

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

Date: May 11, 2022

To: City Council

From: Chief Planner and Executive Director, City Planning

Ward: 18 Willowdale

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

Related Planning Application Number: 20 177427 NNY 18 SA

### **SUMMARY**

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This report outlines revisions to the proposal and provides an update on this application since North York Community Council's consideration of the Final Report from the Director, Community Planning, North York District dated March 22, 2022.

On April 20, 2022, North York Community Council forwarded Item NY31.6 without recommendations to City Council for its consideration on May 11 and 12, 2022. Since this time, the applicant has revised their proposal to maintain the 8-storey mixed use building at a reduced Floor Space Index (FSI) from 3.12 to 3.0, resulting in a total gross floor area reduction from 4,550 square metres to 4,374 square metres.

Staff supports the revisions to the proposal as it continues to conform with the *Mixed Use Areas* policies of the Official Plan and the achievement of complete communities by providing a mix of uses in compact built form that is transit-support while appropriately transitioning to lower-scale neighbourhoods.

This report recommends approval of the revised Official Plan and Zoning By-law amendments attached to this report.

### **RECOMMENDATIONS**

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The Chief Planner and Executive Director, City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 105 Sheppard Avenue East and 24 and 26 Leona Drive substantially in accordance with the draft Official Plan Amendment attached as Attachment No.1.
2. City Council amend the City of Toronto Zoning By-law No. 569-2013, as amended, for the lands at 105 Sheppard Avenue East and 24 and 26 Leona Drive substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.2 to this report.
3. City Council amend the former City of North York Zoning By-law 7625, as amended, for the lands at 105 Sheppard Avenue East and 24 and 26 Leona Drive substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 3 to this report.
4. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

## **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.

## **DECISION HISTORY**

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A Final Report on the application was considered by North York Community Council on April 20, 2022. North York Community Council submitted Item NY31.6 to City Council without recommendation to be considered by City Council on May 11, 2022. The decision can be found here: [Agenda Item History - 2022.NY31.6 \(toronto.ca\)](#)

A Preliminary Report on the application was adopted by North York Community Council on January 13, 2021, authorizing staff to conduct a community consultation meeting with an extended notification area. The decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY21.7>

On February 2, 2022, City Council adopted the Sheppard Willowdale Secondary Plan, an updated policy framework that replaces the existing Sheppard Avenue Commercial Area Secondary Plan (east segment) for *Mixed Used Areas* that front onto Sheppard Avenue East, generally from Bonnington Place to Clairtrell Road. On March 2, 2022, the Sheppard Willowdale Secondary Plan was appealed to the Ontario Land Tribunal, therefore, the Sheppard Avenue Commercial Area Secondary Plan continues to apply to the subject site. City Council adoption of the Sheppard Willowdale Secondary Plan can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.NY29.4>

## **CONTACT**

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Jenny Choi, Planner  
Tel. No. (416) 395-0108  
E-mail: [Jenny.Choi@toronto.ca](mailto:Jenny.Choi@toronto.ca)

## **SIGNATURE**

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Gregg Lintern, MCIP, RPP  
Chief Planner and Executive Director  
City Planning Division

## **ATTACHMENTS**

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### **City of Toronto Data/Drawings**

- Attachment 1: Draft Official Plan Amendment
- Attachment 2: Draft Zoning By-law Amendment - By-law No. 569-2013
- Attachment 3: Draft Zoning By-law Amendment - By-law No. 7625

Attachment 1: Draft Official Plan

Authority: North York Community Council Item ~ as adopted by City of Toronto  
Council on ~, 2022

Enacted by Council: ~,

2022

**CITY OF TORONTO**

**Bill No.**

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**BY-LAW No. --**

**2022**

**To adopt an amendment to the Official  
Plan for the City of Toronto  
respecting the lands known municipally in the year  
2022, as 105 Sheppard Ave East, 24 Leona Drive and  
26 Leona Drive**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990,  
c.P. 13, as amended, to pass this By-law;

WHEREAS Council of the City of Toronto has provided adequate information to the  
public and has held at least one public meeting in accordance with the *Planning Act*;

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

1. The attached Amendment No. 568 to the Official Plan is hereby adopted pursuant to  
the  
*Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 2022.

JOHN TORY,  
Mayor

(Corporate Seal)

ULLI S. WATKISS,  
City Clerk

**AMENDMENT NO. 568 TO THE OFFICIAL PLAN**

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2022 AS  
105 Sheppard Ave East, 24 Leona Drive and 26 Leona Drive**

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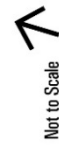
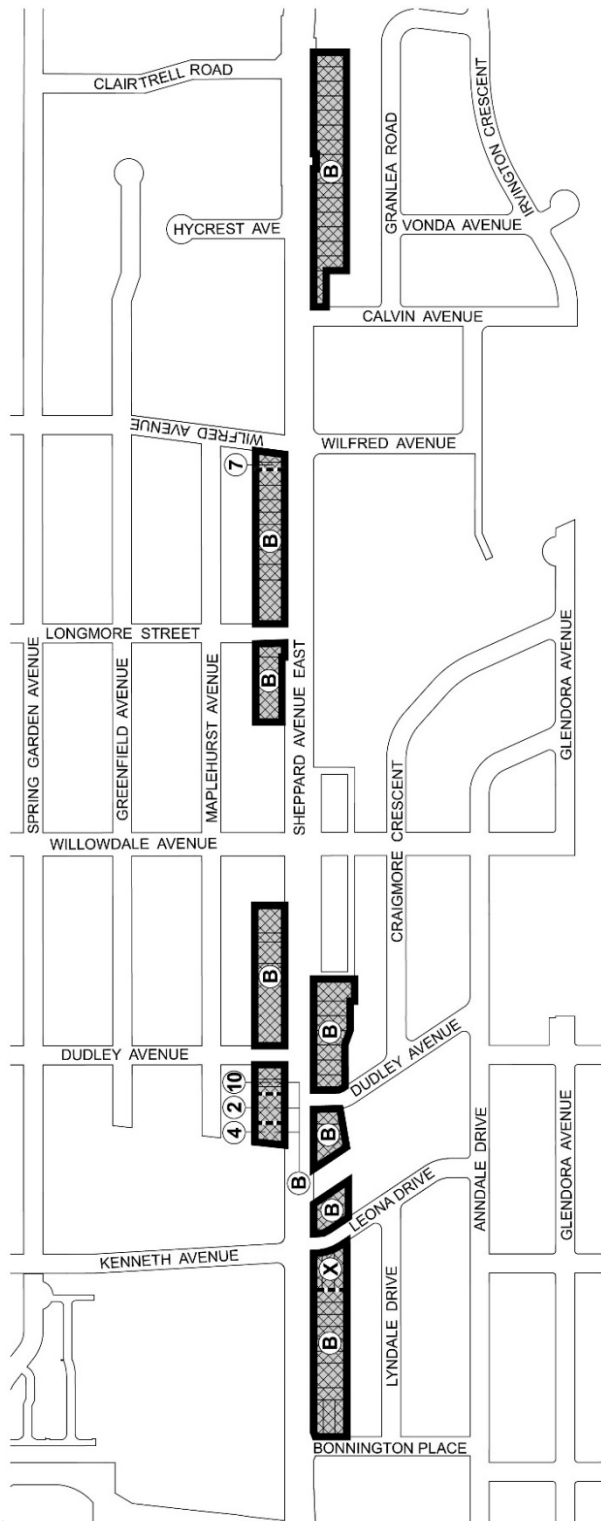
The Official Plan of the City of Toronto is amended as follows:

1. Chapter 6, Section 29, Sheppard Avenue Commercial Area Secondary Plan is amended by adding the following section to the Secondary Plan, Section 4 Site and Area Specific Policies:
  - 11. Lands located on the south side of Sheppard Avenue East, 105 Sheppard Ave East, 24 Leona Drive and 26 Leona Drive (Site and Area Specific Policy #13 on Map 29-2)**

Despite Policy 2.2, a maximum FSI of 3.0 is permitted in a mixed use building, subject to all development criteria set out in Section 3 with the exception that Policy 3.2.2 does not apply.

Despite Policy 3.2.2, a maximum height of eight storeys (28.5 metres) excluding the mechanical penthouse is permitted.
2. Map 29-2, Sheppard Avenue Commercial Area Secondary Plan, is amended to show the lands known municipally in 2022 as 105 Sheppard Ave East, 24 Leona Drive and 26 Leona Drive as Site and Area Specific Policy Area Number 13, as shown on the attached Schedule '1'.

Schedule '1'



## Sheppard Avenue Commercial Area Secondary Plan

MAP 29-2 Land Use Areas

- Secondary Plan Boundary
- ▨ Mixed Use Areas
- ② Site and Area Specific Policy Areas
- ⓧ Site and Area Specific Policy Area

**CITY OF TORONTO**

**BY-LAW No. XXX-2022**

**To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 105 Sheppard Avenue East and 24 and 26 Leona Drive.**

Whereas authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law XX-2022, be included in By-law 569-2013.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this by-law amending the zone label onto the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to CR 3.0 (c0.1; r3.0) SS2 (x492), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying the following Policy Area label "PA3" to these lands, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands to this By-law to the Height Overlay Map in Section 995.20.1, and applying the following height and storey value to these lands: "HT10.5 and ST 3" as shown on Diagram 4 attached to this By-law
6. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands to the Lot Coverage Overlay Map in Section 995.30.1 and applying the lot coverage label to these lands: 71 as shown on Diagram 5 attached to this By-law.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands to the Rooming House Overlay Map in Article 995.40.1 with no value.

8. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 492 so that it reads:

**Exception CR x492**

The lands, or a portion thereof as noted below, are subject to the following Site-Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On 105 Sheppard Avenue East, 24 and 26 Leona Drive, as shown on Diagram 1 of By-law [Clerks to insert By-law ##], a **mixed use building** may be constructed in compliance with Sections (B) to (M) below;
- (B) Despite regulations 40.10.40.40(1), the permitted maximum gross floor area is 4,374 square metres, of which:
  - (i) The permitted minimum gross floor area for non-residential uses is 114 square metres.
- (C) The maximum number of **dwelling units** permitted is 58, in which 15% of the total units will be 2-bedroom units and 10% of the total units will be 3-bedrooms;
- (D) Despite regulations 40.5.40.10(1) and (2), the height of a **building** or **structure** is the distance between the Canadian Geodetic Datum of 170.77 metres and elevation and the highest point of the building;
- (E) Despite regulation 40.10.40.10 (4) and (7), the permitted maximum height of a **building** or **structure** is the number following the HT symbol in metres, and the permitted maximum number of **storeys** in a **building** is the number following the ST symbol in metres and the number following the ST symbol shown on Diagram 6 attached to this By-law XX-2022;
- (F) Despite regulations 40.5.40.10 (3), and (E) above, the following equipment and **structures** may project beyond the permitted maximum height of a **building**:
  - (i) green roof, landscape elements (including green roofs) decorative or architectural features up to 3 metres.
- (G) Despite regulation 40.5.40.10(5), the total area of all equipment, structures or parts of a **building** may cover no more than 85% of the area of the roof;
- (H) Despite regulation 40.10.40.70 (2) (E), the required minimum **building setbacks** in metres are as shown on Diagram 6 attached to By-law XX-2022;



- (I) Despite regulations 40.5.40.60(1), 40.10.40.60(2), and (H) above, the following **building elements** and **structure** may encroach into a required minimum **building setbacks**:
- (i) landscape elements (including green roofs) decorative or architectural features) up to 3.0 metres.
- (J) Despite regulation 40.10.40.70 (2) (F), a **building** or **structure**, may not penetrate a 45-degree angular plane projected at a height of 10.5 metres above the average elevation of the ground along the **rear lot** (south) **lot line** and measured 7.5 metres from the **rear** (south) **lot line**. For the purposes of this by-law, the average grade along the rear lot line is a geodetic height of 172.19 metres;
- (K) Despite regulation 40.10.40.10 (5), the required minimum height of the first **storey** is measured between the floor of the first **storey** and the floor of the second **storey**.
- (L) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1 **parking spaces** must be provided and maintained on the **lot** in accordance with the following:
- (i) a minimum of 0.6 **parking spaces** per bachelor **dwelling unit**
  - (ii) a minimum of 0.7 **parking spaces** per one bedroom **dwelling unit**
  - (iii) a minimum of 0.9 **parking spaces** per two bedroom **dwelling unit**
  - (iv) a minimum of 1.0 **parking spaces** per three bedroom **dwelling unit**
  - (v) a minimum of 0.1 visitor **parking spaces** per dwelling unit
- (M) Despite Clause 220.5.10.1, a minimum of one Type G **loading space** must be provided and maintained on the **lot**.

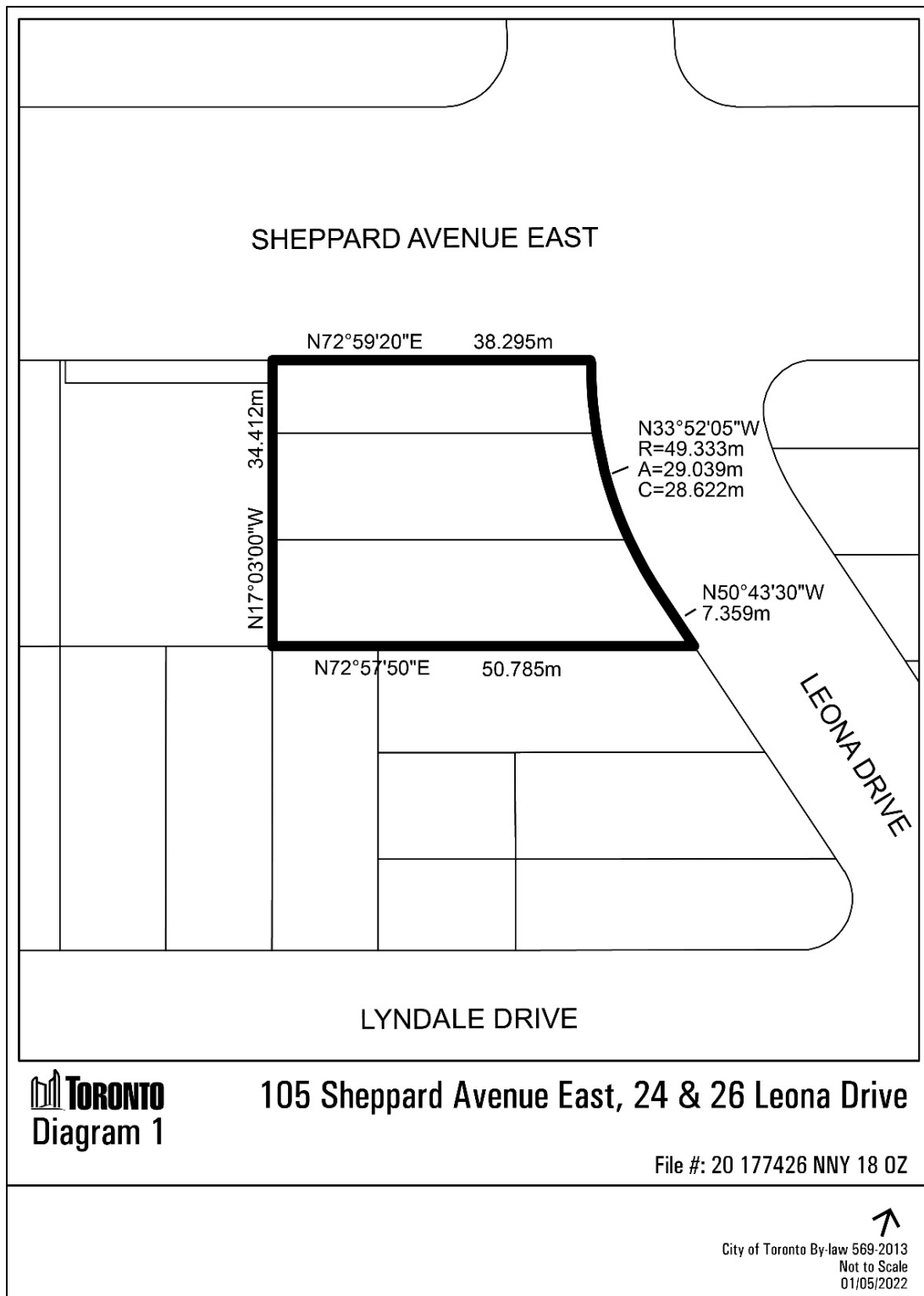
Prevailing By-laws and Prevailing Sections: (None Apply).

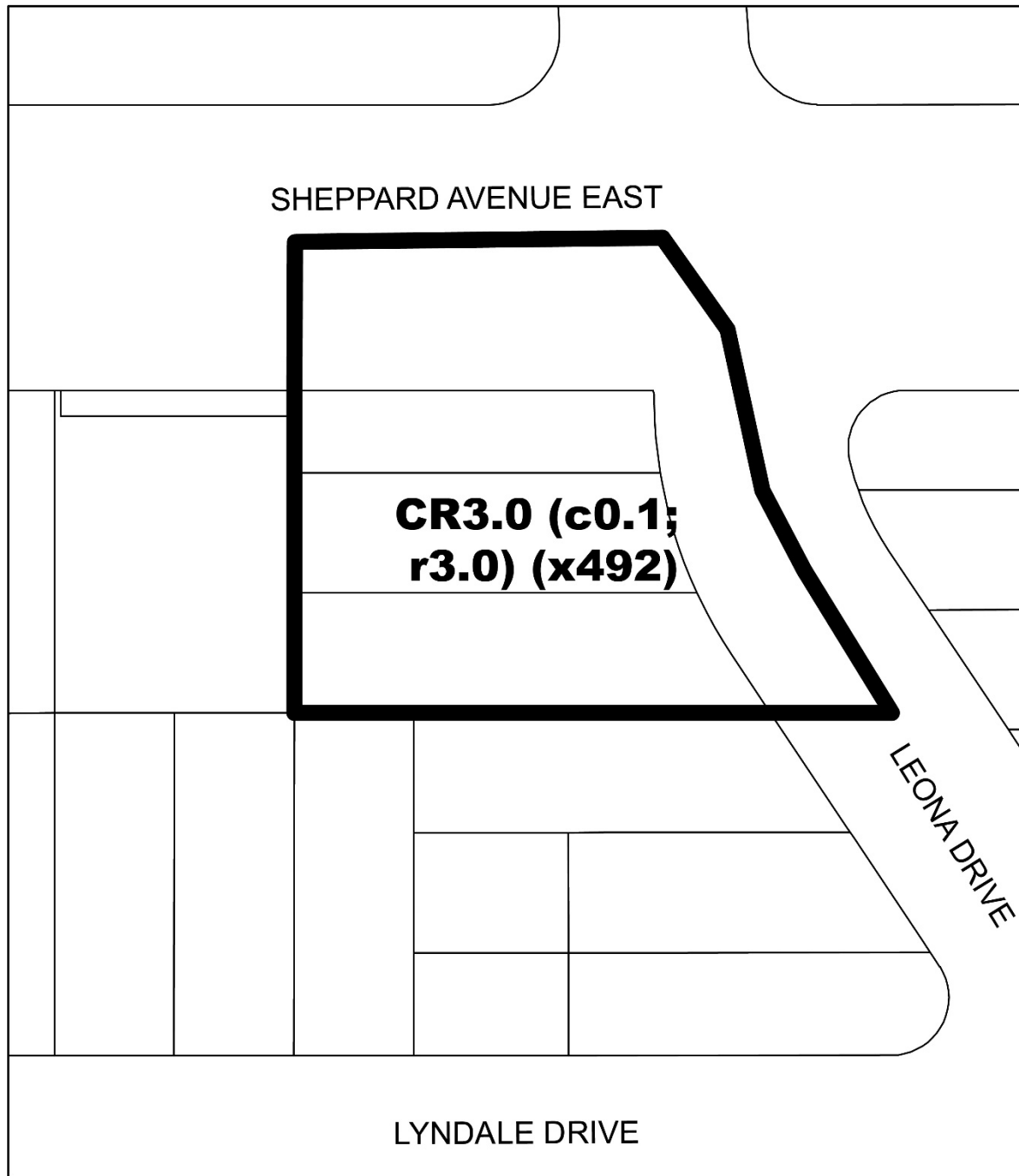
Enacted and passed on \_\_\_\_\_, 2022.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)




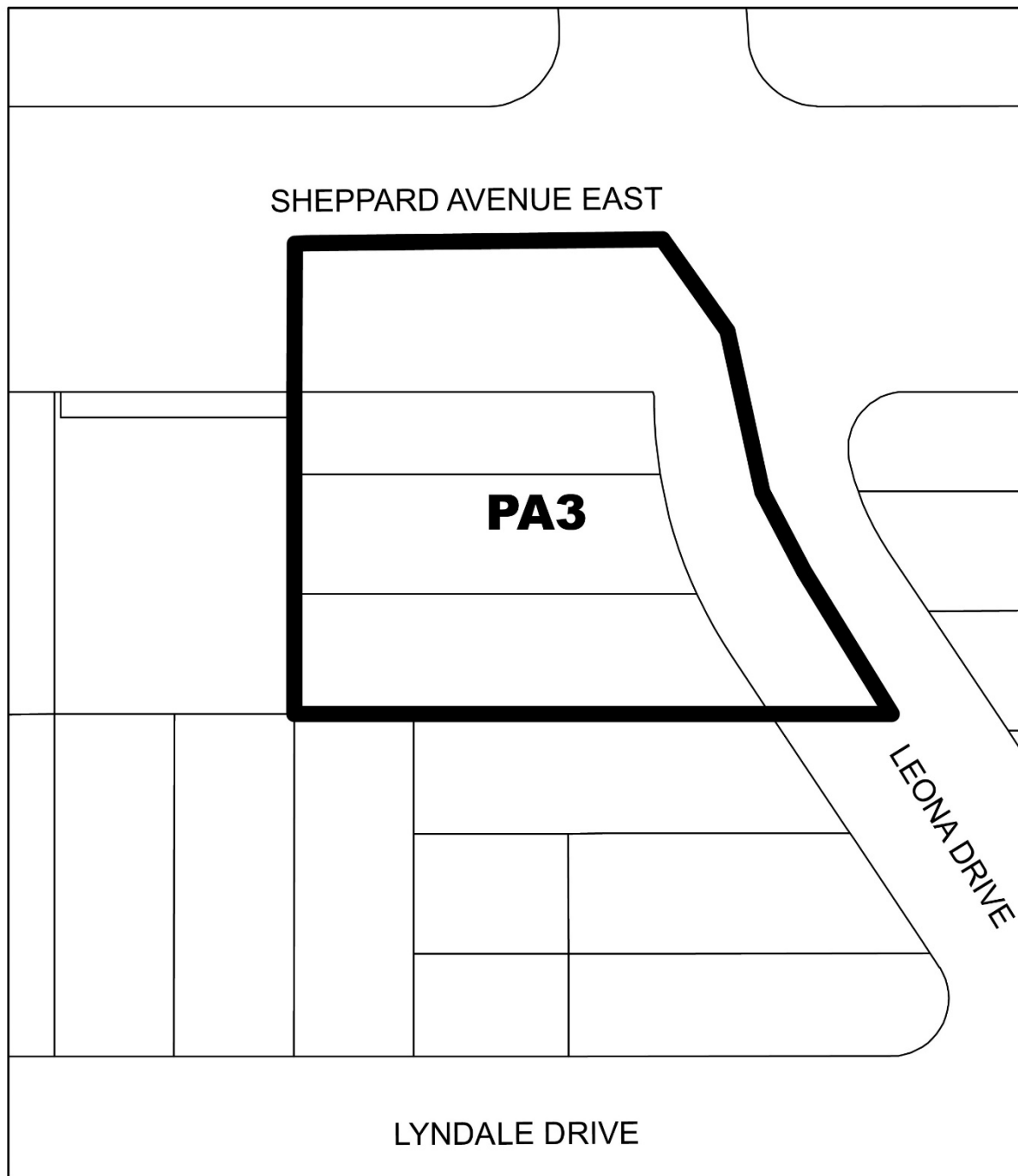


 **TORONTO**  
Diagram 2

105 Sheppard Avenue East, 24 & 26 Leona Drive

File #: 20 177426 NNY 18 0Z


  
City of Toronto By-law 569-2013  
Not to Scale  
05/10/2022



 **TORONTO**  
Diagram 3

105 Sheppard Avenue East, 24 & 26 Leona Drive

File #: 20 177426 NNY 18 0Z


  
 City of Toronto By-law 569-2013  
 Not to Scale  
 01/05/2022



 **TORONTO**  
Diagram 4

105 Sheppard Avenue East, 24 & 26 Leona Drive

File #: 20 177426 NNY 18 0Z


  
 City of Toronto By-law 569-2013  
 Not to Scale  
 01/05/2022

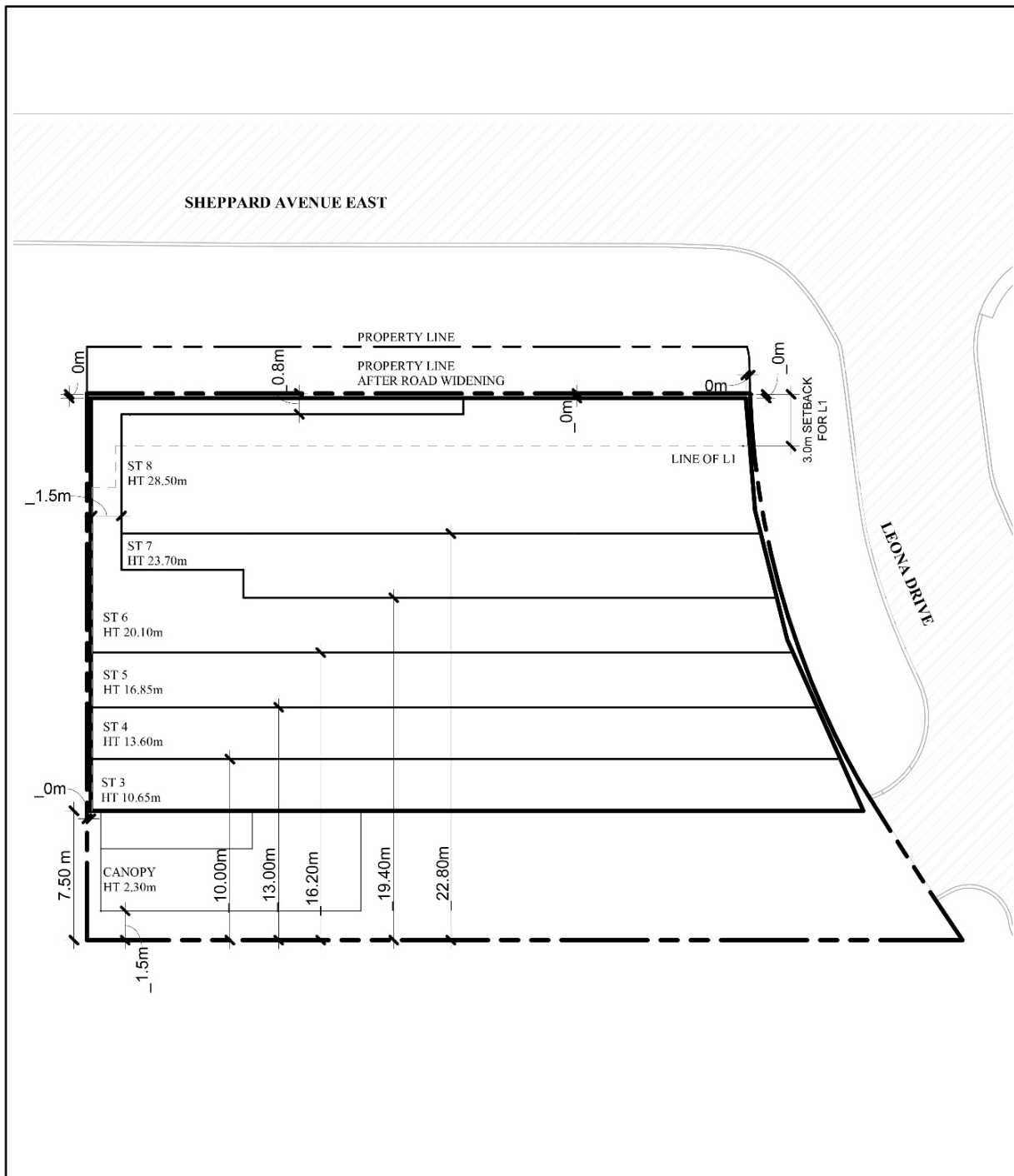


 **TORONTO**  
Diagram 5

105 Sheppard Avenue East, 24 & 26 Leona Drive

File #: 20 177426 NNY 18 0Z

  
City of Toronto By-law 569-2013  
Not to Scale  
03/07/2022



**TORONTO**  
Diagram 6

**105 Sheppard Avenue East, 24 & 26 Leona Drive**

File #: 20 177426 NNY 18 02

City of Toronto By-law 569-2013  
Not to Scale  
03/07/2022

5 of 20

**CITY OF TORONTO**

**BY-LAW No. XXXX-2022**

**To amend former City of North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known in the year 2022 as 105 Sheppard Avenue East, 24 Leona Drive and 26 Leona Drive.**

Whereas authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and,

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto enacts:

1. Section 64.29 of By-law No. 7625 is amended by adding the following subsection:

**64.29(5) C7(5)**

**DEFINITIONS**

- (a) For the purpose of this exception "Gross Floor Area" shall mean the sum of the total area of each floor level of a building, above and below grade, measured from the exterior main wall of each floor level and is reduced by the area in the building used for:
- (i) Parking, loading and bicycle parking below-ground;
  - (ii) Required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
  - (iii) Storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
  - (iv) Shower and change facilities required by this By-law for required bicycle parking spaces;
  - (v) Amenity space required by this By-law;
  - (vi) Elevator shafts;
  - (vii) Elevator lobbies below-grade;
  - (viii) Garbage shafts;
  - (ix) Mechanical penthouse; and
  - (x) Exit stairwells in the building.



- (b) For the purpose of this exception, "Established grade" for the purpose of establishing the permitted height shall mean the Canadian Geodetic Datum elevation 170.77 metres
- (c) For the purpose of this exception, "Building Height" shall mean the vertical distance between the "Established Grade" and the mean height level between top of eaves and roof ridge

## **EXCEPTION REGULATIONS**

### **PERMITTED USES**

- (e) All uses permitted in a C7(5) Zone shall be permitted on the lands identified on Schedule 1.

### **BUILDING HEIGHT**

- (f) The maximum building height of the building shall not exceed 8 storeys or 28.5 metres above established grade.
- (g) Notwithstanding (f) above, the following elements may extend beyond the permitted building height of the lot: landscaping, trellis, dividing screens, safety structures such as guards and railings, interior mechanical room, interior rooftop terrace access, rooftop terraces, which may extend no more than 2.1 metres beyond the permitted height.
- (h) Notwithstanding (f) above, no part of the building shall penetrate a 45-degree angular plane projected along the entire rear yard setback measured from 7.5 metres from the rear (south) lot line at a height of 10.5 metres above the average grade along the rear lot line with a geodetic height of 172.19 metres.

### **LANDSCAPING**

- (i) A minimum of 1.5 metres wide measured from the rear (south) lot line will be used for soft landscaping.
- (j) A 1.8 metre privacy fence will be erected along the rear (south) lot line.

### **AMENITY SPACE**

- (k) The minimum required amenity space will be 116 square metres for indoor amenity and 116 square metres for outdoor amenity space and shall be located on the seventh floor.

### **GROSS FLOOR AREA**

- (l) The maximum gross floor area is 4,374 square metres.

m) The minimum gross floor area for non-residential uses is 114 square metres.

#### LOT COVERAGE

(n) The permitted maximum lot coverage is 71% for the net area.

#### PARKING

(o) The minimum residential parking space shall be 43.

(p) A minimum residential visitor parking space will be 5.

#### BICYCLE

(q) A minimum of bicycle parking spaces shall be 49.

#### YARD SETBACKS

(r) The minimum front, side and rear yard setbacks shall be is shown on Schedule 2.

#### BUILDING HEIGHT

(s) The maximum height in storeys and metres of any portion of a building or structure shall not exceed the number of metres or storeys as shown for the portion of the building on Schedule 2.

#### OTHER REGULATIONS

(t) None of the provisions of this By-law or By-law No. 7625, as amended, shall apply to prevent the erection and use of a temporary sales office on the lot.

2. Within the lands shown on Schedule 1 attached to this By-law, no person shall use and land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:

- (i) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and
- (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

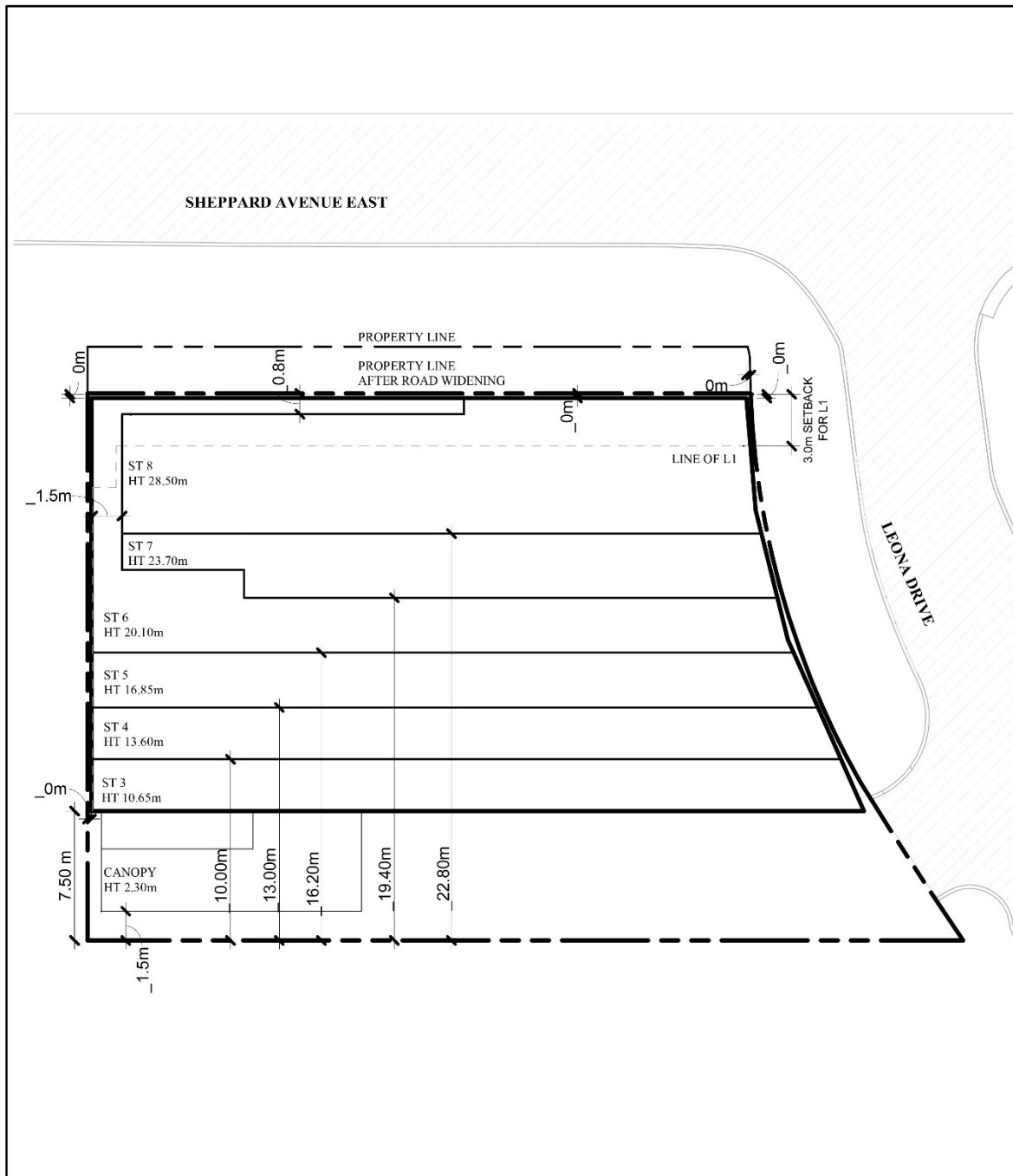


**Toronto**  
Schedule 1

105 Sheppard Avenue East, 24 & 26 Leona Drive

File #: 20 177426 NNY 18 02

↑  
Former City of North York By-law 7625  
Not to Scale  
01/05/2022



**Toronto**  
Schedule 2

105 Sheppard Avenue East, 24 & 26 Leona Drive

File #: 20 177426 NNY 18 02

Former City of North York By-law 7625  
Not to Scale  
03/07/2022

