

680 and 688 Sheppard Avenue East – Official Plan Amendment, Zoning By-law Amendment and Rental Housing Demolition Applications – Request for Directions Report

Date: January 17, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 17 - Don Valley North

Planning Application Numbers: 19 248099 NNY 17 OZ and 19 248116 NNY 17 RH

Related Applications: 20 110316 NNY 17 SA and 21 232444 NNY 17 SB

SUMMARY

Official Plan Amendment ("OPA") and Zoning By-law Amendment ("ZBA") applications have been submitted to amend the Toronto Official Plan, City of Toronto Zoning By-law 569-2013, and former City of North York Zoning By-law 7625 for the properties at 680 and 688 Sheppard Avenue East to permit the redevelopment of the lands with a 22-storey residential building consisting of an eight- to 13-storey mid-rise tower component and a six- to eight-storey podium. The proposed development would contain 487 residential units, including 35 rental replacement units. The total Gross Floor Area ("GFA") of the proposed development is 38,349 square metres, of which 616 square metres is proposed for a new public childcare facility. The proposal also includes a 747-square metre public park. Related Rental Housing Demolition, Draft Plan of Subdivision and Site Plan Control applications have been submitted in support of the development proposal.

The applicant has appealed the OPA, ZBA, and Site Plan Control applications to the Ontario Land Tribunal ("OLT") due to City Council's failure to make a decision within the timeframes prescribed in the Planning Act. The Rental Housing Demolition application has been submitted under the City of Toronto Act, 2006 and therefore is not appealable to the OLT.

This report recommends that City Council instruct the City Solicitor with the appropriate City Staff to attend an OLT hearing and oppose the OPA and ZBA applications in their current form and to continue discussions with the applicant to resolve outstanding issues.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current applications regarding the Official Plan Amendment and Zoning By-law Amendment appeals for the lands at 680-688 Sheppard Avenue East.

2. In the event that the Ontario Land Tribunal allows the appeals in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Order with respect to the Official Plan and Zoning By-law Amendment applications be withheld until such time as the City Solicitor advises that:

a) the final form and content of the draft Zoning By-laws are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning and, among other matters have secured:

i. that any site-specific Zoning By-law Amendment application within the sewershed impacted by the sanitary sewer upgrades contain provisions for a Holding (H) by-law pursuant to Section 36 of the Planning Act related to the sanitary sewer upgrades in the Sheppard Avenue East corridor area;

ii. the full replacement of the existing rental dwelling units on the lands at 680-688 Sheppard Avenue East;

iii. the rents, rental tenure, unit mix, and unit sizes of the replacement rental dwelling units;

iv. an acceptable Tenant Relocation and Assistance Plan addressing the right for existing tenants to return to a replacement rental unit on the lands at similar rents, the provision of alternative accommodation at similar rents, and other assistance to mitigate hardship, all to the satisfaction of the Chief Planner and Executive Director, City Planning; and

v. any other rental housing-related matters in conformity with Policy 3.2.1.6 of the Toronto Official Plan and Chapter 667 of the Toronto Municipal Code;

b) City Council direct the Chief Planner and Executive Director, City Planning, in consultation with the Chief Engineer and Executive Director, Engineering and Construction Services to ensure that any site-specific Zoning By-law Amendment application within the sewershed impacted by the sanitary sewer upgrades that are recommended to City Council for approval or consideration contains provisions for a Holding (H) by-law pursuant to Section 36 of the Planning Act related to the sanitary sewer upgrades in the Sheppard Avenue East corridor area, until such a time as the Holding (H) By-law is removed on all lands subject of City Council's decision

- c) the final form and content of the draft Official Plan Amendment to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;
- d) the owner has addressed all outstanding issues raised by Engineering and Construction Services as they relate to the Official Plan Amendment, Zoning By-law Amendment and Site Plan Control applications as set out in their memo dated September 17, 2021 or as may be updated in response to further submission(s) filed by the owner, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
- e) the owner has entered into an agreement pursuant to Section 37 of the *Planning Act* to secure appropriate services, facilities, and/or matters, as may be required by the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, and such agreement shall be registered on title to the subject lands to the satisfaction of the City Solicitor; or has made other satisfactory arrangements to secure appropriate community benefits to the satisfaction of the City Solicitor; and
- f) City Council has approved the Rental Housing Demolition application 19 248116 NNY 17 RH under Chapter 667 of the Toronto Municipal Code pursuant to *Section 111 of the City of Toronto Act, 2006* to permit the demolition of the existing rental dwelling units at 680 and 688 Sheppard Avenue East and the owner has entered into, and registered on title to the lands, one or more agreements with the City, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, securing all rental housing-related matters necessary to implement City Council's decision.

3. City Council authorize the City Solicitor and appropriate City staff to continue discussions with the applicant to address the issues outlined in this report.

4. Should the Ontario Land Tribunal approve the Official Plan Amendment and Zoning By-law Amendment applications, City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the applicant of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the applicant of designing and constructing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.

5. City Council authorize the City Solicitor and City staff to take any necessary steps to implement City Council's decision.

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

A Preliminary Report on the applications was adopted by North York Community Council on February 5, 2020 authorizing staff to conduct a community consultation meeting with an expanded notification area. The decision of the North York Community Council can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.NY13.9>

Sheppard Avenue East (Bayview to Leslie) Focused Planning Review

On June 26 - 29, 2018, City Council passed a motion directing staff from the City Planning Division, in consultation with other appropriate City Divisions, to review the existing policies of the Sheppard East Subway Corridor Secondary Plan and to analyse the existing and planned built form context to clarify, refine, and/or strengthen the appropriate density and height limitations and other planning and built form policies for the *Mixed Use Areas* and *Institutional Areas* located to the north and south of Sheppard Avenue East between the east side of Bayview Avenue and the east side of Leslie Street (the "Sheppard Avenue East Review"). The subject site falls within this study area. Council also directed staff to evaluate whether there is potential for appropriate, grade-related, low-rise intensification opportunities on existing older two-storey and three-storey townhouse and apartment building properties in the vicinity of Talara Drive and Highway 401 that are designated *Neighbourhoods* and *Apartment Neighbourhoods*.

The decision of City Council can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.NY31.8>

At the January 6, 2022 meeting of North York Community Council, a letter from the local ward councillor was submitted to Community Council for consideration with recommendations acknowledging that City Planning staff undertook and completed the Sheppard Avenue East Review and directed City Planning staff to build upon the completed review and undertake a further study examining the streets and blocks network, parks and open spaces, an enhanced public realm, heritage, built form, multi-modal transportation options, servicing infrastructure, and compatible land uses in the area. The item was adopted by Community Council on January 6, 2022 and will be considered by City Council on February 2, 2022.

The decision of Community Council can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.NY29.27>

SITE AND SURROUNDING AREA

Site Description and Dimensions: The subject site is an assembly of two properties known municipally as 680 and 688 Sheppard Avenue East (see Attachment 1). The site is rectangular in shape with an approximate area of 7,583 square metres and has 61.1 metres of frontage on Sheppard Avenue East.

Existing Uses on Site: The lands at 680 Sheppard Avenue East are currently occupied by a three-and-a-half-storey apartment building comprised of 30 residential units, some or all of which may be rental units, with accessory garage/storage units at the rear. The apartment building is currently vacant but was previously registered as an equity co-operative corporation by the name of '680 Sheppard Avenue East Towers Limited'. As an equity co-operative, residents held shares in the corporation and had the right to exclusively use a unit in the building, although they did not receive title to their units and the building was never condominium-registered.

The lands at 688 Sheppard Avenue East are occupied by a three-and-a-half-storey apartment building containing 35 rental dwelling units (of which nine were vacant at the time of application).

Surrounding uses include:

North: Immediately to the north of the site are two, two-storey rental townhouse buildings and an associated surface parking lot. Beyond the townhouse complex is Elkhorn Drive and, on the north side of the complex is Elkhorn Public School.

East: To the east are seven semi-detached houses that front onto Sheppard Avenue East, and to the rear of those is a low-rise residential neighbourhood made up primarily of detached houses.

South: Directly south of the site is Sheppard Avenue east, and on the south side of that is a two-storey place of worship, and a three-storey school. To the east of the place of worship is a five-storey mixed-use office building, which also contains a place of worship. To the west of the school are two detached houses, one that fronts onto Sheppard Avenue East and another that fronts onto Greenbriar Road.

West: To the immediate west of the site are two eight-storey mixed-use buildings that have a driveway between them. The driveway leads to two 19-storey apartment buildings and a two-storey place of worship that fronts onto Elkhorn Drive. Behind the two 19-storey buildings are three blocks of townhouses that front onto Elkhorn Drive.

THE APPLICATION

Original Development Proposal

The applications originally proposed to redevelop the lands with a "T"-shaped mixed-use building. The proposed building consisted of a 24-storey tower sitting atop base building of seven to nine storeys fronting onto Sheppard Avenue East. The central tower portion of the building stepped down to 16-storeys around the middle of the building, then down to 10 storeys toward the rear of the site, and finally down to eight storeys along the west and north sides of that portion of the building.

The proposed development consisted of 527 residential units, 35 of which were rental replacement units. A 695 square metre public childcare facility was proposed at grade,

fronting onto Sheppard Avenue East. The total GFA of the proposed development was 38,163 square metres, resulting in FSI of 5.03.

Revised Development Proposal

On June 7, 2021, the applicant submitted a revised proposal, which included changes to the height and massing of the development. The proposed tower height along Sheppard Avenue East has been reduced from 24 storeys down to 22 storeys (67.25 metres without mechanical penthouse and 73.25 metres with mechanical penthouse) and the proposed base building height has been reduced from seven to nine storeys to six to eight storeys. The 16-storey portion of the building has been replaced with an eight-storey element, and the 10-storey portion of the building at the northern part of the site was increased to 13-storeys, stepping down to eight, six, four and two-storeys towards the east property line. The building floorplate now resembles an "L" rather than a "T".

The applications continue to propose a childcare facility on the ground floor at the west corner of the building fronting onto Sheppard Avenue East. The outdoor play area has been moved to the rear of the building, such that it is no longer a part of the Sheppard Avenue frontage and is now more centrally located on the west side of the site.

The proposal also includes a 747-square metre public park along the eastern frontage of Sheppard Avenue East and, to the north of the park, a 748-square metre privately-owned, publicly-accessible space ("POPS") that would extend along the eastern edge of the site to the rear of the property and would accommodate a north-south pedestrian walkway.

The proposed development is comprised of a total of 487 residential units, which include 35 replacement rental units and 452 condominium units. The total GFA of the proposed development is now 38,350 square metres, which would result in an overall FSI of 5.06 times the area of the site. The unit mix of the net new residential (condominium) units consists of 261 (57.7%) one-bedroom units, 146 two-bedroom units (32.3%), and 45 (10.0%) three-bedroom units.

The proposed development would be accessed from Sheppard Avenue East using a north-south driveway located between the proposed building and the proposed public park at the east side of the site. The driveway would provide access to the underground garage ramp, the loading space/servicing area, and seven surface parking spaces, which includes 5 spaces for pick-up and drop-off for the childcare facility and two car share spaces. The revised applications propose a total of 319 vehicular parking spaces (including 49 visitor parking spaces), which has been reduced from 342 spaces in the original submission, and a total of 367 bicycle parking spaces (which includes 35 short-term spaces at grade), which has been reduced from 437 spaces due to the reduction in residential units.

A total of 735 square metres of indoor amenity space (1.5 square metres per residential unit) and 1,036 square metres of outdoor amenity space (2.1 square metres per residential unit) would be provided as part of this development, for a total of 3.6 square metres of amenity space per unit. The indoor amenity space would be located on the ground and second levels of the proposed development, while the outdoor amenity

would be located at the ground level and the ninth level rooftop. This shared amenity would be in addition to private amenity space such as private balconies and terraces.

Detailed project information may be found on the City's Application Information Centre at:

<http://app.toronto.ca/AIC/index.do?folderRsn=%2BWpO0cxYE15%2F0UwoUM%2BdRA%3D%3D>

See Attachments 1 - 7 of this report for a Location map, Application Data Sheet, Site plan and Elevations.

Reasons for the Applications

An amendment to the Sheppard East Subway Corridor Secondary Plan is being sought to identify the site as a key development area on Map 9-2 and assign it a permitted density of 5.06 times the area of the site.

An amendment to the former City of North York Zoning By-law No. 7625 and the City of Toronto Zoning By-law 569-2013 is required to permit the proposed height and density, as well as to incorporate site-specific development standards for the proposed development.

A Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code pursuant to the *City of Toronto Act, 2006* is required to demolish the existing rental dwelling units. As the application involves the demolition of more than six rental units, City Council would be required to make a decision on the application. Unlike *Planning Act* applications, decisions by City Council under Chapter 667 are not appealable to the OLT. Accordingly, should the OLT approve the OPA and ZBA appeals, in whole or in part, the Tribunal will be asked to withhold its final Order until Council has made a decision on the Rental Housing Demolition application.

Site Plan Control

A Site Plan Control application was submitted on January 30, 2020 and has also been appealed to the OLT.

Draft Plan of Subdivision

An application for Draft Plan of subdivision was submitted in support of the application on October 31, 2021. The application is currently being reviewed by staff and has not been appealed.

POLICY CONSIDERATIONS

The site is designated *Apartment Neighbourhoods* on Land Use Map 19 of the Official Plan (see Attachment 9). The application is located on lands shown as *Avenue* on Urban Structure Map 2. The application is also located within the Sheppard East Corridor Secondary Plan. The site is designated *Apartment Neighbourhoods* and is

partially located within the Bessarion Node (Area B) as shown on Map 9-3 of the Secondary Plan. The subject site is not identified as a key development area.

The site is zoned Residential Multiple Dwelling Zone (RM) in City of Toronto Zoning By-law 569-2013 (see Attachment 11). Apartment buildings, duplexes, triplexes, fourplexes, as well as detached and semi-detached dwellings are permitted in this zone, along with a number of institutional type uses including daycare facilities. The permitted maximum lot coverage is 35 percent and the permitted maximum density is 0.75 times the area of the lot. The permitted maximum height is 12 metres.

The site is also zoned Multiple Dwellings Third Density Zone (RM3) in the former City of North York Zoning By-law 7625 (see Attachment 12), which permits a number of multiple residential type buildings, as well as some institutional uses and day nurseries. The maximum lot coverage is 35 percent of the lot area and the maximum gross floor area is 75% of the area of the lot. The maximum permitted building height is 9.2 metres.

Additional information on applicable policy documents can be found in Attachment 8.

COMMUNITY CONSULTATION

A Community Consultation Meeting was held by City staff on November 23, 2020, to discuss the original proposal at 680-688 Sheppard Avenue East. Participants included members of the public and the office of the Ward Councillor. Comments and questions concerning the following were raised by community members:

- The incompatibility of the scale and density of the proposed development with surrounding properties;
- The anticipated traffic and shadow impacts of the proposed development;
- The acceptability of the proposed height, density, and setbacks of the development
- Shadows and overlook on surrounding low-rise residential neighbourhoods given the proposed height and setbacks of the development;
- The anticipated effect of increased population on local infrastructure, particularly with regard to the sewage system, traffic, electricity, schools, and hospital facilities; and
- The provision of community benefits with the development.

COMMENTS

Planning Act

The review of this application and this report's recommendations have had regard for the relevant matters of provincial interest set out under Section 2 of the *Planning Act*.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2020) (the PPS), and the Growth Plan for the Greater Golden Horseshoe (2020) are high-level and broad reaching policy documents. The PPS and the Growth Plan (2020) encourage intensification and redevelopment in urban

areas and direct planning authorities to identify appropriate locations for growth. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area, and availability of infrastructure and public service facilities that meet projected needs. Both the PPS and Growth Plan identify official plans as the way to implement the broad policy goals of building complete communities, appropriate mix of uses and efficient land use and development patterns to support sustainability by promoting strong, livable, healthy and resilient communities.

The subject site is located within the Sheppard East Subway Corridor Secondary Plan and within an existing subway station (Bessarian subway). Notwithstanding this, the site itself is not identified as a site that was to experience significant growth, as anticipated by the Secondary Plan. The site is within an apartment neighbourhoods designation which is a designation where significant growth is not intended.

In addition, the proposed application also does not provide appropriate development standards for development in the Apartment Neighbourhood designation. The PPS policies speak to appropriate development standards being promoted to facilitate intensification. The proposed development does not conform to the policies of the Official Plan that implements the PPS, including Healthy Neighbourhoods, Built Form and *Apartment Neighbourhoods* policies.

While the proposed development does intensify lands within a Strategic Growth Area, being within close proximity of a subway station, the level of intensification, scale and built form relationship does not conform to the Growth Plan. The development does not achieve a built form relationship that results in a vibrant public realm or mitigates its impacts on the existing or planned context, and therefore does not result in a development that conforms with the Growth Plan.

Land Use

This application has been reviewed against the policies of the Toronto Official Plan as a whole and design guidelines described in the Policy Considerations section of the report and Attachment 8. The subject site is in an area designated *Apartment Neighbourhoods* in the Official Plan. It is southwest of an area designated *Neighbourhoods* and immediately east of an area which is designated *Mixed Use Areas* in the Official Plan. The proposed residential use complies with the permitted uses in an *Apartment Neighbourhoods* designation in the Official Plan, however, it does not conform with the Urban Structure policies of the official plan which establishes a policy direction insofar as where growth is to be directed. Lands with Apartment Neighbourhoods are to be considered to be physically stable and where significant growth is not anticipated. Apartment Neighbourhoods are not one of the designations where the most of the growth is to be distributed based on the City's growth strategy.

Both current Zoning By-laws permit the proposed use of residential dwelling units within an apartment building type as well as daycare facilities and therefore the proposed uses are acceptable.

Density

The proposed building has a density of 5.06 times the area of the site. The density of the existing buildings on the block fronting on both sides of Sheppard Avenue East range from 3.28 to 4.16 times the area of the lot. This existing density reflects the context and the emerging pattern of contextually appropriate intensification on the *Avenue* of lower building height (mainly mid-rises along Sheppard Avenue East) and larger sites and more generous landscaped open space. The existing buildings consequently have less impact on neighbouring properties, along with additional open space.

The proposed development has a scale and intensity that is not compatible with the surrounding *Apartment Neighbourhoods or adjacent lower-scale Neighbourhoods* and the proposed tall building, does not fit harmoniously into the existing or planned context.

Site Organization

The public realm is a fundamental organizing element of the city and its neighbourhoods and plays an important role supporting population and employment growth, health, liveability, social equity and overall quality of life. The public realm policies within the Official Plan, provide guidance on the roles and key relationships between elements of the public realm as well as direction on the expansion, enhancement and maintenance of the public realm. Parks and POPS should be prominent, visible, functional and accessible and be located on public street frontages to allow for direct visual and physical access, active uses along all street and public open space frontages. This complements, connects, and extends the existing network of public streets to parks, and open space provided within developments.

The built form policies provide principles on key relationships of the location and organization of development, its massing and appropriate amenity within the existing and planned context. Development is to be located and organized so buildings are parallel to the street or along the edge of a park or open space as well as the vehicular access and ramps, loading and servicing are located away from the public realm and public view to minimize their impact on the public realm.

In this case, the proposed parkland does have visual and physical access since it is located on the Sheppard Avenue East frontage and the POPS/midblock connection extends beyond the proposed parkland to the rear of the site. However, the western edge of the proposed parkland and a portion of the western edge of the proposed POPS/midblock connection is adjacent to the proposed driveway that provides access to the underground parking and loading area, this condition is contrary to having active uses and buildings face onto open spaces. Shifting the driveway access to the western edge of the site, away from the POPS and parkland minimizes the impact on the public realm and improves pedestrian safety as building residents would not have to cross the driveway in specific areas in order to access the park and POPS.

A north-south multi-modal midblock connection should be provided to expand the public realm and to connect from Sheppard Avenue to the rear of the site to allow for the opportunity for a future connection to Elkhorn Drive should the site to the north redevelop in the future. This connection will connect the neighbourhoods to the north

and east of the proposed development to the parks and open space provided on this development site. This connection should be located adjacent to the park, rather than within the parkland itself.

Built Form - Height and Massing

The consistent principle in all of the Official Plan and the Sheppard East Subway Corridor Secondary Plan ("SESCSP") built form policies is that new buildings will be sited for adequate light, view, privacy and compatibility with the surrounding built form context.

The City's Official Plan requires that new development fit harmoniously into its existing and/or planned context and to limit impacts on neighbouring streets, parks, open spaces and properties. The SESCSP also directs that development be supportive of the existing goals and objectives of the Official Plan. It states that development will be of a high urban design standard and create compatible transitions in height and scale between higher density mixed use areas and existing designated stable residential areas which are to be protected and retained.

Further, the SESCSP contains the urban design principles that are to be applied to address potential negative impacts associated with intensification. The policies emphasize the importance of development contributing to the livability of the surrounding context by providing access to sunlight, limit wind effects, ensure a proper response to pedestrian scale, and provide compatible transitions in density, height and scale; In addition, the *Apartment Neighbourhoods* policies require that new development contribute to quality of life by locating and massing new buildings to frame the edge of streets with good proportion and maintain sunlight for pedestrians on adjacent streets, parks and open spaces.

The existing context along Sheppard Avenue East is primarily apartment buildings ranging from 8 to 19-storeys in a generous landscaped setting to the west and low-rise residential buildings to the east on the north side of Sheppard Avenue East and a range of commercial and institutional type buildings on the south side of Sheppard Avenue East. There is a mix of existing buildings ranging from the two-storey semi-detached dwellings that front onto Sheppard Avenue East adjacent to the site on the east, and an eight-storey mixed-use residential building immediately west of the proposed development. The proposed 22-storey building is considerably taller than any of the adjacent buildings in the existing context. The nearby 19-storey towers are significantly setback from Sheppard Avenue East, and sit in very different contexts than the proposed development.

The Built Form policies of the Official Plan require that new development should transition to development on abutting properties using a variety of measures including angular planes, the use of setbacks and step-backs of building mass, and separation distances.

A minimum setback distance from the proposed building to the property line is required for a proper clearway, landscaping and to provide for setbacks that fit harmoniously with the existing and/or planned context. This will also step back the face of the building to

be in line with the adjacent building to the west and thereby providing a consistent streetwall along Sheppard Avenue East. The applicant is proposing 2.29 metres which is not appropriate given the context of existing large front yard setbacks.

The Tall Building Design Guidelines directs that tall buildings fit within the existing or planned context and provide an appropriate transition in scale down to lower-scaled buildings, parks and open space. An existing low-rise residential neighbourhood abuts the property to the northeast and is within the *Neighbourhoods* designation. The proposed tall building does not provide an appropriate transition to the lands designated *Neighbourhoods* resulting in shadowing, overlook and privacy impacts on the adjacent lands.

The base building of a tall building should relate directly to the height and typology of the existing or planned streetwall context. Along this stretch of Sheppard Avenue East there is a consistent streetwall of 6 storeys. The proposal does have a base building of 6 storeys, but rises up to 8 storeys fronting onto Sheppard which does not meet this intent.

The Tall Building Design Guidelines also identifies a guideline of 750 square metre or less per floor floorplate to limit the impacts of new buildings. Smaller floor plates of towers cast smaller and faster moving shadows, improve access to sky view, and contribute to a more attractive skyline. They can also make interior climate control more energy efficient and increase daylighting within the building. The floor plate proposed in this development is approximately 836 square metres which is in excess.

A minimum 12.5 metre tower setback from the side and rear property lines is identified in the Tall Building Design Guidelines in order to avoid a “first-to-the-post” development scenario, whereby the need to provide access to sunlight, sky view, privacy, and daylighting, may restrict adjacent sites from developing in a similar manner. The tower at the northwest corner is currently only setback 10.39 metres from the west side property line.

Mid-rise building heights are contextual and are informed by the width of the right-of-way onto which they front. Sheppard Avenue East, being an Avenue right-of-way, has an anticipated right of way of 36 metres. The Avenues and Mid-Rise Building Study recognizes that building height is only one aspect of regulating building form. Other performance standards outline additional methods to shape and design mid-rise buildings including setbacks, stepbacks, and adherence to angular planes from specific lot lines which the proposal does not satisfy. The rear portion of the building is 13-storeys (39.8 metres not including the mechanical penthouse), and does not match the definition of a mid-rise building. However the mid-rise guidelines help to inform how buildings should transition to lower scale neighbourhoods, especially for deep lots on Avenues. The transition required by the guidelines is a 7.5 metres building setback from adjacent *Neighbourhoods*, which the development proposal provides, but also recommends a 45-degree angular plane from the property line. Levels 12 and 13 and the mechanical penthouse of the proposed 13-storey portion of the building at the rear of the site protrude into the 45-degree angular plane from the *Neighbourhoods* to the east.

The proposal does not conform to the Toronto Official Plan, particularly in locating and massing the building to provide a transition between areas of different development intensity and scale. The height, setbacks and scale of the revised proposal is not acceptable or appropriate for its context in the neighbourhood. The proposal similarly fails to maintain the intent of the SESCSP for similar reasons regarding the mass, scale, height of the proposed built form regarding the policies identified in this Report. The proposal fails to provide for an urban form that fits within the existing and planned context both on and adjacent to this site.

Sun, Shadow

The Built Form policies require that new buildings limit impacts on neighbouring streets, parks, open spaces and properties by providing adequate light and privacy, and limiting resulting shadowing of those areas. The *Apartment Neighbourhoods* policies state that new buildings are to be located and massed to frame the edge of streets with good proportion and maintain sunlight for pedestrians on adjacent streets and open spaces.

The Public Realm policies of the Official Plan recognize City streets as significant public open spaces that provide amenities such as sky view and sunlight, and serve as public gathering places.

The tower portion of a building should limit the impacts of shadows on adjacent properties, particularly during the spring and fall equinoxes. The proposed 73.35 metre (excluding the mechanical penthouse) tall tower will cast net-new shadows on both the proposed park-land on site and the adjacent *Neighbourhoods* designated properties to the northeast, in the spring and fall equinoxes for approximately 4 hours starting at 2:18 pm through 6:18pm. Access to sunlight is especially important in the shoulder seasons where sunlight can compensate for colder temperatures, promoting park use and tree growth.

Wind

The revised pedestrian-level wind assessment submitted with the application concludes that wind safety criterion is met in all areas for the proposed development. Wind conditions at the various building's entrances would be suitable throughout the year. It states that wind conditions in all grade-level amenity spaces, including the daycare play space, outdoor amenity, park and POPs are anticipated to be comfortable for their intended use. The above grade amenity terrace located on the 9th floor is windier than desired. Wind mitigation measures have been incorporated into the design. Should this application be approved in some form, further analysis of pedestrian-level wind conditions will be required prior to final site plan approval to determine if additional wind mitigation strategies are required. The requirement to implement any wind mitigation measures would be secured in a Section 37 Agreement, and will be further secured through the site plan approval process.

Traffic Impact, Access, Parking and Loading

An Urban Transportation Considerations report (dated November 11, 2019) was submitted by the applicant's transportation consultant, BA Group. The consultant

estimates in this study that the proposed development will generate approximately 140 and 145 net new two-way trips during the morning and afternoon peak hours for the residential and daycare uses.

The Urban Transportation Report Update dated June 4, 2021, by BA Group, provided updated trip generation estimates based on the change from the original application. The consultant estimates in this study that the proposed development will generate approximately 135 and 140 new two-way trips during the AM and PM peak hours, respectively. This represents a change from the original application of approximately five two-way trips during the weekday morning and afternoon peak hours. Given these estimated trips, the consultant concludes that the proposed development can adequately be accommodated by the existing transportation network and will continue to do so with additional future area traffic growth and redevelopment of the site as planned. In general, Transportation Services agrees with the methodology and conclusions of the report, noting the transit-oriented site context and proposed parking supply.

Vehicular access to the site is proposed via a new proposed all-moves driveway onto Sheppard Avenue East in the approximate location of the existing site driveway on 688 Sheppard Avenue East. New traffic signals are not proposed. In general, Transportation Services accepts the proposed location of this driveway, however also sees opportunities for the driveway to be shifted to the west of the site.

The parking requirements for the project are governed by the applicable parking provisions contained in Zoning By-law 569-2013. Given the site context, Transportation Services requires the site to meet the rates outlined in Policy Area 3, as defined in the By-law. The proposed parking supply of 312 spaces does not meet the overall parking requirements for the site.

To justify the shortage of parking spaces, the consultant has included a parking study in the submitted Urban Transportation Considerations report. This study includes a review of related parking approvals in the area and elsewhere, along with a collection of survey data from other similar sites. The report also notes the modal split in the area given the site context and its location related to transit. Taken together, the consultant concludes that a resident parking rate of 0.54 spaces per dwelling unit, along with 0.1 spaces per unit for visitors and 0.4 spaces per 100 sq. metres of daycare space in accordance with PA 3 rates, is acceptable.

The loading space supply requirements for the project are governed by the provisions contained in the Zoning By-law No. 569-2013. Given the above, 1 Type G and 1 Type C loading space are required for the project. The applicant is proposing to provide 1 Type G and 1 Type C loading space along the east side of the building. In addition, the applicant has submitted turning diagrams showing a heavy vehicle entering and exiting the site in a forward motion.

Servicing

The municipal sanitary sewer system along Sheppard Avenue East between Bayview Avenue and Leslie St. is currently at capacity. Due to the outstanding servicing issues,

staff are recommending that should the OLT approval the application is some form that the subject lands be zoned with a Holding Provision ("H") until such time as an acceptable sanitary system solution is constructed and operational as determined by the Chief Engineer & Executive Director, Engineering and Construction Services. Other developments recently approved on this corridor have been subject to holding provisions for this same reason.

The municipal sanitary sewer upgrades (being the upgrade of the last three 300mmØ sanitary sewer legs upstream of the sanitary trunk sewer to 675mmØ, located at the north west corner of Sheppard Avenue East and Leslie Street intersection), which are being undertaken by the City of Toronto, Design & Construction, Major Infrastructure Unit, Don & Central Waterfront Projects in the Engineering & Construction Services Division (Project # SAP2020-GL-EASTDON-001), must be designed, constructed and operational to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services prior to Final Site Plan Approval. The Owner will not be permitted to discharge any foundation ground water flows during construction until the above mentioned municipal infrastructure is upgraded and fully operational to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.

Rental Demolition and Replacement

Policy 3.2.1.6 of the Official Plan prevents new development that would result in the loss of six or more rental dwelling units unless all of the existing rental units have rents that exceed mid-range rents at the time of application or, in cases where planning approvals other than site plan are being sought, at least the same number, size, and type of rental units are replaced and maintained with similar rents, and the applicant develops an acceptable tenant relocation and assistance plan addressing the right for tenants to return to the replacement units at similar rents, the provision of alternative accommodation at similar rents, and other assistance to mitigate hardship.

Both the Housing Issues Report (November 2019) and Housing Issues Report Addendum (May 31, 2021) acknowledge that Policy 3.2.1.6 applies to the applications and propose to replace all 35 rental units at 688 Sheppard Avenue West. However, in both the report and the addendum letter, the applicant takes the position that Policy 3.2.1.6 does not apply to 680 Sheppard Avenue East and that the replacement of the 30 apartment units is not required, since the building was previously an equity co-operative or co-ownership.

As per Policy 3.2.1.6, any co-operative or co-ownership units that were used for residential rental purposes would be subject to rental replacement, and the applicant has provided insufficient information to assist City Planning staff in making a determination on whether and, if applicable, which residential units at 680 Sheppard Avenue East were used for rental purposes prior to the building becoming unoccupied. The Housing Issues Report Addendum states that "any units which were rented, if there were any, would not have been part of the primary rental market and therefore should not be subject to the City's rental replacement policies" (pg. 3) and that "the City's policies and regulatory framework are intended to secure the rental tenure of dwelling units that are in the primary rental market" (pg. 4).

However, neither the Official Plan nor Chapter 667 of the Toronto Municipal Code distinguish between the primary and secondary rental markets in their definitions of rental housing, and both apply to units in an equity co-operative that have been used, or were last used, for residential rental purposes.

Section 3.2.1 of the Official Plan defines rental housing as "a building or related group of buildings containing one or more rented residential units, including vacant units that have been used for rented residential purposes, and units that are being or have last been used for rented residential purposes in equity co-operative or co-ownership housing, but does not include condominium-registered or life-lease units." Similarly, Chapter 667 defines a rental unit as a dwelling unit "used, or intended for use, for residential rental purposes, including: (1) A dwelling unit that has been used for residential rental purposes and is vacant. (2) A dwelling unit in a co-ownership that is or was last used for residential rental purposes."

Although the applicant has submitted materials demonstrating the assignment of residents' shares in the equity co-operative to the previous owner (from whom the current owner purchased the property), the materials do not confirm whether any of the former shareholders had rented their units to tenants. The applicant acknowledges in their Housing Issues Report Addendum that it is possible that some of the former shareholders rented their residential units, in which case those units would meet the definition of rental housing under the City's Official Plan and Chapter 667, irrespective of whether the building as a whole was part of the primary rental market.

City Planning staff require further information and clarity on the former occupancy status of the 30 residential units at 680 Sheppard Avenue East, including whether the units were leased by shareholders to tenants, along with the terms and conditions of each shareholder's right to occupy a unit following the assignment of shares, before it can make a determination on the number of units that had been used for residential rental purposes. To this end, the applicant has been asked to contact the former owner and request information and rent rolls on the former occupants, and/or directly contact the former shareholders for information.

Once City Planning staff have received sufficient information to make a determination on the total number of existing rental units on the lands and the applicant has developed an acceptable rental replacement proposal, staff will need to organize a tenant consultation meeting to review the impact of the proposed demolition on existing tenants and the City's tenant relocation and assistance plan. Should the OLT approve the OPA and ZBA appeals, in whole or in part, City Planning staff would then bring forward a final report on the Rental Housing Demolition application for City Council's consideration.

In the event of approval of the Rental Housing Demolition application, the replacement rental units, the rents for the replacement units, and the tenant relocation and assistance plan would need to be secured through one or more agreements with the City, including an agreement pursuant to Section 111 of the *City of Toronto Act, 2006*, to the satisfaction of the City Solicitor and Chief Planner.

Growing Up: Planning for Children in New Vertical Communities

The Council-adopted Growing Up: Planning for Children in New Vertical Communities urban design guidelines provide guidance on the proportion and size of larger units recommended in new multi-residential developments.

Guideline 2.1 of the Growing Up guidelines states that a building should provide a minimum of 25% large units (10% of the units should be three-bedroom units and 15% of the units should be two-bedroom units).

Guideline 3.0 states that the ideal unit size for large units, based on the sum of the unit elements, is 90 square metres for two-bedroom units and 106 square metres for three-bedroom units, with ranges of 87-90 square metres and 100-106 square metres representing a diversity of sizes for such bedroom types while maintaining the integrity of common spaces to ensure their functionality.

The application proposes to provide 146 (32.3%) of the net new dwelling units (non-replacement rental units) as two-bedroom units and 45 (10.0%) of the net new units as three-bedroom units, which satisfies the unit mix objectives of Guideline 2.1 of the Growing Up guidelines. However, only 16 of the proposed two-bedroom units (3.5% of all net new units) are approximately 87 square metres in size (none are larger than 87 square metres), and only 18 of the proposed three-bedroom units (4.0% of all net new units) are approximate 100 square metres or larger in size, which does not adequately satisfy the unit size objectives of Guideline 3.0.

Open Space/Parkland

Public parks and open spaces perform a variety of critical functions that improve and maintain community and environmental health. They offer recreational opportunities which support active lifestyles, host spaces for social events and organizations, and accommodate natural infrastructure which provide vital ecosystem services and help mitigate the effects of climate change. In the context of a rapidly growing city, it is imperative to enhance and expand the amount of public parkland provided to residents and visitors alike.

The City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks (the "Strategy"). The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 4 -12 square metres of parkland per person, which is below the city-wide average provision of 28 square metres of parkland per person (2016). The development site is also within an Area of Parkland Need per Figure 18 of the Parkland Strategy, which highlights areas where the city will focus and prioritize parks planning and acquisitions. Given the future expected growth both on the development site itself and surrounding sites, a parkland deficit will be generated if no new parks are created. This anticipated parkland deficit must be addressed through the creation of a new park to serve the future population.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 6,493.30 square metres or 87.02 percent of the site area. However, for sites that are less than one hectare in size, a cap of 10 percent of the development site is applied to the residential use while the non-residential use is subject to a two percent parkland dedication. In total, the parkland dedication requirement is 749 square metres.

The applicant is required to satisfy the parkland dedication requirement through a 749 square metre on-site dedication with a minimum frontage of 15 metres on Sheppard Avenue East to comply with Policy 3.2.3.8 of the Toronto Official Plan.

The Site Plan demonstrates that a 747 square metre on-site parkland dedication has been proposed within the south east corner of the site, with a frontage of 15 metres along Sheppard Avenue East. The Draft Plan of Subdivision demonstrates that a 756 square metre on-site parkland dedication has been proposed within the south east corner of the site with frontage on Sheppard Avenue East.

The proposed location and configuration of the parkland dedication is satisfactory. Clarification is required as whether the Site Plan or the Draft Plan of Subdivision demonstrates the correct parkland size. Should the Site Plan be demonstrating the correct proposal, the size of the parkland dedication needs to be increased by 2 square metres.

A 1.5 metre wide landscape buffer should be provided between the parkland boundary and the adjacent driveway as a safety measure between the two spaces. The submitted plans demonstrate that a minimum 6.48 metre setback has been provided between the parkland dedication boundary and the adjacent building face, which is acceptable, however the landscape buffer has not been provided. Should the driveway be shifted to the west of the site a 5.0m setback should be provided between the building and the parkland.

Privately-Owned Publicly Accessible Open Space (POPS)

A POPS of approximately 748 square metres is being proposed. The POPS is located at the rear of the proposed public park on the east side of the site. Staff consider the proposed POPS to be a positive element of the proposal. It will provide the opportunity for a mid-block pedestrian connection to Elkhorn Drive if the site to the north were to redevelop in the future. Staff also recommend that the east-west pedestrian connection at the north end of the site be extended to the western edge of the site, to enable potential future pedestrian connection. Staff recommend that the POPS be secured in the Section 37 Agreement and its final design be secured through the Site Plan Control approval process.

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 City's Official Plan recommends policies that have been adopted by City Council that call for an increase in the amount of tree canopy coverage. City Council has

adopted the objective of increasing the existing 17 percent tree canopy coverage to between 30 to 40 percent. As such, the retention of and planting of large growing shade trees on both public and private lands should be an important objective for all development projects.

The applicant has submitted an Arborist Report in support of the application. The report concludes that there are 8 City owned trees that are proposed to be removed as well as three private trees on the subject property proposed to be removed.

Urban Forestry has reviewed the application and has requested revisions and additional information as outlined in the Memorandum from Urban Forestry dated July 19, 2021, and would be required to be satisfied as a condition of site plan approval.

Toronto Green Standard

The applicant is required to meet Tier 1 of the Toronto Green Standards ("TGS"). The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Some performance measures for the Tier 1 development features are secured in the site-specific zoning by-law and others through the Site Plan Control application, such as cycling infrastructure, transportation demand management measures, pedestrian infrastructure, tree canopies and water programs, bird-friendly glazing, and light pollution.

Community Services and Facilities

Community Services and Facilities ("CS&F") contribute to the social, economic and cultural development of the city and are vital in supporting liveable communities. CS&F are publically accessible, non-profit facilities and places where City Divisions, agencies and boards, and school boards deliver programs and services. This includes child care centres, libraries, recreation facilities, schools and community space for human services. CS&F support a strong network of programs and services that are essential to building community capacity as well as the fostering of complete communities.

The PPS uses the term public service facilities and identifies that such facilities will be coordinated and integrated with land use planning so that they are financially viable and available to meet current and projected needs. The PPS supports the optimization and adaptive re-use of existing facilities.

The Growth Plan reinforces the PPS and further identifies that public service facilities form part of the achievement of complete communities and improve social equity and overall quality of life. The Growth Plan calls for facilities to be collocated where possible with preference given to locations in or near *strategic growth areas* easily accessible by active transportation and transit.

The City's Official Plan Policy 2.3.1.7 identifies that community and neighbourhood amenities will be enhanced where needed by improving and expanding facilities, creating new facilities and adapting existing services to changes in the needs of the neighbourhood. Section 3.2.2 of the Official Plan calls for adequate and equitable access to community services and local institutions, and sets out a policy framework

that, among other things, encourages the inclusion of community service facilities as part of private development.

The revised development includes a child care facility of 616 square metres on the ground floor of the development. This facility was previously proposed to be 695 square metres. The outdoor space increased from 211 square metres in the original proposal to 290 square metres.

Children's Services staff have reviewed the proposed facility and advised that as proposed the 616 square metre facility and 311 square metre dedicated outdoor space could accommodate 49 children - 10 infants, 15 toddlers, and 24 pre-schoolers. They have the need for a minimum of 3 pick-up and drop-off spaces, and two designated parking spaces for facility staff and visitors. Securing the facility as a community benefit would include the design, construction and conveyance to the City, as well as financial contributions for start-up and equipment costs, as well as the reserve fund.

Affordable Housing

The proposed development has a total GFA of 38,350 square metres and the proposed ZBA would increase the permitted density by 32,662 square metres and increase the permitted height by approximately 64 metres (18-19 storeys). Accordingly, if this application were approved as currently proposed, it would be subject to Section 37 community benefits.

Given the location of the proposed development along the Sheppard subway line and its proximity to Bessarion subway station, there is a significant public interest in including affordable rental housing within the proposed development. Accordingly, should the OPA and ZBA applications be approved in some form, City Planning staff recommend that affordable rental housing be included in the Section 37 community benefits package. City Planning staff have also encouraged the applicant to consider the City's [Open Door Affordable Housing Program](#), which provides financial incentives for the creation of new affordable housing beyond the requirements in the Official Plan.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. The development's height and density are a significant increase over the applicable zoning for the site, and as such the development is subject to delivery of Section 37 benefits.

Section 37 benefits were not discussed, in the absence of an agreement on the height and density of the proposed development. The childcare facility (if public), POPS, and new affordable rental housing are all matters that may be considered as community benefits. Should this proposal be approved in some form by the OLT, City Planning staff recommend staff be authorized to negotiate an appropriate agreement for Section 37 benefits, if applicable, with the applicant, in consultation with the Ward Councillor.

Site Plan

The applicant has also appealed the Site Plan Control application to the OLT due to Council's failure to make a decision on the application within the time prescribed by the *Planning Act* and *City of Toronto Act, 2006*. There are a number of items that are dealt with through the site plan control process. Applications are reviewed to make sure they are attractive and compatible with the surrounding area. Features such as buildings design and materials, site access and servicing, waste storage, parking, loading, and landscaping are all reviewed.

For this proposal, several matters related to landscaping, building materials, and massing are still under review by City staff. The power to approve or refuse site plan applications is delegated to the Chief Planner, as is the authority to instruct the City Solicitor on site plan appeals before the Tribunal. Planning will continue to review site plan materials provided by the Owner to ensure they implement the policies of the Official Plan, represent good planning, and are technically correct.

Conclusion

Staff have reviewed the proposal against the PPS, the Growth Plan, and the Official Plan and have identified a number of concerns as identified above. These concerns relate to the proposed height and density, the built form, public realm objectives, and constraints on municipal infrastructure. Together, the lack of appropriate setbacks and stepbacks, as well as the proposed site configuration and bulk of the proposed building, illustrate how the proposal represents an overdevelopment of the site. As such, the proposed application does not conform to the policy direction in the official plan, the Sheppard East Subway Corridor Secondary Plan and the Tall Building Guidelines. The application also does not conform to the Growth Plan and is not consistent with the PPS as the application is located on a site that is not intended for significant growth based on the direction in the official plan and secondary plan and does not meet appropriate development standards established by the City. Both the PPS and Growth Plan policies represent minimum standards and municipalities are encouraged to go beyond these standards which have been articulated in the City's planning documents.

City Planning staff recommend that City Council direct the City solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current applications, However, should the OLT approve the OPA and ZBAs in some form, the City Solicitor and appropriate City staff should be directed to request the Tribunal to withhold its final Order until such time as other issues are addressed, including a decision by City Council on the Rental Housing Demolition application, ensuring adequate servicing and infrastructure is in place to support the proposed development, and identification of appropriate community benefits in consultation with the Ward Councillor. Should the owner insist on having the site plan appeal heard by the Tribunal, staff recommend that any final Order on the Site Plan Control application be withheld until such time as all pre-approval conditions as requested and approved by the Tribunal are satisfied.

CONTACT

Sarah Ovens, Planner
Tel. No. 416-395-7129
E-mail: Sarah.Ovens@toronto.ca

Keir Matthews-Hunter, Housing Planner
Tel. No. (416) 392-5092
E-mail: Keir.Matthews-Hunter@toronto.ca

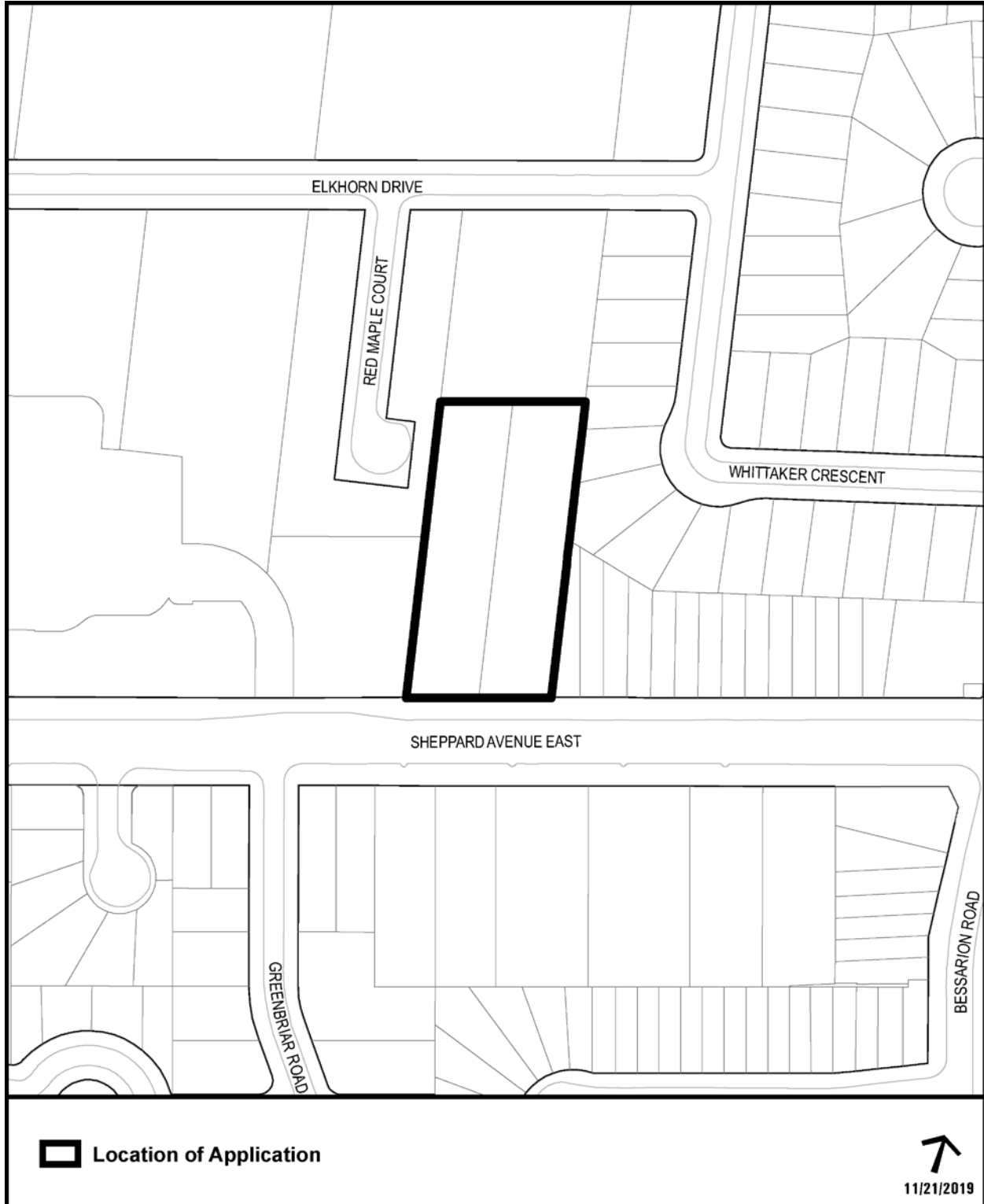
SIGNATURE

David Sit, MCIP, RPP
Director, Community Planning,
North York District

ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Application Data Sheet
Attachment 3: Site Plan
Attachment 4: South Elevation
Attachment 5: East Elevation
Attachment 6: North Elevation
Attachment 7: West Elevation
Attachment 8: Policy Considerations
Attachment 9: Official Plan Land Use Map
Attachment 10: Sheppard East Subway Corridor Secondary Plan
Attachment 11: Zoning By-law Map 569-2013
Attachment 12: Zoning By-law Map 7625

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 680 & 688 SHEPPARD AVE E
 19 248099 NNY 17 OZ ,
 20 110316 NNY 17 SA,
 21 232444 NNY 17 SB, and
 19 248116 NNY 17 RH

Date Received: November 12, 2019

Application Number:

Application Type: OPA, Rezoning, Site Plan Control, Draft Plan of Subdivision and Rental Housing Demolition

Project Description: Official Plan Amendment and Zoning By Law Amendment application for the proposal of a 22 storey residential building with an 8 -13 storey mid-rise component and a 6-8 storey podium along Sheppard Avenue East containing 487 residential units, including 35 rental replacement units. The total Gross Floor Area is 38,349 square metres of which 616 square metres is proposed for a new day nursery. A park of 747 square metres has also been proposed on site.

Applicant	Agent	Architect	Owner
Autumn Peak Developments Inc.		Kirkor Architects	Autumn Peak Developments Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood RM (f24.0; a1100; d0.75)	Site Specific Provision:	N
Zoning:		Heritage Designation:	N
Height Limit (m):	12	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 7,583 Frontage (m): 61 Depth (m): 125

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,480		3,126	3,126
Residential GFA (sq m):	4,440		37,734	37,734
Non-Residential GFA (sq m):			616	616
Total GFA (sq m):	4,440		38,350	38,350
Height - Storeys:	3		22	22
Height - Metres:	10		67	67

Lot Coverage Ratio (%) 41.22 Floor Space Index: 5.06

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	36,403	1,331
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:	616	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	35 (To be confirmed)		35	35
Freehold:				
Condominium:			452	452
Other:				
Total Units:	35 (To be confirmed)		487	487

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			274	167	46
Total Units:			274	167	46

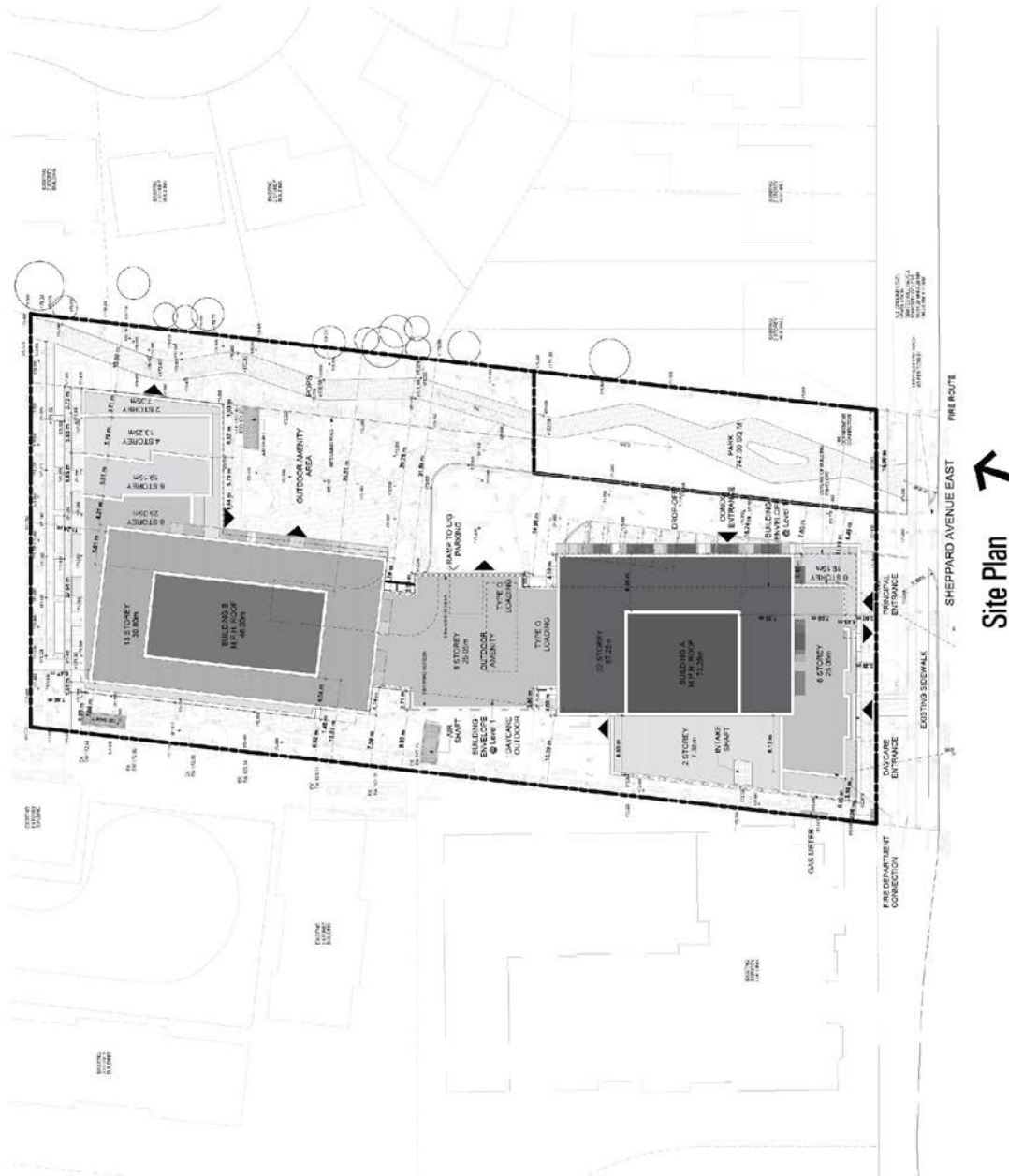
Parking and Loading

Parking Spaces: 319 Bicycle Parking Spaces: 367 Loading Docks: 2

CONTACT:

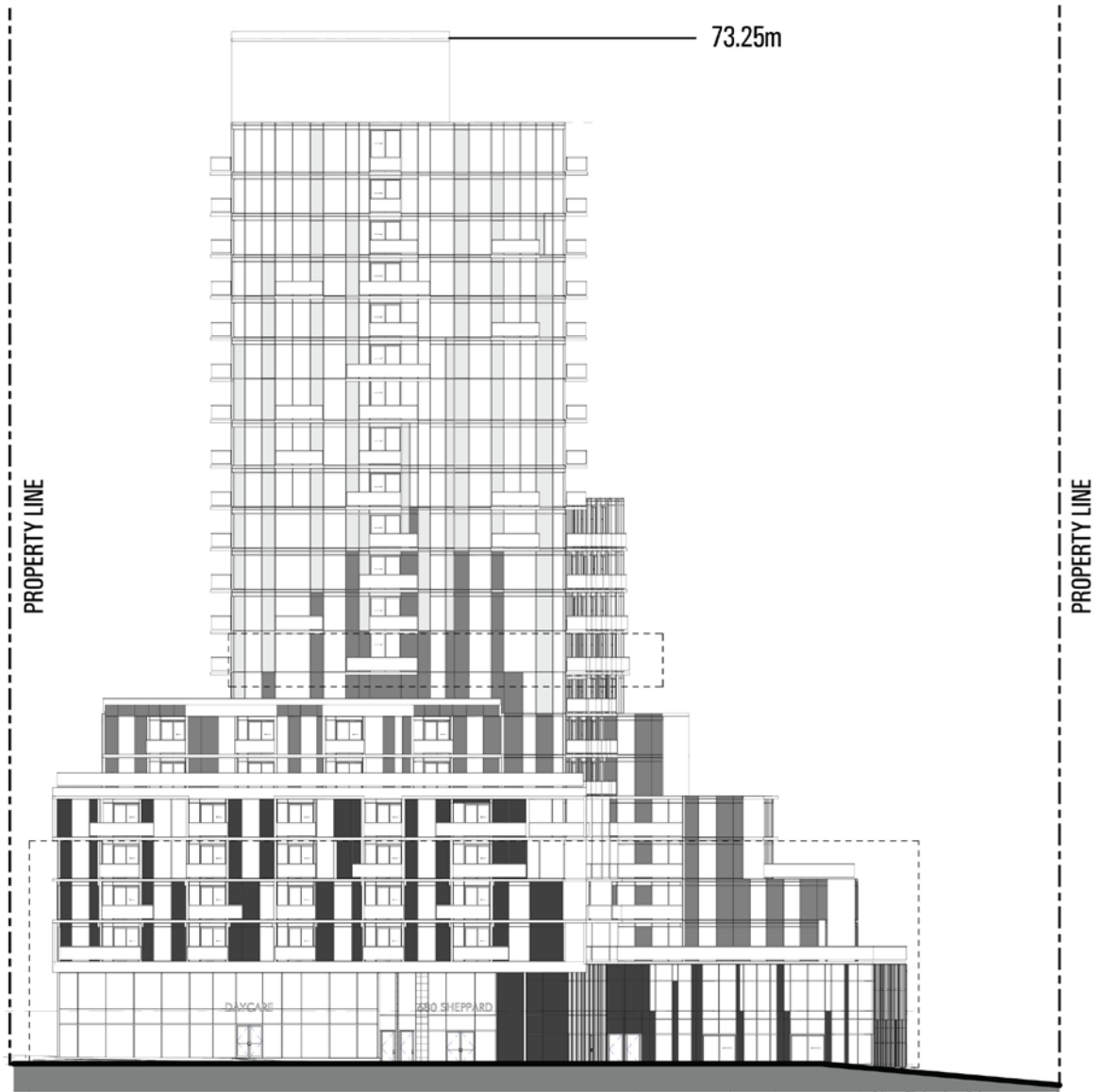
Sarah Ovens, Planner
 416-395-7129
 Sarah.Ovens@toronto.ca

Attachment 3: Site Plan



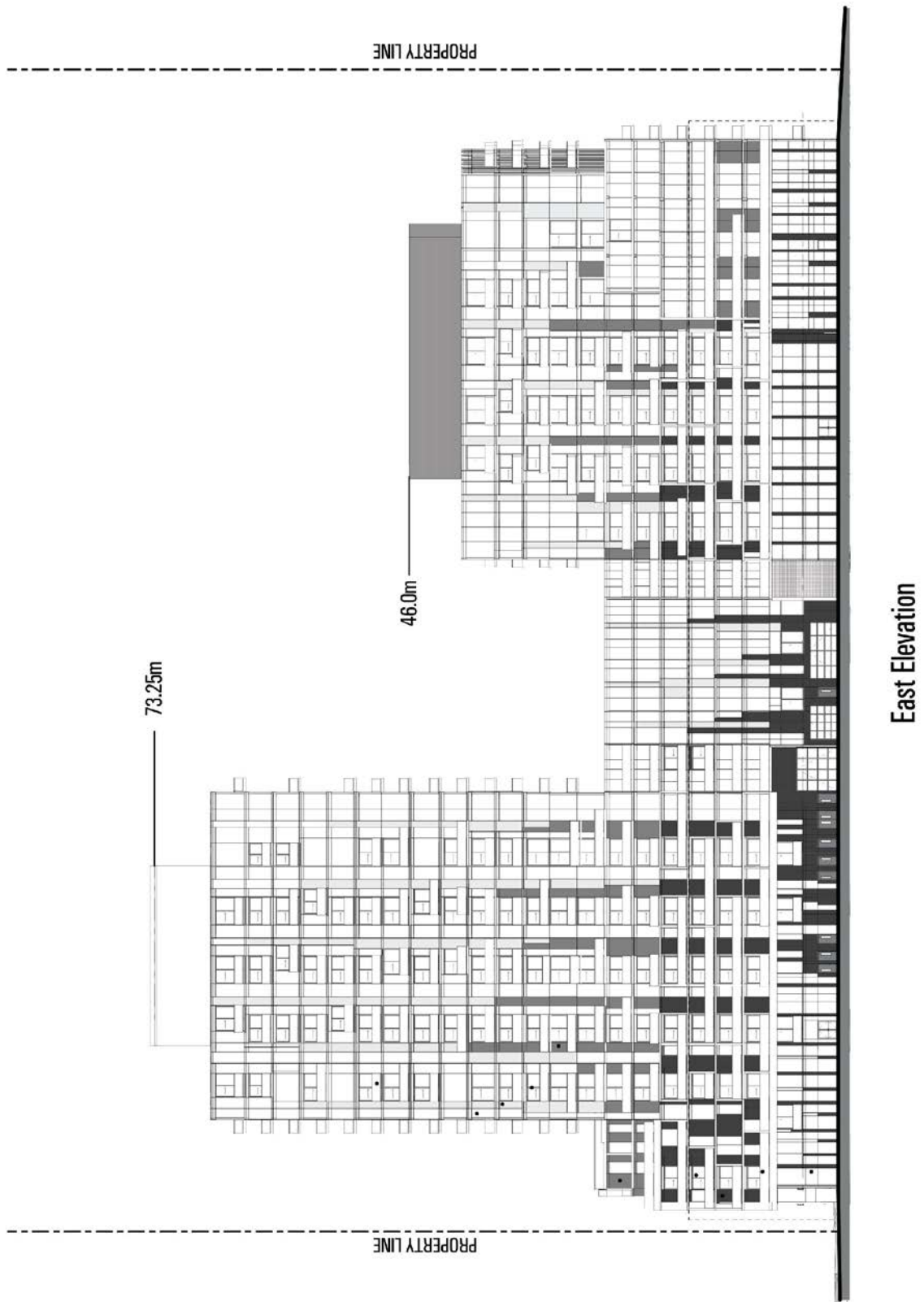
Site Plan

Attachment 4: South Elevation

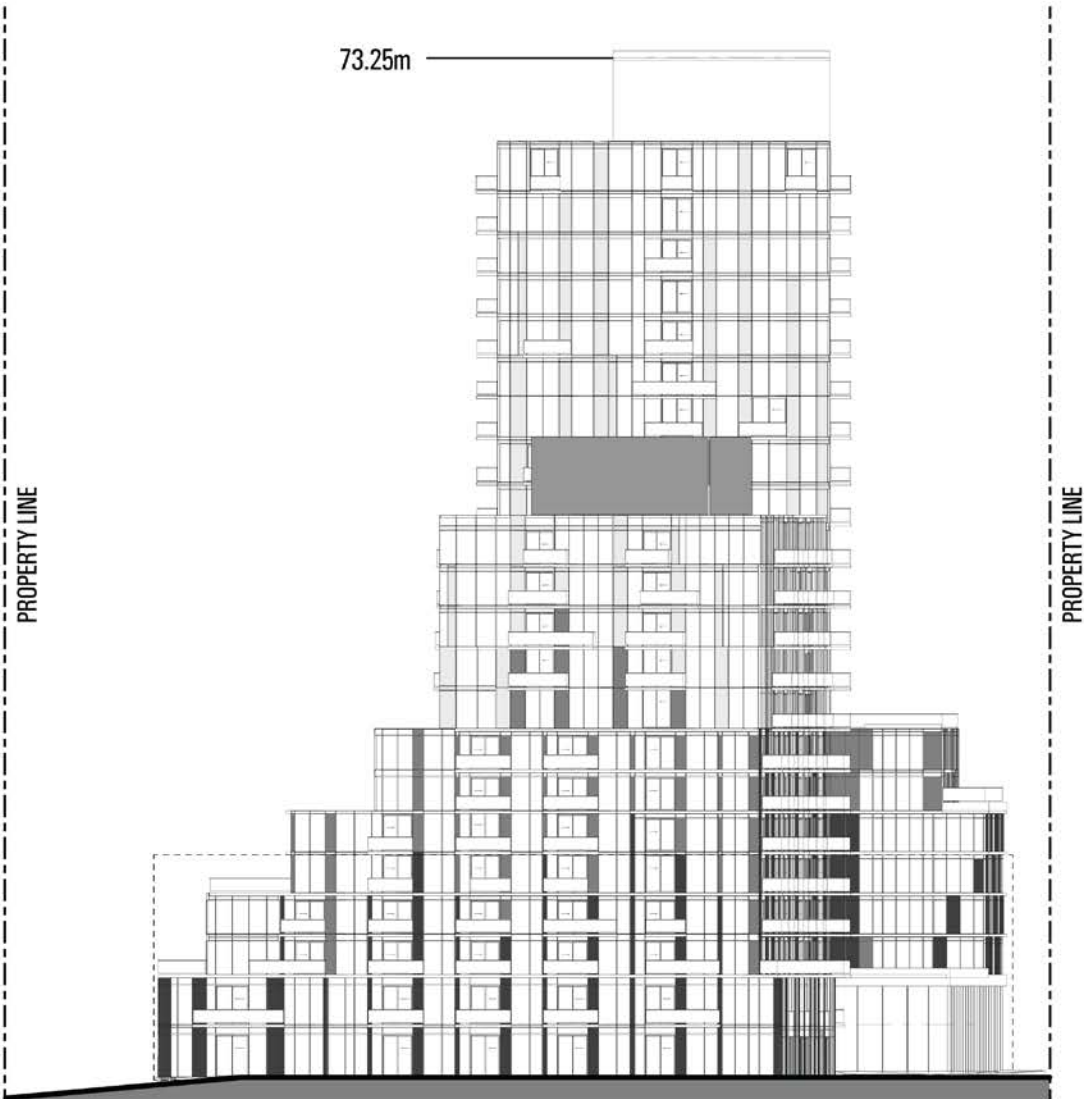


South Elevation

Attachment 5: East Elevation

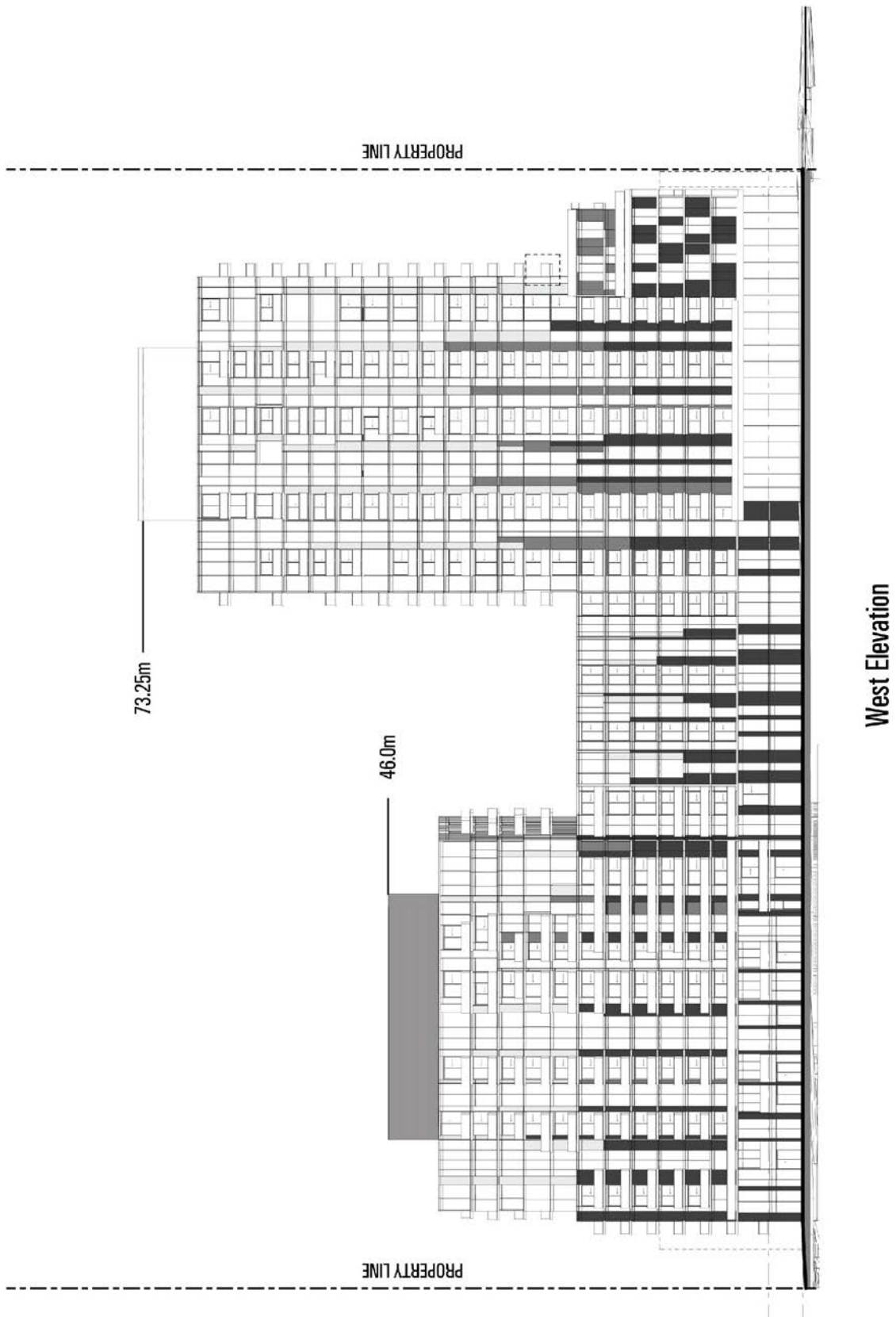


Attachment 6: North Elevation



North Elevation

Attachment 7: West Elevation



Attachment 8: 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.

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 sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- 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 4.7 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".

Provincial 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.

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 (the "Growth Plan"). This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan 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, 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, 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, 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.

Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Planning for Major Transit Station Areas

The Growth Plan 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 requires that, at the time of the MCR, the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSA's plan for the prescribed densities. While the City has not yet delineated the MTSA for Bessarion subway station on Line 4, the site is less than 300 metres from the station.

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

Toronto Official Plan

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.

The Official Plan contains policies related to building complete communities, heritage preservation, community services, transportation, and environmental stewardship. The Official Plan also provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision of community benefits in the form of capital facilities.

The Healthy Neighbourhoods policies of the Official Plan address the relationship between *Neighbourhoods* and areas with other Official Plan designations in order to ensure development is sensitive to the physically stable areas within the *Neighbourhoods* designation. The policies require development in *Apartment Neighbourhoods* adjacent or close to *Neighbourhoods* to be: compatible with the *Neighbourhoods*; provide a gradual transitional of scale and density, as necessary to achieve the objectives of the Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*; and, maintain adequate light and privacy for residents in those *Neighbourhoods*.

The Built Form policies of the Official Plan require new development to be located and organize to fit with its existing and/or planned context. Buildings should generally be located parallel to the street and locate main building entrances so that they are clearly visible and directly accessible from the public sidewalk. Vehicular parking, access and service areas should be located and screened to minimize their impact and provide parking underground when possible. In order to fit harmoniously into the existing and/or planned context, buildings should create transitions in scale to neighbouring existing and/or planned buildings and to provide adequate light and privacy.

The current application is located on lands shown as *Avenues* on Urban Structure Map 2 of the Official Plan and is designated *Apartment Neighbourhoods* on Land Use Map 19. See Attachment 9 of this report for the Official Plan Land Use Map. *Apartment Neighbourhoods* are stable areas of the City where significant growth is generally not anticipated and are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service, and office uses that serve the

needs of area residents. Proposals in *Apartment Neighbourhoods* are evaluated to ensure transition between areas of different development intensity and scale, limit shadow impacts, and enhance the safety, amenity and amination of adjacent streets and open spaces.

Sheppard Avenue East is identified as a *Major Street* on Map 3 with a planned right-of-way width of 36 metres.

Toronto Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan/guidelines/official-plan/>

Sheppard East Subway Corridor Secondary Plan

The application is also located within the Sheppard East Corridor Secondary Plan (the "Secondary Plan"). The site is designated as *Apartment Neighbourhoods* and is partially located within the Bessarion Node (Area B) as shown on Map 9-3. The subject site is not identified as a key development area. The Bessarion Node is located around the Bessarion subway station on the Toronto Transit Commission's ("TTC") Line 4.

The Secondary Plan states that the Bessarion subway station is to be a walk-in community station primarily serving the nearby designated stable residential community, with limited development opportunities on the large surplus former industrial blocks and on some properties fronting on Sheppard Avenue East. New development within the Bessarion Node will be focused primarily south of Sheppard Avenue East, on the lands designated *Mixed Use Areas*, east of Bessarion Road; and on the lands along the south side of Sheppard Avenue East, west of Bessarion Road, which are designated as *Mixed Use Areas*; and on the *Mixed Use Areas* designations on the north side of Sheppard Avenue. No new *Mixed Use Areas* designations will be permitted on residential lands north of Sheppard Avenue.

The site abuts properties designated *Apartment Neighbourhoods* to the north, west and southeast along Sheppard Avenue East. The northeast portion of the site abuts properties designated *Neighbourhoods*. New development is to be designed sensitively to the nearby low density residential uses and minimize adverse impact of built forms on homes (Policy 4.4.2 (c)). The Secondary Plan calls for compatible transitions in density, height, and scale between development nodes and stable residential areas. Generally, the highest densities and building heights should be promoted closest to the subway stations, and to a lesser extent along arterial roads.

The urban design policies of the Secondary Plan recognize that new buildings should be sufficiently set back from the Sheppard Avenue East road allowance to accommodate the planned widening of Sheppard Avenue East to 36 metres and any streetscape initiatives of the City, such as the installation of cycle tracks planned for this area in 2022. Policy 4.4.2 (b) of the Secondary Plan states that the height and massing of buildings should minimize excessive shadowing, wind or snow drifting effects within blocks, along streets, and within open space areas.

Policy 4.4.2 (e) states that buildings should be designed with a maximum height based on a 1:1 height to street width ratio, which in this case the street width is 36 metres.

However exceptions to this standard may be accommodated through the treatment of bulk and mass of buildings, as well as detailed articulation of the elevation. Policy 4.4.2 (f) states that along those parts of the Sheppard Avenue East frontage, not in proximity to subway stations, the maximum height will generally be six storeys, and one and two storey base buildings are encouraged. It is intended that the greatest density, height, and mass of new buildings will be along Highway 401, at the major intersections, and at locations with the greatest accessibility to public transit.

The Sheppard East Subway Corridor Secondary Plan can be found here:
<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

City-Wide Tall Building Design Guidelines

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines is here:
<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

Avenues and Mid-rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and step backs, sunlight and sky view, pedestrian realm conditions, transition to *Neighbourhoods* and *Parks and Open Space Areas* and corner sites. The link to the guidelines is here:
<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/>.

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision is here:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and
<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

Growing Up: Planning for Children in New Vertical Communities

On July 28, 2020, City Council adopted the final Growing Up Urban Design Guidelines ("Growing Up Guidelines") and directed City Planning staff to apply the guidelines in the evaluation of new multi-unit residential development proposals. The objective of the Growing Up Guidelines is for developments to increase liveability for larger households, including families with children living in vertical communities, at the neighbourhood, building and unit scale. The Growing Up Guidelines can be found at:

<https://www.toronto.ca/citygovernment/planningdevelopment/planningstudiesinitiatives/growing-up-planning-for-children-in-new-verticalcommunities/>

Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings

The purpose of the Pet Friendly Design Guidelines is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide pet amenities for high density residential communities. The Pet Friendly Design Guidelines can be found at: <https://www.toronto.ca/wpcontent/uploads/2019/12/94d3-CityPlanning-PetFriendlyGuidelines.pdf>

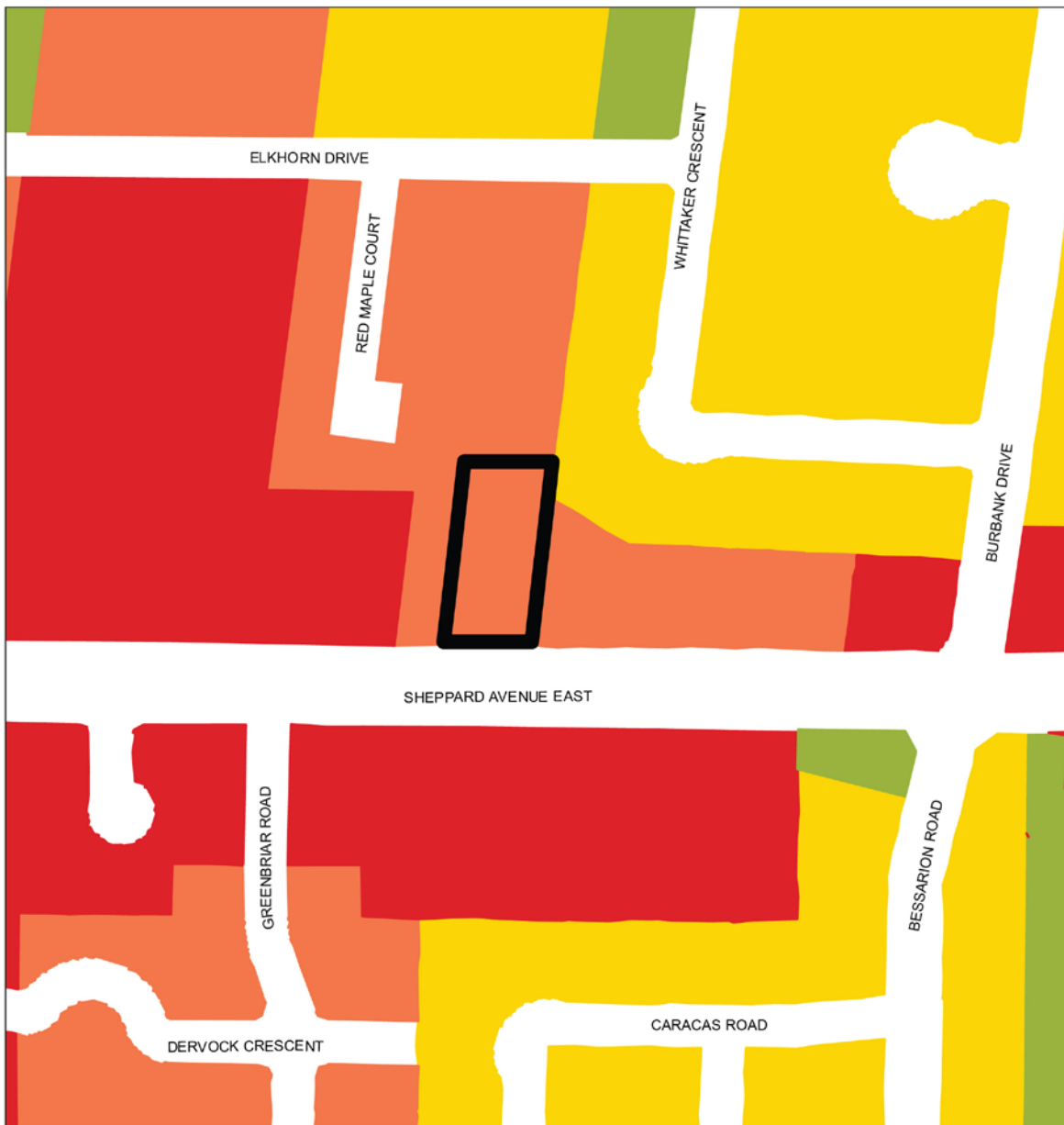
Urban Forest/Ravines/Environment

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).

Toronto Green Standard

Council has adopted the four-tier 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 TGS. 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. Applications must use the documentation required for the version of the TGS in effect at the time of the initial application. TGS Version 3.0 applies to new applications submitted on or after May 1, 2018. The Toronto Green Standard website can be found here: https://www.toronto.ca/citygovernment/planningdevelopment/official-plan-guidelines/toronto-green-standard/tier-1_planning-applicationrequirements/

Attachment 9: Official Plan Land Use Map



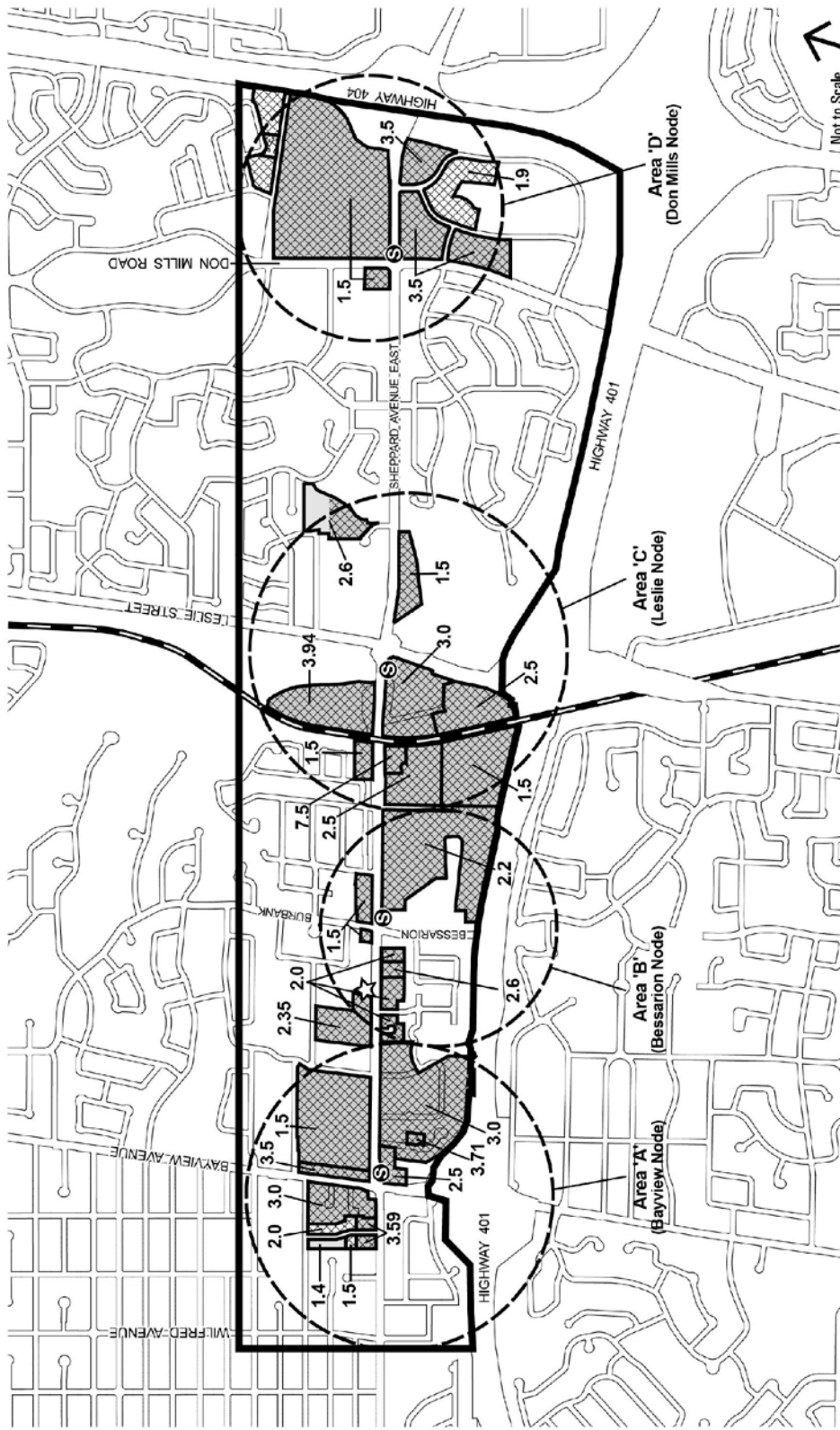
680-688 Sheppard Avenue East

Official Plan Land Use Map #19

File # 19 248099 NNY 17 0Z
File # 20 110316 NNY 17 SA

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


Not to Scale
11/21/2019



Toronto
City Planning

Sheppard East Subway Corridor Secondary Plan

MAP 9-2 Key Development Areas

- | | | | |
|--|--------------------------|--|--------------------------|
| | Secondary Plan Boundary | | Location of Application |
| | Neighbourhoods | | Parks & Open Space Areas |
| | Apartment Neighbourhoods | | Density |
| | Mixed Use Areas | | Subway Station |

November 2015

Attachment 11: Zoning By-law Map 569-2013



Zoning By-law 569-2013

680-688 Sheppard Avenue East

File # 19 248099 NNY 17 OZ
File # 20 110316 NNY 17 SA

Location of Application

RD Residential Detached
RS Residential Semi-Detached
RT Residential Townhouse

RM Residential Multiple
RA Residential Apartment
O Open Space
OR Open Space Recreation



See Former City of North York By-law No. 7625

R4 One-Family Detached Dwelling Fourth Density Zone
RM3 Multiple-Family Dwellings Third Density Zone
RM4 Multiple-Family Dwellings Fourth Density Zone
RM6 Multiple-Family Dwellings Sixth Density Zone
C1 General Commercial Zone



Not to Scale
Extracted: 11/21/2019

Attachment 12: Zoning By-law Map 7625



Zoning By-law 7625

680-688 Sheppard Avenue East

File # 19 248099 NNY 17 OZ
File # 20 110316 NNY 17 SA

Location of Application

- R4 *One-Family Detached Dwelling Fourth Density Zone*
- RM2 *Multiple-Family Dwellings Second Density Zone*
- RM3 *Multiple-Family Dwellings Third Density Zone*
- RM4 *Multiple-Family Dwellings Fourth Density Zone*
- RM5 *Multiple-Family Dwellings Fifth Density Zone*
- RM6 *Multiple-Family Dwellings Sixth Density Zone*
- C1 *General Commercial Zone*
- O1 *Open Space Zone*



Not to Scale
Extracted: 11/21/2019