue West is identified on Map 2 of the Official Plan as *Avenue*. *Avenues* are corridors along major streets intended for incremental reurbanization to create new residential, commercial, and retail opportunities while improving the overall pedestrian environment, the appearance of the street and accessibility to transit for community residents.

Chapter 2 - Shaping the City

The Official Plan states that infrastructure is needed to provide clean water, manage sewage and stormwater and treat it before it goes into Lake Ontario. Water and wastewater services are important foundations for growth in the City, as well as for maintaining quality of life; and, that the City's water, wastewater and stormwater management infrastructure will be maintained and developed to support the city-building objectives of the Plan by providing adequate facilities to support new development.

Chapter 5 - Implementation: Making Things Happen

The Official Plan states that under the Planning Act, Council can pass a "holding" zoning by-law that places an "H" symbol over the zoning and spells out the conditions that must be met before the "H" symbol is removed and the lands can be developed. Conditions to be met prior to the removal of the holding provision may include servicing improvements.

The City of Toronto Official Plan can be found here:

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

Sheppard West/Dublin Secondary Plan

The site is located within the Sheppard West/Dublin Secondary Plan and is designated *Mixed Use Area B* on Map 23-1. The objective of the Secondary Plan is to encourage and maintain a diversity of residential, institutional, service commercial, office and open space uses along the corridor stretching from Bathurst Street in the east, towards Allen Road and the Sheppard West Subway Station in the west.

In Mixed Use Area B of the Sheppard West/Dublin Secondary Plan, the preferred form of mixed use development includes ground floor commercial uses with upper floor residential uses. The Secondary Plan provides greater densities for development parcels that provide a mix of commercial and residential uses and which have a frontage on Sheppard Avenue West greater than 30 metres.

By-law 1185-2020 enacted Official Plan Amendment 263 for the lands municipally known as 700, 702, 714 and 716 Sheppard Avenue West to permit an apartment building with grade-related commercial uses, having a maximum density of 3.8 times the lot area and a maximum height of 10 storeys, including the mechanical penthouse. The height of any building or portion thereof will not exceed the horizontal distance separating the building or portion thereof from lands designated *Neighbourhoods*, with the exception of the underground parking garage entrance.

The Sheppard West/Dublin Secondary Plan can be found here:
<https://www1.toronto.ca/planning/23-sheppard-west-dublin.pdf>

Zoning

The subject lands are zoned Multiple-Family Dwellings Sixth Density Zone Holding RM6(250)(H) under former City of North York Zoning By-law 7625, as amended by By-law 1062-2020. The RM6(250)(H) zoning permits apartment house dwellings and accessory uses as residential built forms, and the following non-residential uses are permitted at grade: art gallery, artist studio, bank, day nursery, dry cleaning establishment, financial institution, fitness centre, professional office, personal service shop, professional medical office, restaurant, retail store, service shop and take-out restaurant.

The subject lands are also zoned Holding Commercial-Residential (H)CR 1.0 (c0.1; r1.0) SS3 (x228) by City of Toronto Zoning By-law 569-2013 as amended by By-law 1061-2020. This zoning permits a variety of commercial uses including art gallery; artist studio; financial institution; medical office; office; personal service shop; pet services; and veterinary hospital. This zoning also permits a variety of residential uses including dwelling units in a permitted building type; municipal shelter; nursing home; residential care home; and, retirement home.

Both site-specific zoning by-laws contain the same condition to be met for the Holding to be lifted as follows:

- (i) The “H” shall be lifted at such a time as the sanitary servicing solution is acceptable, to the satisfaction of the Executive Director of Engineering and Construction Services.

Site Plan Control

A Site Plan Control Application was submitted (no. 16 139076 NNY 10 OZ) and is currently under review.

Final Report - 700, 702, 714 and 716 Sheppard Avenue West

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the Provincial Policy Statement (2020), and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Official Plan and the Sheppard West / Dublin Secondary Plan. The development of the site with the proposed 10-storey mixed use building will provide a range of residential opportunities within the Sheppard Avenue West corridor.

Lifting of the Holding (H) Symbol

The development proposal for a 10-storey mixed use building was already considered and approved by City Council on February 26, 2020. No changes to that development are being proposed.

The Holding provision was placed on these lands due to existing sanitary sewer capacity issues. Engineering and Construction Services staff have indicated that the contract to construct the servicing upgrades required in this area was awarded on June 9, 2021. As the sanitary servicing solution is now acceptable, to the satisfaction of Engineering and Construction Services, the requirements of Zoning By-laws 828-2020 and 829-2020 for lifting of the Hold have been met.

Community Consultation

Community consultation is not required for an application to lift the Holding (H) Symbol and, as such, a community meeting was not held for this application.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan and the Sheppard West/Dublin Secondary Plan.

Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal conforms with the Toronto Official Plan and the Sheppard West/Dublin Secondary Plan. Staff are of the opinion that the requirements for lifting the Hold have been met and recommend that Council support approval of the lifting of the Holding (H) Symbol application.

CONTACT

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E-mail: kelly.snow@toronto.ca

SIGNATURE

John Andreevski, Acting Director
Community Planning, North York District

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Draft Zoning By-law Amendment - 569-2013

Attachment 5: Draft Zoning By-law Amendment - 7625

Applicant Submitted Drawings

Attachment 6: Site Plan

Attachment 7a: Elevations - North and East

Attachment 7b: Elevations - South and West

Attachment 1: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 700, 702, 714 & 716 SHEPPARD AVE W Date Received: June 1, 2021

Application Number: 21 163861 NNY 06 OZ

Application Type: OPA / Rezoning, Rezoning

Project Description: Application to Lift the "H"

| Applicant | Agent | Architect | Owner |
|------------------------------------|------------------------------------|-----------|--|
| HUMPHRIES PLANNING GROUP INC | HUMPHRIES PLANNING GROUP INC | | THE WESTMOUNT BOUTIQUE RESIDENCES INC. |

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: OPA 263

Zoning: RM6 (250)(H) Heritage Designation: N

Height Limit (m): 10 storeys Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 3,154 Frontage (m): 64 Depth (m): 61.89

| Building Data | Existing | Retained | Proposed | Total |
|-----------------------------|----------|----------|----------|--------|
| Ground Floor Area (sq m): | 407 | | 1,336 | 1,336 |
| Residential GFA (sq m): | 407 | | 10,000 | 10,000 |
| Non-Residential GFA (sq m): | | | 427 | 427 |
| Total GFA (sq m): | 407 | | 10,427 | 10,427 |
| Height - Storeys: | 1 | | 10 | 10 |
| Height - Metres: | | | 31 | 31 |

Lot Coverage Ratio (%): 42.4 Floor Space Index: 3.8

| Floor Area Breakdown | Above Grade (sq m) | Below Grade (sq m) |
|----------------------|--------------------|--------------------|
| Residential GFA: | 10,000 | |
| Retail GFA: | 427 | |
| Office GFA: | | |

Industrial GFA:

Institutional/Other GFA:

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|--------------------------------|----------|----------|----------|-------|
| Rental: | | | | |
| Freehold: | 4 | | | |
| Condominium: | | | 134 | 134 |
| Other: | | | | |
| Total Units: | 4 | | 134 | 134 |

Total Residential Units by Size

| | Rooms | Bachelor | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|--------------|-------|----------|-----------|-----------|------------|
| Retained: | | | | | |
| Proposed: | | | 89 | 45 | |
| Total Units: | | | 89 | 45 | |

Parking and Loading

| | | | | | |
|--------------------|-----|-------------------------|-----|----------------|---|
| Parking Spaces: | 152 | Bicycle Parking Spaces: | 101 | Loading Docks: | 1 |
|--------------------|-----|-------------------------|-----|----------------|---|

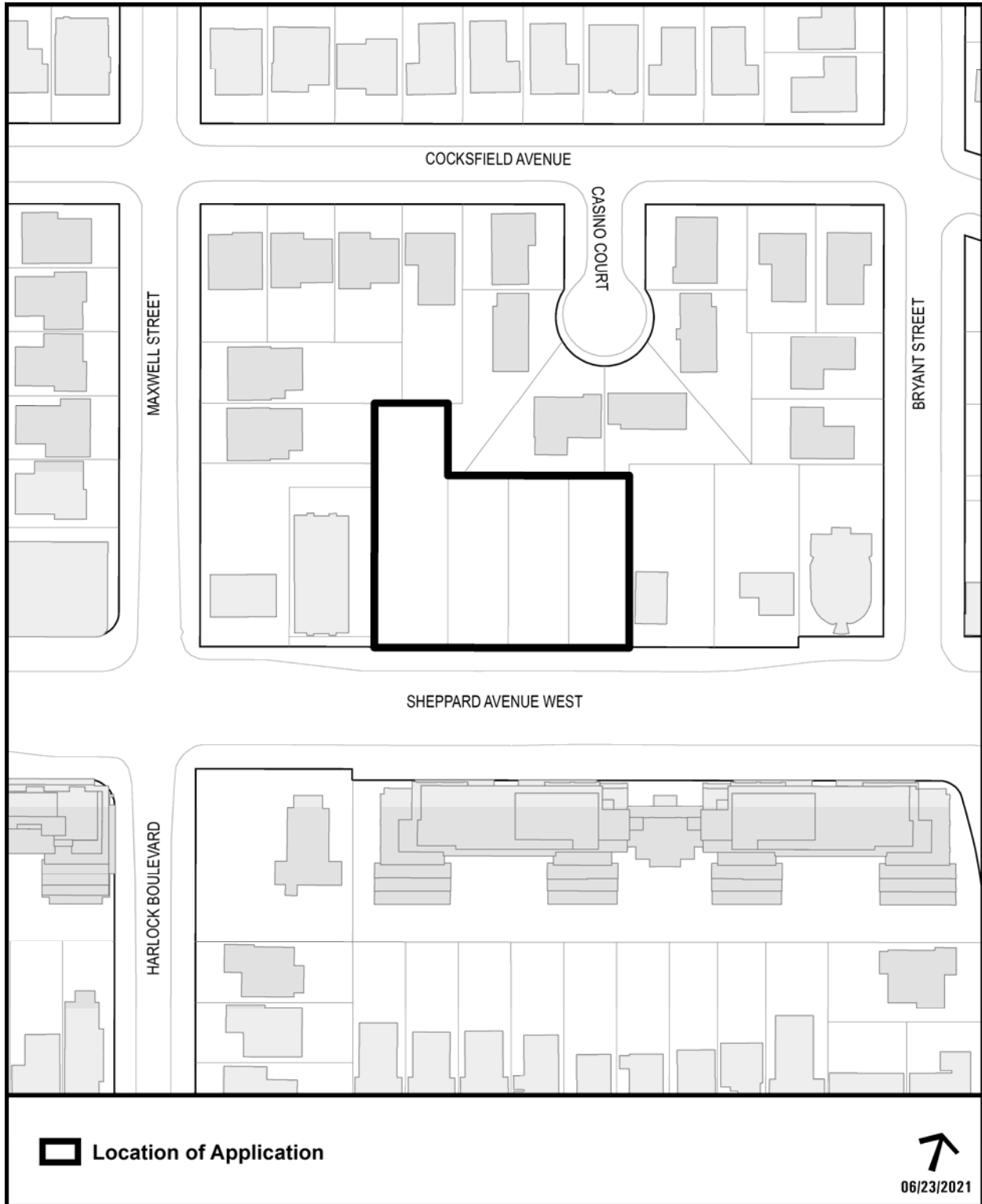
CONTACT:

Kelly Snow, Planner, Community Planning

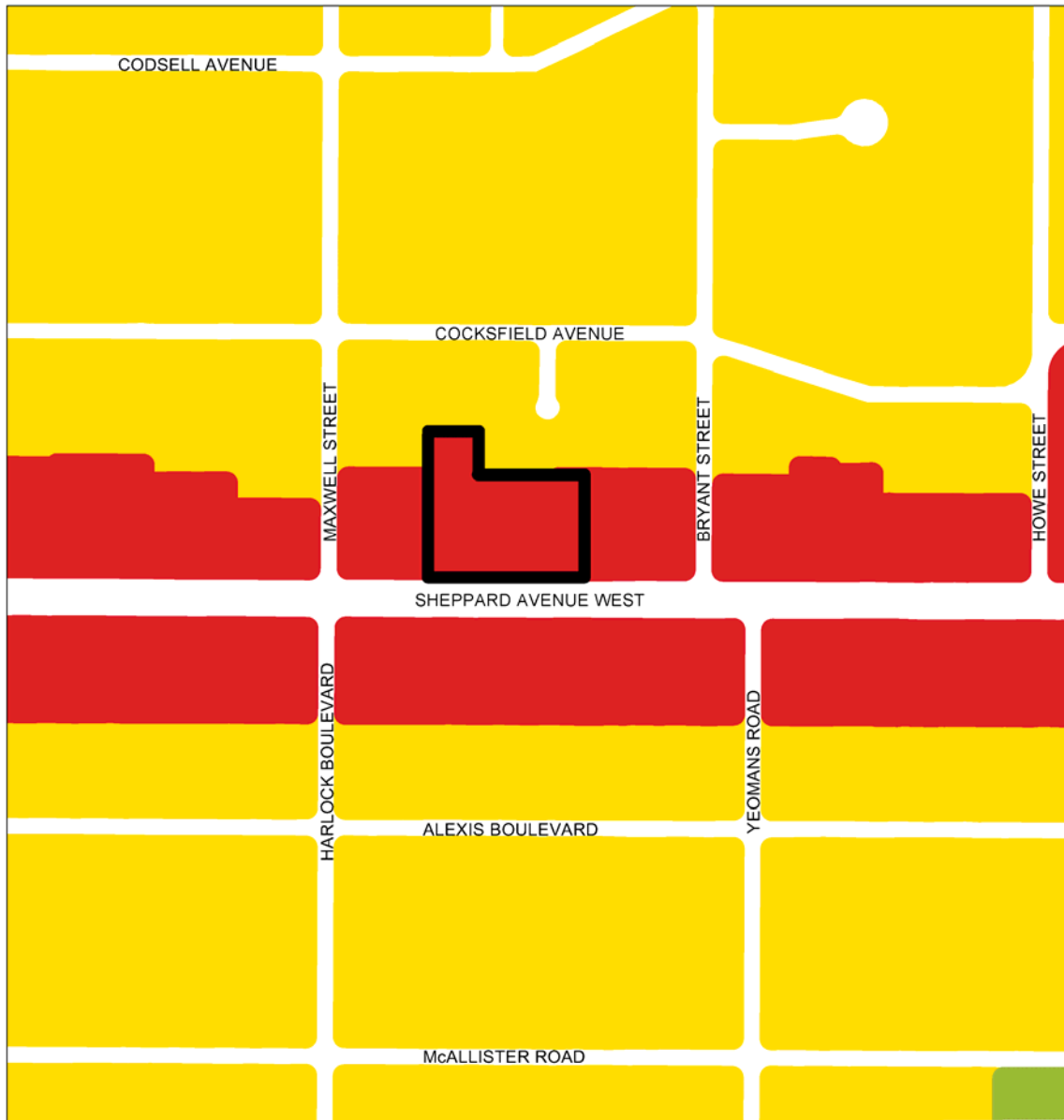
(416) 395-7124

Kelly.Snow@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #16

700, 702, 714 & 716 Sheppard Avenue West

File # 16 145600 NNY 10 OZ

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

Not to Scale
10/24/2019

Attachment 4: Draft Zoning By-law Amendment - 569-2013

Authority: ~ Community Council Item No. ~,
as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~
North York
CITY OF TORONTO
Bill No. ~
BY-LAW No. ~-20~

To amend Zoning By-law No. 569-2013, as amended by site specific By-law 1061-2020, to remove the holding symbol (H) with respect to the lands known municipally in the year 2020 as 700, 702, 714 and 716 Sheppard Avenue West.

WHEREAS authority is given to Council by Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

WHEREAS Council is satisfied that the conditions relating to the holding symbol have been satisfied in order to lift the holding symbol in relation to the lands to which this bylaw applies; and

WHEREAS Council has provided notice of the intent to pass this By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

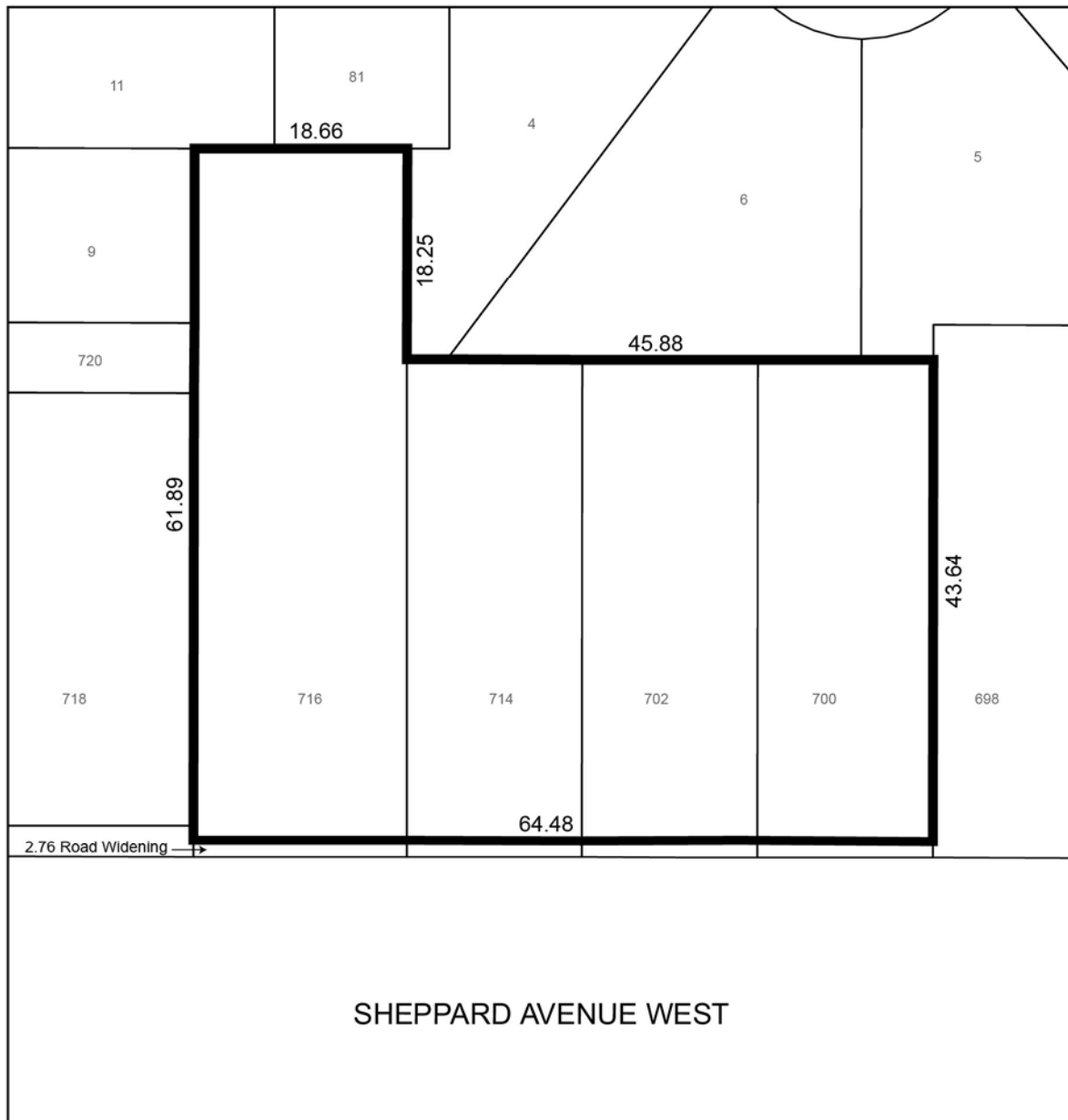
1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. Zoning By-law 569-2013, as amended, is further amended by removing the holding symbol "(H)" from the lands as shown on the attached Diagram 2.

ENACTED AND PASSED this ~ day of ~ , A.D. 20~.

JOHN TORY, JOHN D. ELVIDGE
Mayor City Clerk

(Corporate Seal)

DIAGRAM '1

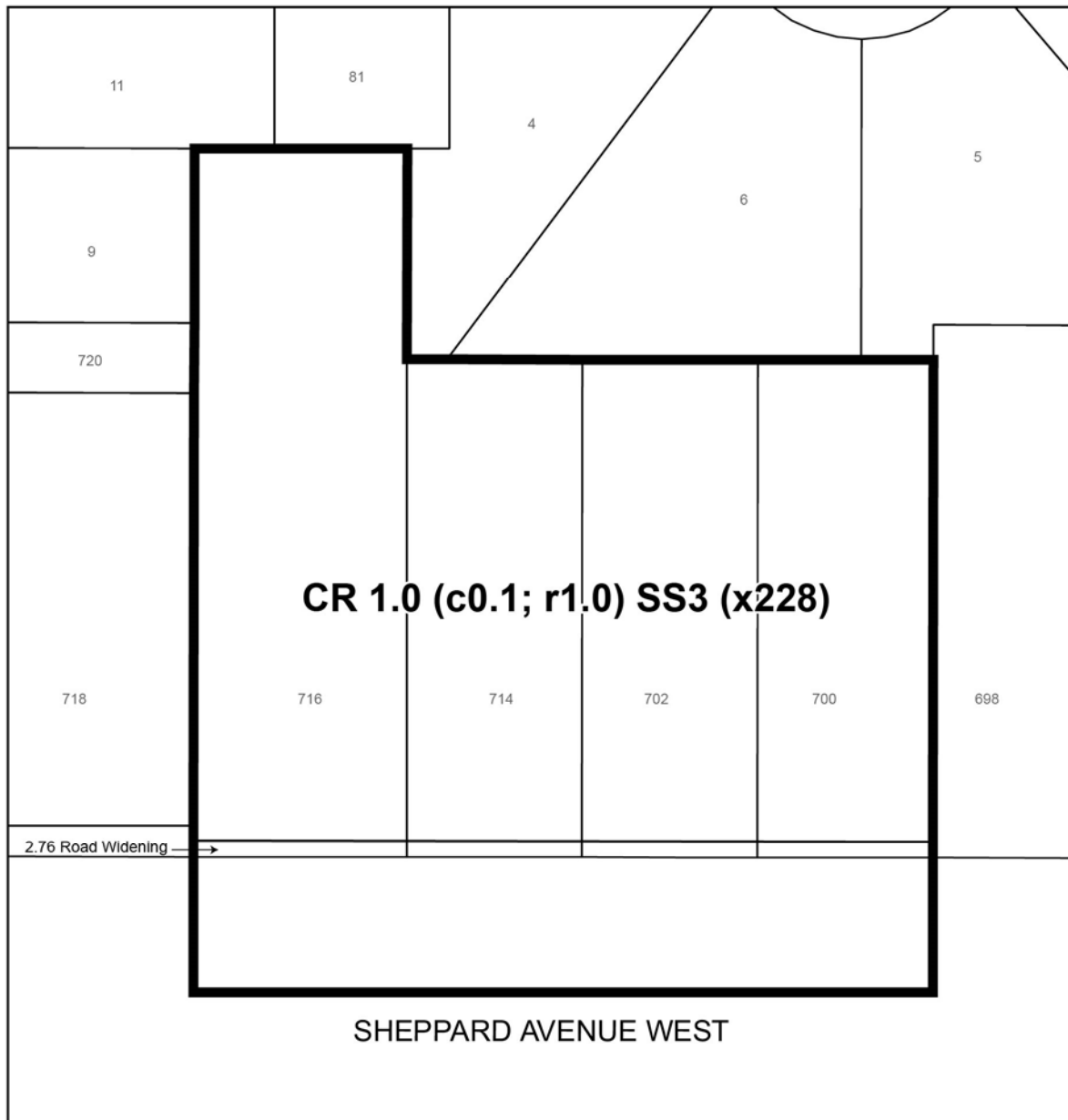


700, 702, 714 and 716 Sheppard Avenue West

File # 21 163861 NNY 06 0Z

City of Toronto By-Law 569-2013
Not to Scale
06/23/2021

DIAGRAM '2



700, 702, 714 and 716 Sheppard Avenue West

File # 21 163861 NNY 06 0Z

City of Toronto By-Law 569-2013
Not to Scale
06/23/2021

Attachment 5: Draft Official Plan Amendment - 7625

Authority: ~ Community Council Item No. ~,
as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

North York

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend former City of North York Zoning By-law No. 7625, as amended by site specific By-law 1062-2020, to remove the holding symbol (H) with respect to the lands known municipally in the year 2020 as 700, 702, 714 and 716 Sheppard Avenue West.

WHEREAS authority is given to Council by Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

WHEREAS Council is satisfied that the conditions relating to the holding symbol have been satisfied in order to lift the holding symbol in relation to the lands to which this bylaw applies; and

WHEREAS Council has provided notice of the intent to pass this By-law;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Zoning By-law 7625, as amended, is amended by removing the holding symbol (H) from the lands outlined by heavy lines such that the designation is revised from "RM6(250)(H)" to "RM6(250)" as shown on Schedule '1' attached.

ENACTED AND PASSED this ~ day of ~ , A.D. 20~.

JOHN TORY,
Mayor

JOHN D. ELVIDGE
City Clerk

(Corporate Seal)

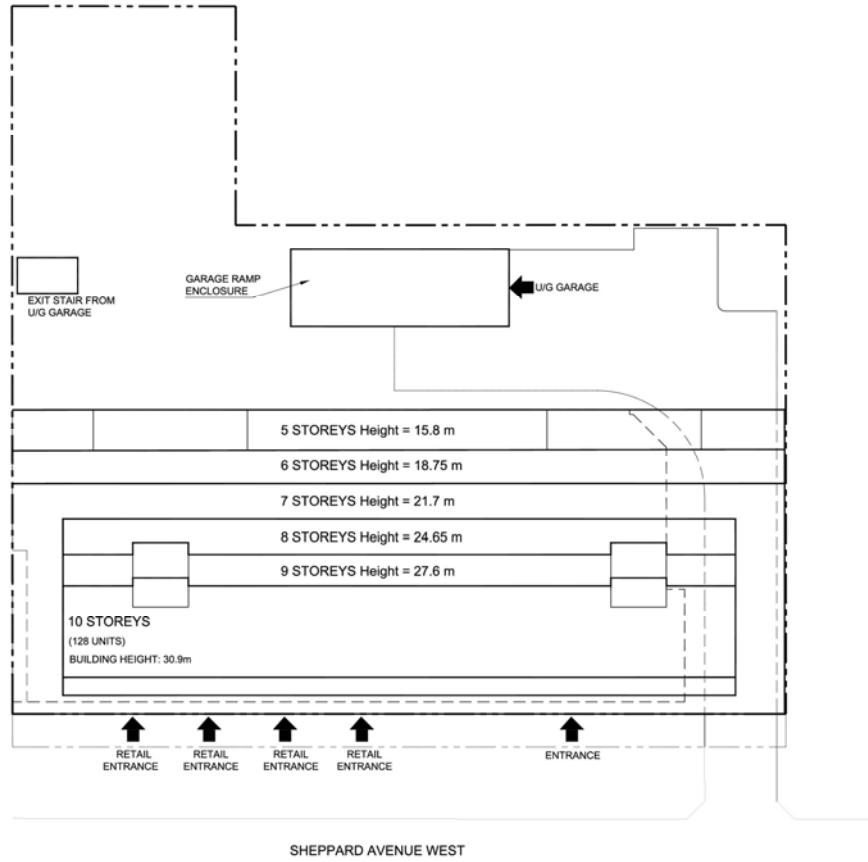


700, 702, 714 and 716 Sheppard Avenue West

File # 21 163861 NNY 06 0Z


 Former City of North York By-law 7625
 Not to Scale
 06/23/2021

Attachment 6: Site Plan



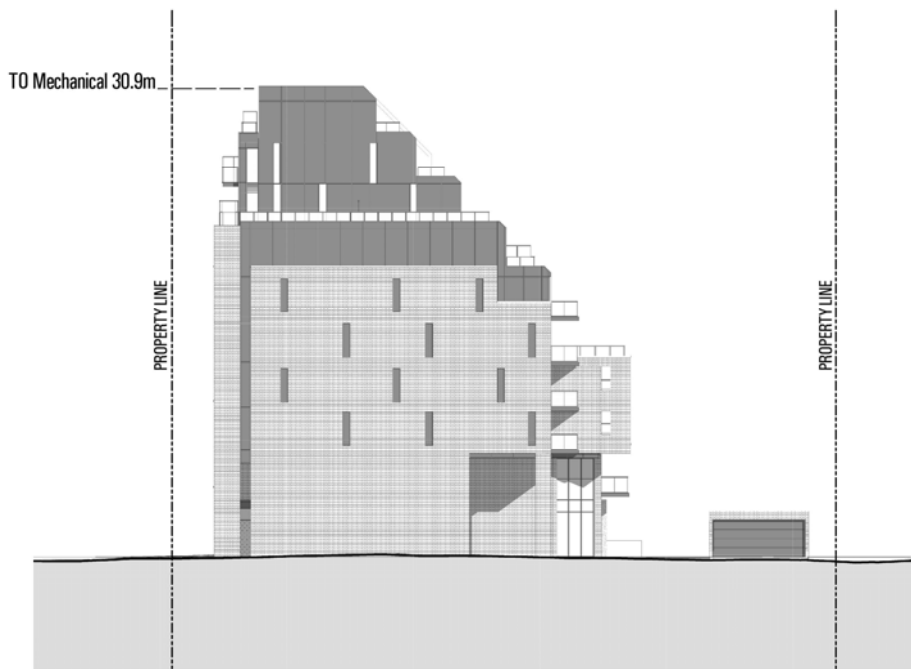
Site Plan



Attachment 7a: Elevations - North and East



North Elevation

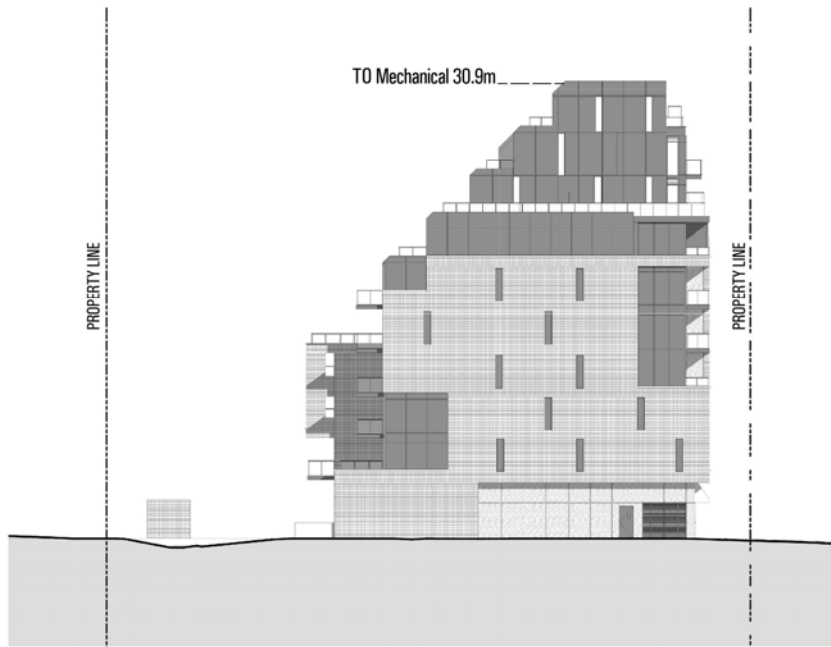


East Elevation

Attachment 10: Elevations - South and West



South Elevation



West Elevation