

Preliminary Report - 3175 to 3181 Sheppard Avenue East – Zoning By-law Amendment Application

Date: April 15, 2021

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: 22 - Scarborough-Agincourt

Planning Application Number: 20 215681 ESC 22 OZ

Notice of Complete Application Issued: December 18, 2020

Current Use on Site: Single detached dwellings.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application located at 3175 to 3181 Sheppard Avenue East. The proposal seeks to amend the Zoning By-law to permit the development of subject lands with 35 apartment units comprising of back to back and standard townhouse units.

The proposed dwellings will range in configuration and size from approximately 128 to 311 square metres. Vehicular access will be from Abbotsfield Gate Lane.

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 3175 to 3181 Sheppard Avenue East together with the Ward Councillor.
2. Staff provide notice for the community consultation meeting 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. City Council determine that an Avenue Segment Study is not required given that Planning Staff are undertaking the Sheppard/ Pharmacy area study that includes the subject site.

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.

ISSUE BACKGROUND

Application Description

This application proposes to amend the City of Toronto Zoning By-law 569-2013, as amended and former City of Scarborough Sullivan Zoning By-law No 10717, as amended, for the property at 3175-3181 Sheppard Avenue East to permit the construction of 35 residential apartment units comprising of back to back and standard townhouse units.

The proposal will be oriented in an east to west fashion and has been designed to frame Sheppard Avenue East. The proposed dwelling units will be provided throughout development, with a variety of layouts and unit sizes. The ground floor units are designed as through units which have frontages on both sides of the building, while the upper floors are designed in a 'stacked' built form. A total gross floor area of about 4,591 square metres is proposed resulting in a FSI of 1.76 times the lot area.

A total of 41 parking spaces will be provided primarily in an underground parking garage, including 35 resident parking spaces and 6 visitor parking spaces. Vehicular access is taken from Abbotsfield Gate Lane.

One Type G loading space will be provided at grade at the southwest corner of the development, adjacent to the underground access.

The proposed height of the townhouse block will be 14.61 metres measured from established grade to the top of the roof and the massing of the built form will terrace along the Sheppard Avenue frontage. The townhouse units will incorporate balconies and walk-out conditions on the ground level. The east and west sides of the townhouse block include varying setbacks and reductions in the height to appropriately fit into the context of the adjacent built form. The proposed dwellings will range in configuration and size from approximately 128 to 311 square metres.

Pedestrian access will be provided via entrances along Sheppard Avenue East and Abbotsfield Gate Lane. These entrances will generally be shared among specific units within the building. Access is also provided from the underground parking to the units above.

The proposed residential units will have access to individual private amenity terraces and balconies, which will be located on the exterior townhouses facing the existing public right of way as well as the rear laneway, respectively. The amenity areas located on the southern elevation and adjacent to the laneway will be screened with 1.8 metre wooden fences.

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 1 and 2 in 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), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe 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 subject application is located on lands designated *Neighbourhoods* on Map19 of the Official Plan. Please see Attachment 5 for an excerpt of the Official Plan Land Use Map.

Official Plan Amendment 320 (OPA 320)

On December 7, 2018, the Local Planning Appeal Tribunal (LPAT) issued an Order to approve and bring into force OPA 320. The approved policies reflect the policies endorsed by Council at its meetings of June 26 to 29, 2018 and July 23 to 30, 2018 in response to mediation and settlement offers from OPA 320 Appellants.

OPA 320 was adopted as part of the Official Plan Five Year Review and contains new and revised policies on Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods*. The approved amendments uphold the Plan's goals to protect and enhance existing neighbourhoods that are considered stable but not static, allow limited infill on underutilized *Apartment Neighbourhood* sites and help attain Tower Renewal Program goals. In its Order that approves OPA 320, the LPAT found that the OPA 320 policies are consistent with the Provincial Policy Statement (2014) and conform with the Growth Plan for the Greater Golden Horseshoe (2017). This application was submitted after the LPAT Order brought OPA 320 into force and is subject to these new policies.

Zoning By-laws

The property is zoned Residential Detached Zone (RD) in the City of Toronto Zoning By-law 569-2013, as amended. The "RD" zone permits dwelling units as well as other permitted uses with conditions such as ambulance depot, cogeneration energy, community centre, day nursery, fire hall, group home, home occupation, laneway suite, library, place of worship, police station, private home daycare, public utility, renewable energy, secondary suite, seniors community house, short term rental, transportation use.

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/>

The site is also subject to the former Scarborough Sullivan Zoning By-law No. 10717, as amended and zoned Residential Family Dwelling (S). The permitted uses for the 'S' zone include single family residential, group home, private home daycare, domestic or household arts.

Exception No.11 applies to the subject property and requires the main building and structures to be a minimum of 3.6 metres from the laneway.

Design Guidelines

The following design guideline(s) will be used in the evaluation of this application: Townhouse and Low-Rise Apartment Guideline.

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.

COMMENTS

Reasons for the Application

The application to amend the zoning by-law is required to permit the proposed development. The proposed townhouse development is not a permitted use. Further amendments maybe required to address general performance standards including but not limited to parking, setbacks, height and density.

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

The proposed development will be evaluated against the PPS (2020) and the Growth Plan for the Greater Golden Horseshoe (2020) to determine the application's consistency with the PPS and conformity with the Growth Plan.

Official Plan Conformity

The property is designated *Neighbourhoods* in the City of Toronto Official Plan. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale building such as detached houses, semi-detached houses, duplexes, triplexes, and townhouses, as well as walk-up apartments that are no higher than four storeys in height.

The Official Plan sets out Policies and development criteria aimed to ensure that physical changes to established neighbourhoods are sensitive, gradual and "fit" the existing physical character. OPA 320 provided for Council's ability to consider greater intensification of lots fronting Major Streets if certain distinguishing criteria are met.

The site falls along an identified *Avenue* and Priority Transit Corridor with planned higher order transit and existing priority surface transit. *Avenues* are important corridors along major streets where reurbanization and intensification is encouraged. Reurbanizing the *Avenues* will be achieved through preparation of Avenue Studies for strategic mixed use segments of the corridor shown on Map 2. Development may be permitted on *Avenues* prior to an Avenue Study, provided that development is considered on the basis of all the policies of the Official Plan and implements the policies for the relevant designation area. Not all lands that fall within *Avenues* are designated for growth. Where a portion of an *Avenue* is designated as a neighbourhood, the neighbourhood protection policies in Chapter 4 policies prevail to ensure that any new development respects and reinforces the physical character of established neighbourhoods.

The segment of Sheppard Avenue East in the vicinity of its intersection with Pharmacy Avenue has experienced significant development interest. The construction of an 18-storey building is nearly complete at the southeast corner of Sheppard Avenue East and Pharmacy Avenue. At the northwest corner of the same intersection a 15 storey building has been approved but has not yet been constructed. A further development application for a 21 storey mixed use building is under review for the southwest corner (2993 -3011 Sheppard Avenue East and 1800-1814 Pharmacy Avenue).

In response to this application at 2993 Sheppard Avenue East, City Council directed staff to undertake a study to evaluate the application in the context of other submitted development proposals, potential development sites and existing development. This was in response to Official Plan policy 5.3.1.3 which requires the planning review to identify at the earliest point possible whether the application should be considered within its immediate context or whether a broader review and possible area specific policy or general policy change are appropriate. Staff recommend that the subject application also be evaluated within the context of the broader area given the recent development interest along this segment of Sheppard Avenue East. Given the ongoing evaluation of the local planning context, it has been determined that an Avenue Segment Study is not required for this application.

Built Form, Planned and Built Context

The proposed built form and site organization will be reviewed to ensure the proposed development fits within the existing and planned context at appropriate level of intensification, building height and the transition to existing buildings.

In addition to the policy directions of Section 3.1.2 Built Form, the proposal will be evaluated against the criteria for compatible infill development found in the *Neighbourhoods* policies. The issues to be resolved include, but are not limited to:

- Ensuring appropriate transitions in scale to neighbouring existing and/or planned buildings for the purpose of achieving the objectives of the Official Plan;
- Providing appropriate separation distances between buildings on and adjacent to the site so as to achieve adequate sunlight and privacy; setbacks from adjacent streets;

- Ensuring the loading/garbage areas and utilities are appropriately located and screened from public view;
- Creating a well-defined walkway system that ensures pedestrian safety through visual and physical accessibility, has access to appropriate sunlight with; treed and soft landscaped edges, and amenities that include landscaping; and
- Ensuring future development opportunities immediately to the east and west of the subject lands are not precluded .

Staff will evaluate whether the proposed building is contextually appropriate in relationship to both the existing and planned context along Sheppard Avenue East and the surrounding stable low-rise residential neighbourhood. Staff will review the relationship between the proposed building and surrounding low-rise residential uses and determine if the appropriate separation distance and transition in scale is being provided. A 45-degree angular plane will be applied to help assess the proposed transition, particularly to the stable low-rise neighbourhood south and southwest of the site along Highhill Drive and Abbotsfield Gate.

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 Arborist Report and Tree Preservation Plan submitted by the applicant identified the removal of four (4) City owned tree fronting on the subject property and twenty (20) privately owned tree on the subject site. Also, the injury of one (1) City owned tree is also proposed, and five (5) City owned tree are to be preserved. The Arborist Report and Tree Preservation Plan are currently under review by City staff.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. The subject land are included on the City's searchable database TOMaps has having archaeological potential. A Phase 1 archeological assessment has been submitted as part of the application material.

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 Report is not required and was not submitted with application.

Infrastructure/Servicing Capacity

City Planning's commenting partners are currently reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development.

Staff are also reviewing the Traffic Operation Assessment submitted by the applicant to determine if any transportation improvements are necessary to accommodate the travel demands and transportation impacts that will be generated by the development.

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.

The TGS Checklist submitted by the applicant is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional Issues

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONTACT

Marian Barsoum, Assistant Planner, Scarborough District, Community Planning,
Tel. No. (416) 396-5004, E-mail: Marian.Barsoum@toronto.ca

SIGNATURE

Paul Zuliani, MBA, RPP, Director
Community Planning, Scarborough District

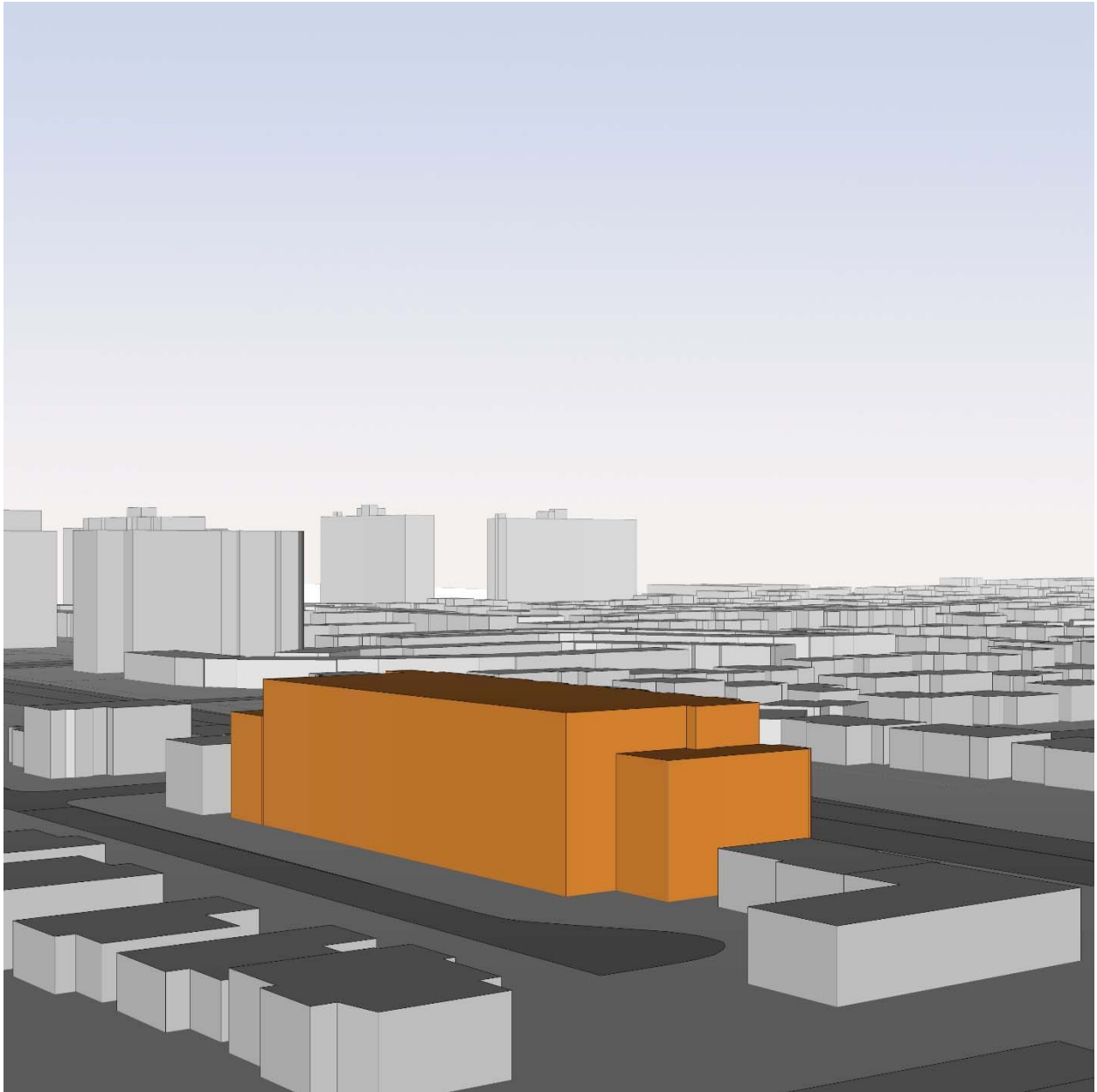
ATTACHMENTS

Attachment 1: 3D Model of Proposal in Context (Northeast View)
Attachment 2: 3D Model of Proposal in Context (Southeast View)
Attachment 3: Location Map
Attachment 4: Site Plan
Attachment 5: Official Plan Map

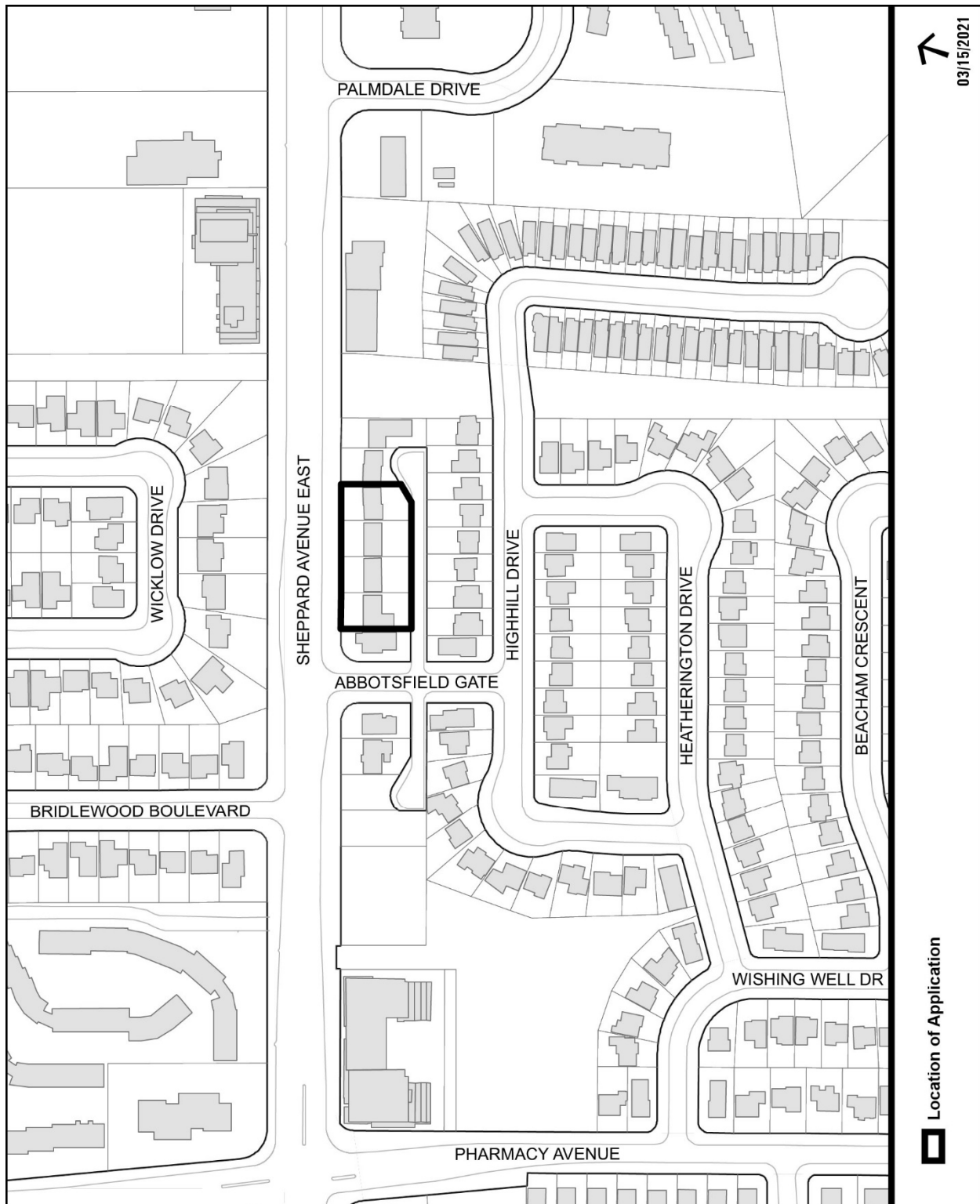
Attachment 1: 3D Model of Proposal in Context (Northeast View)



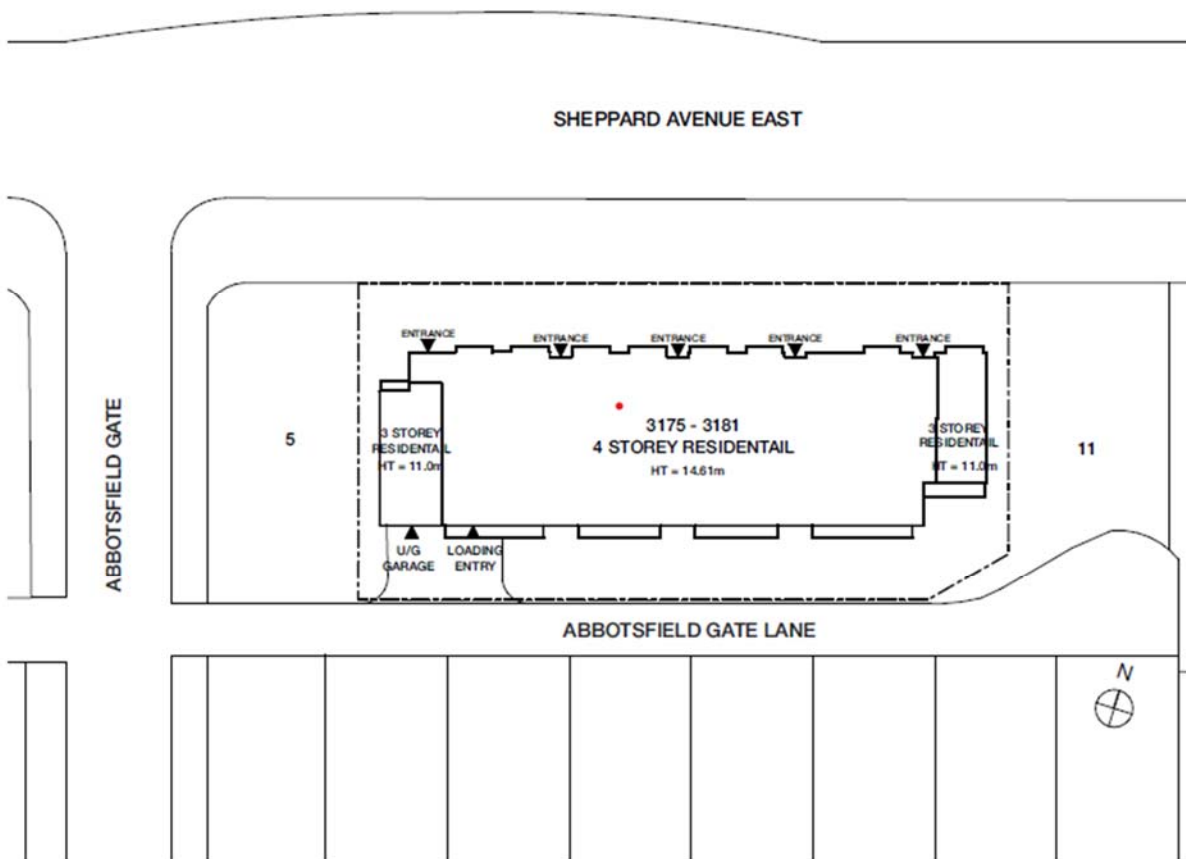
Attachment 2: 3D Model of Proposal in Context (Southeast View)



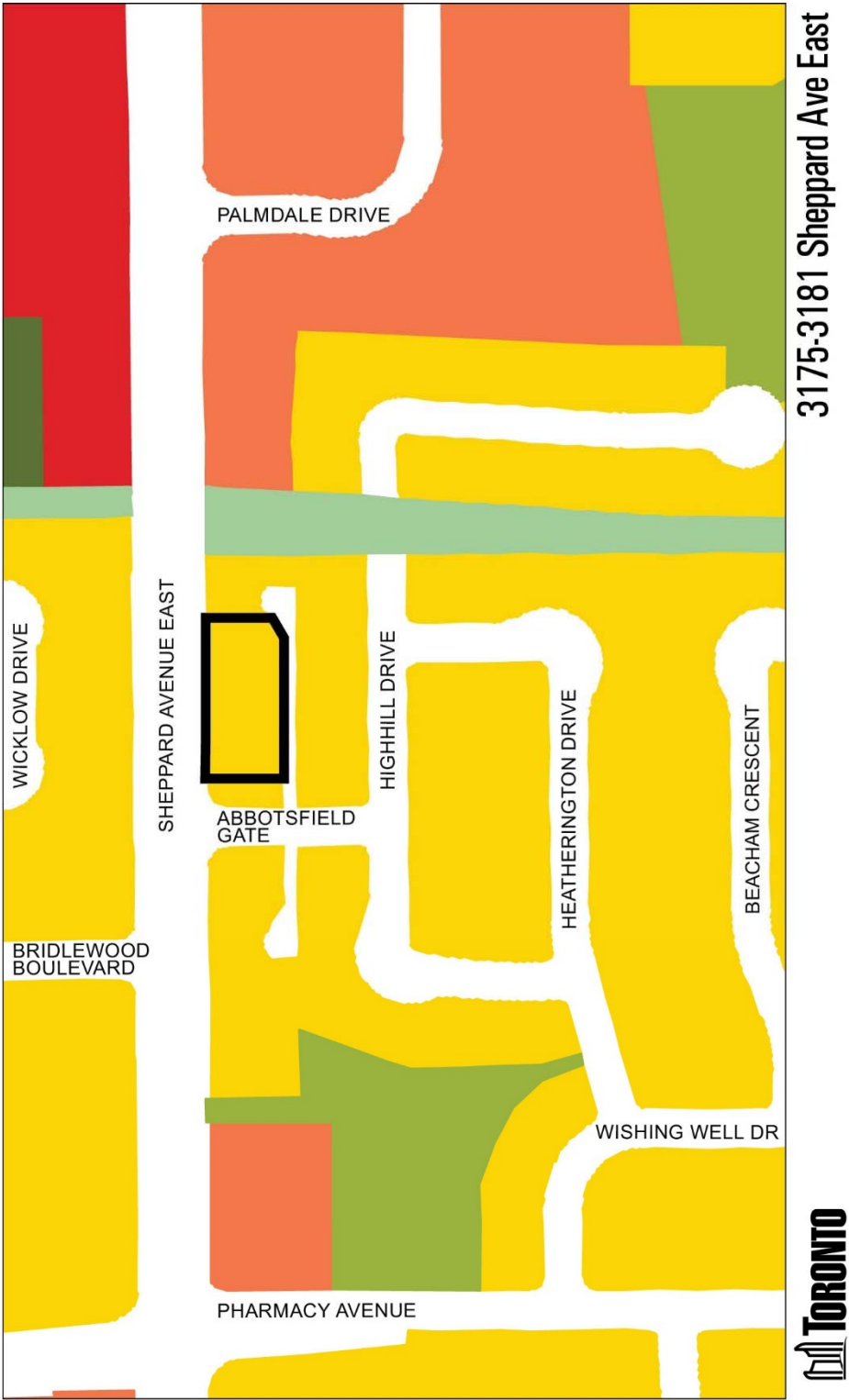
Attachment 3: Location Map



Attachment 4: Site Plan



Attachment 5: Official Plan Map



Official Plan Land Use Map 19

File # 20 215681 ESC 22 02

