

## **1629 Sheppard Avenue West – Zoning By-law Amendment Application – Final Report**

Date: March 11, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 6 - York Centre

**Planning Application Number:** 16 118020 NNY 09 OZ

**Related Application:** 17 174518 NNY 09 SA

### **SUMMARY**

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This application proposes to amend the former City of North York By-law 7625 and City of Toronto By-law 569-2013 to permit the redevelopment of the subject lands with seven 3-storey (13 metre high) residential units contained in 3 sets of semi-detached houses and 1 detached house fronting Sheppard Avenue West. Vehicular access would be via a private common driveway from Sheppard Avenue West. A multi-use path is proposed along the entire frontage of the proposed development, and would connect with a future Downsview cycling path on the east of the site, along Sheppard Avenue West.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and the City of Toronto Official Plan

This report reviews and recommends approval of the application to amend Zoning By-laws 7625 and 569-2013.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend Zoning By-law 7625 for the lands at 1629 Sheppard Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 1629 Sheppard Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to this report.

3. Before introducing the necessary Bills to City Council for enactment, City Council require the owner to:

a. address all outstanding issues related to the Zoning By-law Amendment application within the Engineering and Construction Services Memorandum dated February 15, 2022, or as may be updated, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;

b. provide a revised Functional Servicing Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development;

c. make satisfactory arrangements with Engineering and Construction Services and enter into appropriate agreements with the City for the design and construction of any improvements to the municipal infrastructure at no cost to the City, should it be determined that upgrades are required to the infrastructure to support this development, according to the accepted Functional Servicing Report accepted by the Chief Engineer and Executive Director, Engineering and Construction Services; and

d. provide space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681.10.

4. City Council authorize 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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The Zoning By-law Amendment application was submitted on February 16, 2016 and deemed complete on February 18, 2016. A Preliminary Report on the application was adopted by the North York Community Council on May 10, 2016, authorizing staff to conduct a community consultation meeting. Community consultation is summarized in the Comments section of this Report.

The Preliminary Report is available at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.NY14.23>

## **PROPOSAL**

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### **Location and Background**

The proposed development is sited on a vacant, irregularly shaped lot at the southeastern corner of Sheppard Avenue West and Seeley Drive, with an area of 1,198.28 square metres. The lot is one of several properties declared surplus by Toronto Hydro in 2013. City of Toronto Real Estate Services circulated the surplus property to various Agencies, Boards, Commissions and Divisions (ABCDs) on January 31, 2013. As no interest was expressed by any ABCDs to acquire the property, Toronto Hydro proceeded to sell the subject site to the applicant on October 28, 2015.

### **Surrounding Area**

East: Immediately east of the site are two-storey residential buildings on Bella Vista Way, accessed via Sunfield Road. There are planned future cycling connections on the south side of Sheppard Avenue West and on Sunfield Road which are a part of the Downsview cycling connections.

South: Immediately south of the site are more two-storey residential buildings on Bella Vista Way. There is no access to the subject site from Bella Vista Way. There is privacy for adjacent existing buildings on Bella Vista Way in the form of fencing and landscaping including trees along their shared rear and side property lines. Further south is the Seeley Greenbelt which is regulated by the Toronto Region Conservation Authority. No part of the subject site is within the TRCA regulation area. Southeast of the site along Sunfield Road are detached and semi-detached two-storey dwellings.

West: Immediately west of the site is Seeley Drive. There is a large site triangle that extends from the west property line of the subject site to Seeley Drive. Further West across Seeley Drive are 1 to 2-storey buildings of the Dellcrest School at 1633 Sheppard Avenue West. Further West also is the Downsview Dells Park and Northwest Cultural Trail along Black Creek.

North: Immediately north of the site is Sheppard Avenue West. Further north across Sheppard Avenue West are low rise apartment buildings up to 4 storeys in height. Northeast of the site is a proposed continuation of the Downsview cycling connections network (cycle track) along Sentinell Road. Northwest of the site is a continuation of the Downsview Dells Park and the Northwest Cultural Trail along Black Creek.

### **Site Organization**

Vehicular access is proposed via a common private north-south driveway from Sheppard Avenue West, and leads to a common rear driveway and rear entrances to integrated garages for each dwelling unit.

Vehicular access and servicing was proposed from Seeley Drive in the original application in 2016. It was changed to a common driveway from Sheppard Avenue West because of grade and servicing related issues arising from the level of the water table relative to the level of the basement floors of some units. Revised reports and meetings with Engineering and Development Services resulted in an approval of the relocation of the common driveway from Seeley Drive to Sheppard Avenue West.

A 3 metre wide multi-use path is proposed along the entire frontage of the property on Sheppard Avenue West, and will connect with a future Downsview cycling path on the east of the site, along Sheppard Avenue West. A new concrete 2.1 metre wide public sidewalk is proposed 0.8 metre south of the multi-use path in front of the site, and would taper at an angle to connect with the existing concrete sidewalk along Sheppard Avenue West.

There is direct pedestrian access to each dwelling unit via proposed pedestrian walkways from the public sidewalk to front entrances of dwelling units.

### Landscaping

Landscaping is proposed on the eastern and western edges of the site, as well as on the front. Landscaping in front includes proposed new trees. There is an existing retaining wall at the rear property line, separating the proposed development from the adjacent property to the south.

### Built Form and Height

Seven 3-storey (13 metres high) residential units contained in 3 semi-detached and 1 detached building fronting Sheppard Avenue West are proposed. Building heights above the established grade vary from 12.09 metres on the east to approximately 13 metres on the west. This is because there is a change in grades from east to west that has resulted in the location of some buildings at different levels relative to the established grade. Each unit would have an integral garage which is accessed from the rear. A rooftop access structure at the top of each unit would open to a roof deck area that is framed with railings in the mid-section of the roof.

Table 1 below includes details of the proposed buildings and a comparison between the original and current proposals.

Table 1

Category	Original Submission of February 19, 2016	Current Resubmission of December 3, 2021
Site Area in Square Metres (m <sup>2</sup> )	1,198.28 m <sup>2</sup> (including road widening)	1,198.28 m <sup>2</sup> (including road widening) 918.68 m <sup>2</sup> (after road widening)

<b>Category</b>	<b>Original Submission of February 19, 2016</b>	<b>Current Resubmission of December 3, 2021</b>
Gross Floor Area (GFA) in Square Metres (m <sup>2</sup> )	1,426 m <sup>2</sup>	1,183.82 m <sup>2</sup>
Floor Space Index (FSI)	Gross: 1.19 Net: N/A	Gross: 0.98 Net: 1.28
Storeys & Height in Metres (m) including Mechanical Penthouse (MPH)	3 Storeys: 12 m including MPH	3 Storeys: 12.57 m (approximately 13 m including MPH)
Setbacks from Property Line in Metres (m)	East: 0.9 m West: (Seeley Drive): 0.6 m North (Sheppard Ave W): 7.56 m North: (After 5.18 Road Widening): 2.38 South (rear): 7.5 m	East: 0.9 m West: (Seeley Drive): 0.3 m, 0.5 m, 0.3 m, 0.5 m North (Sheppard W): 9.4 m North: (After 8.01 Road Widening): 1.4 m South (rear): 7.4 m
Building Type	Four Semi-Detached Dwellings	Three Semi-Detached and One Detached Dwelling
Separation Distances Between Buildings	0.9 metre	0.9 metre
Units	Four Bedroom: 8	Four Bedroom: 7
Unit Widths in Metres (m)	Unit 1: 6.10 m wide Units 2 to 8: 4.5 m wide each	Unit 1: 7.08 m wide Units 2 to 7: 4.5 m wide each
Vehicle Parking	Resident: 7 Visitor: 1 Total: 8	Resident: 7 Total: 7
Deck Location	Rear of Building over Common Driveway	Top of Building at Mid-Section of Roof
Multi-Use Path	None	3 m wide Multi-Use Path within Road Widening
Common Driveway Location	Common Driveway from Seeley Drive	Common Driveway from Sheppard Avenue West
Road Widening (m)	5.18 m	8.01 m

## **Reasons for Application**

An application to amend Zoning By-laws 7625 and 569-2013 is required to establish site specific provisions including those related to land use, height, density and setbacks to permit the proposed building.

The subject site is zoned RM5 (Multiple-Family Dwellings Fifth Density) under former City of North York By-law 7625. A variety of residential uses including semi-detached and single family dwellings are permitted.

The subject site is zoned UT (Utility and Transportation) under City of Toronto By-law 569-2013. Residential uses are not permitted.

## **APPLICATION BACKGROUND**

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### **Application Submission Requirements**

The following reports/studies were submitted in support of the application:

- Arborist Report
- Functional Servicing and Stormwater Management Report
- Geotechnical Investigation
- Hydrogeological Report
- Methane Gas Investigation Report
- Planning Rationale
- Toronto Green Standard Checklist
- Traffic Functional Plan
- Tree Inventory and Preservation Plan

The reports and studies submitted by the applicant are available on the City's Application Information Centre (AIC) at the following link:

<https://www.toronto.ca/city-government/planning-development/application-information-centre>.

The Application Data Sheet, Location Map, Official Plan Land Use Map, Zoning By-law Maps, and Site Plan are in Attachments 1, 2, 3, 4, 5, and 8 to this report.

### **Agency Circulation Outcomes**

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

## **Community Consultation**

Staff hosted a community consultation meeting on May 30, 2016. One neighbour, the applicant, the Ward Councillor and City staff were in attendance. The neighbour was concerned about overlook and the impact on his privacy by the proposed rear balconies of the semi-detached buildings. It was explained to the applicant that given the elevation of the balconies, they are actually lower than the neighbouring side yard. The neighbour was also concerned about construction noise and possible damage to his property. The building permit process was explained, including applicable by-laws that govern construction, inspection, and noise. There were also six phone calls from residents who welcomed the proposal.

## **Statutory Public Meeting Comments**

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

## **POLICY CONSIDERATIONS**

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### **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 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

## **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. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020), establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;



- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020), take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

## **Toronto Official Plan**

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

### **Chapter 2 - Shaping the City**

The Healthy Neighbourhoods policies in Section 2.3.1 of the Official Plan state that Neighbourhoods are low rise and low density areas that are considered to be physically stable. Development in Neighbourhoods will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

### **Chapter 3 - Building a Successful City**

The Built Form policies in Section 3.1.2 of the Official Plan address key relationships of the location and organization of development, and its massing and appropriate amenity within the existing and planned context to inform the built form. The policies ensure that each new building will promote and achieve the overall objectives of the Official Plan.

#### **Site Organization and Location**

The development proposal will be considered under policies 3.1.2.1 to 3.1.2.4 on site organization and location that includes requirements for development to be located and organized to fit with its existing and planned context. Such development will frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, and will improve the safety, pedestrian comfort, interest and experience, and casual views to these spaces from the development by:

- Generally locating buildings parallel to the street or along the edge of a park or open space with consistent front yard setbacks; and
- Locating main entrances on the prominent building facades so that they front onto a public street, park, or open spaces, are clearly visible and directly accessible from a public street.

Policy 3.1.2.4 states that development will locate and organize vehicle parking, vehicular access and ramps, loading, servicing, storage areas, and utilities to minimize their impact and improve the safety and attractiveness of the public realm, the site and the surrounding by:

- Using shared service areas where possible within development blocks, including public lanes, shared private driveways, and service courts;
- Consolidating and minimizing the width of driveways and curb cuts across the public sidewalk; and
- Limiting new, and removing existing, surface parking and vehicular access between the front face of a building and the public street or sidewalk.

### Building Shape, Scale and Massing

The proposal will also be considered under Policies 3.1.2.5 to 3.1.2.8 that address the building shape, scale, and massing. The policies include requirements that development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm.

### Improving the Public Realm through Building Design

The proposal will be considered under Policies 3.1.2.9 to 3.1.2.10 that address improvements to the public realm through building design. The design of new building facades visible from the public realm will consider the scale, proportion, materiality and rhythm of the façade to:

- Ensure fit with the adjacent building facades;
- Contribute to a pedestrian scale by providing a high quality of design on building floors adjacent to and visible from the public realm; and
- Ensure grade relationships that provide direct access and views into and from the public realm.

Policy 3.1.2.10 states that development will promote civic life and provide amenity for pedestrians in the public realm to make areas adjacent to streets, parks and open spaces attractive, interesting, comfortable and functional by providing:

- Co-ordinated landscape improvements in setbacks to enhance local character, fit with the public streetscapes, and provide attractive, safe transitions between the private and public realms; and
- Safe, direct pedestrian routes and tree plantings throughout the site and within surface parking lots, where possible.

### Private and Shared Amenity Spaces

Policies 3.1.2.11 to 3.1.2.13 that address private and shared amenity spaces will also be used to access the proposed development. They provide for outdoor amenity spaces to be located at or above grade; have access to daylight; have access to direct sunlight,

where possible; provide comfortable wind, shadow and noise conditions; be located away from and physically separated from loading and servicing areas; and promote use in all seasons.

## Built Form - Building Types

The development will be accessed under Policy 3.1.3.1 that encourages a mix of building types on sites that can accommodate more than one building. The site will be designed to define and support existing and proposed streets, lanes, parks and open spaces at appropriate scales.

## Chapter 4 - Land Use Designations

The subject lands are designated *Neighbourhoods* on Map 16 of the Official Plan. Policy 4.1.1 provides that *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

The proposal will be considered under Policy 4.1.5 which provides that development in established Neighbourhoods will respect and reinforce the existing physical character of each geographic neighbourhood, including in particular:

- Patterns of streets, blocks and lanes, parks and public building sites;
- Prevailing size and configuration of lots;
- Prevailing heights, massing, scale, density and dwelling type of nearby residential properties;
- Prevailing building types;
- Prevailing location, design and elevations relative to the grade of driveways and garages;
- Prevailing setbacks of buildings from the street or streets;
- Prevailing patterns of rear and side yard setbacks and landscaped open space; and
- Continuation of special landscape or built-form features that contribute to the unique physical character of the geographic neighbourhood.

The proposal will also be considered under Policy 4.1.9 which provides that infill development on properties that vary from the local pattern in terms of lot size, configuration and/or orientation will:

- Have heights, massing and scale that are respectful of those permitted by zoning for nearby residential properties;
- Have setbacks from adjacent residential properties and public streets that are proportionate to those permitted by zoning for adjacent residential properties, while taking into account the existing form of development on the infill property;

- Provide adequate privacy, sunlight and sky views for occupants of new buildings; by ensuring adequate distance and separation between building walls and using landscaping, planting and fencing to enhance privacy where needed;
- Provide safe, accessible pedestrian walkways from public streets; and
- Locate, screen and wherever possible enclose service areas and garbage storage and parking.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

## **Zoning**

The subject site is zoned Multiple-Family Dwellings Fifth Density (RM5 ) under former City of North York By-law 7625. Permitted uses include apartment house, converted double duplex, duplex, multiple attached, single family, and semi-detached dwellings. Other permitted uses include hospital, nursing home, religious institution, sanitarium and any other use permitted in the R4 (One-family detached dwelling fourth density) zone.

A single family dwelling or any other use permitted in the R4 zone shall meet the regulations that apply to that use in the R4 zone including a minimum lot frontage of 15 metres, minimum lot area of 550 square metres, minimum front yard setback of 7.5 metres, minimum side yard setback of 1.8 metres on each side, and a minimum rear yard setback of 9.5 metres.

In the RM5 zone, a semi-detached dwelling shall meet the regulations that apply to that use in the RM2 (Multiple-Family Dwellings Second Density) zone including a minimum lot area of 300 square metres for each semi-detached dwelling unit and 665 square metres for each semi-detached dwelling, a minimum lot frontage of 8.5 metres, a minimum side yard setback of 1.8 metres on each side, and a minimum rear yard setback of 9.5 metres.

The subject site is zoned UT (Utility and Transportation) under City of Toronto By-law 569-2013. Permitted uses include Ambulance Depot, Market Garden, Fire Hall, Park, Police Station, Public Utility, and Transportation. Residential uses are not permitted.

Zoning By-law 569-2013 may be found at:

<https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

## **Site Plan Control**

The proposed development is subject to Site Plan Control. The applicant has submitted a site plan control application (17 174518 NNY 09 SA) that is being processed concurrently with the Zoning By-law Amendment application.

## COMMENTS

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### **Provincial Policy Statement and Provincial Plans**

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020).

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020).

The PPS identifies that the long-term prosperity and social well-being of the province depends on planning for strong and sustainable communities, a clean and healthy environment and a strong and sustainable economy. The PPS contains policies that promote the use of active transportation and transit before other modes of travel. Policy 1.1.3.3 promotes transit-supportive development and accommodating a significant supply and range of housing options through intensification and redevelopment taking into account the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The Growth Plan contains similar policies to the PPS, and supports the achievement of complete communities that are designed to support health and active living and meet people's needs for daily living throughout an entire lifetime. Policy 1.2.1 prioritizes intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability. It supports a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households.

The proposed development meets the policy objectives of the PPS and Growth Plan by providing an appropriate level of intensification through infill development of the site while contributing to a mix of housing types and densities necessary to meet projected requirements of current and future residents. The proposed development also supports active transportation with the provision of a multi-use path along the entire frontage of the site.

Policy 4.6 of the PPS recognizes that the Official Plan is the most important vehicle for implementation of the PPS and assists in implementing the Growth Plan by setting out appropriate land use designations and policies.

This application has been reviewed against the Official Plan policies described in the Policy Consideration Section of the Report as well as the policies of the Toronto Official Plan as a whole.

### **Land Use**

A summary of the application's compliance with the land use policies in Section 4.1.1 of the Official Plan is discussed below.

In Policy 4.1.1 of the Official Plan, residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys are permitted in *Neighbourhoods*.

The subject site is designated *Neighbourhoods* and the proposed development consists of residential uses in lower scale buildings, including 1 detached and 3 semi-detached houses, consistent with Policy 4.1.1.

In Policy 4.1.5 of the Official Plan, development in established *Neighbourhoods* will respect and reinforce the existing physical character of its geographic neighbourhood including prevailing heights, massing, scale, density and dwelling types, and continue special landscape or built-form features that contribute to the unique physical character of the geographic neighbourhood.

The prevailing heights in the surrounding neighbourhood include 2-storey detached and semi-detached dwellings, and 2-storey townhouses and low-rise apartment buildings of no more than 4 storeys. Prevailing setbacks include front yard setbacks of 7.5 metres before road widening, rear yard setbacks of 7.5 metres, and side yard setbacks of 0.9 metre for the abutting RT zone. The Residential Multiple Dwelling Zone nearby maintains a density of 1 times the lot area. Planned features that contribute to the unique character of the neighbourhood include the proposed Downsview cycling connections east of the site along Sheppard Avenue West, and across Sheppard Avenue West from Sentinell Road to Dovehouse Avenue.

The proposed development respects and reinforces the prevailing heights, massing, scale, density and dwelling type of nearby properties by proposing 3-storey semi-detached and detached dwelling types and an appropriate gross density of 0.98 and net density of 1.28 times the lot area. The proposed development also respects and reinforces the prevailing setbacks by providing a front yard setback of 9.4 metres before road widening, east side yard setback of 0.9 metre, and a rear yard setback of 7.4 metres. Proposed lot sizes of 4.7 metres for the detached unit, and 5.6 metres to 5.99 metres for the semi-detached units are comparable with prevailing lot sizes in the abutting RT zone. The Official Plan provides that lots fronting onto a major street are to be distinguished from lots in the interior of the block adjacent to that street in order to recognize the potential for a more intense form of development along major streets. In recognition of this potential, the proposed lots fronting onto Sheppard Avenue West, a major street, accommodate more intensive forms of 3-storey buildings that are 13 metres high. They are higher by 1.5 metres than buildings in lots in the abutting RT zone. All the lots in the abutting RT zone do not front onto any major street. The proposed development also contributes to the proposed Downsview cycling connections by proposing a 3 metre wide multi-use path along the entire frontage of the property along Sheppard Avenue West. These are consistent with Policy 4.1.5 of the Official Plan.

A large open area with low plantings extends from the west property line towards Seeley Drive. It occupies the space at the corner of Sheppard Avenue West and Seeley Drive. There is also a wooded area close to the west property line leading southwards to the Seeley Greenbelt. The building setback of 0.3 to 0.5 metre from the west property

line is appropriate as there are no buildings or structures immediately abutting the subject site on the west. Seeley Drive is at the western edge of this open area.

In policy 4.1.9, infill development will provide adequate privacy, sunlight and sky views for occupants of new buildings by ensuring adequate distance and separation between building walls, and using landscaping, planting and fencing to enhance privacy where needed. Infill development will also provide safe, accessible pedestrian walkways from public streets, and locate and screen garbage and storage areas away from public view.

The proposed development provides adequate separation from adjacent property to the east by maintaining the required minimum setback for a semi-detached building. Landscaping is proposed on the eastern and western edges of the site to enhance privacy. An existing retaining wall separates the proposed development from the abutting property to the south. The proposed development provides a safe and accessible pedestrian walkway by proposing a new 2.1 metre wide concrete sidewalk across its frontage at a setback of 0.8 metre from the multi-use path. It integrates the garbage area of each unit with its garage located at the rear of the site. These conform with Policy 4.1.9 of the Official Plan.

### **Height, Massing and Density**

A summary of the application's compliance with the built form policies in Section 3.1.2 of the Official Plan is discussed below.

The proposed development is massed to fit with the existing and planned context of the development as described above. The buildings are also placed and oriented parallel to the street, thereby defining and framing the edges of Sheppard Avenue West. The proposed maximum building heights of 13 metres or 3 storeys fits within the existing context. The proposed density as discussed above is comparable with densities in the neighbourhood. These conform with the Building Shape, Scale and Massing Policies 3.1.2.5 to 3.1.2.0 of the Official Plan.

### **Healthy Neighbourhoods**

The proposed development conforms with the Healthy Neighbourhood policies in Section 2.3.1 of the Official Plan that requires developments in Neighbourhoods to reinforce the existing physical character of buildings, streetscapes and open space patterns as discussed in the Land Use and Density, Height and Massing Sections above.

### **Traffic Impact, Access, Parking**

The proposed buildings would have direct pedestrian access via pedestrian walkways to each unit from the public sidewalk on Sheppard Avenue West. Vehicular access is proposed via a common private driveway from Sheppard Avenue West that leads to common driveway at the rear. Each townhouse unit would have one parking space within the integrated rear garage for each unit. Staff are satisfied with the number of parking spaces provided and will work with the applicant to address any outstanding

issues identified in the Recommendations Section of this report during the site plan control process.

## **Road Widening**

In order to satisfy the Official Plan requirement of a 36 metre right-of-way for this segment of Sheppard Avenue West, an 8.01 metre road widening dedication along the Sheppard Avenue West frontage of the subject site is required and is proposed to be conveyed to the City with this application.

## **Streetscape**

The proposed development responds appropriately to the Public Realm policies of the Official Plan. Streetscape and boulevard improvements proposed include a new 2.1 metre pedestrian sidewalk and a new 3 metre multi-use path along the frontage of the property. New trees and other plantings are proposed along Sheppard Avenue West. The proposed ground floor setback of 1.4 metres from the new property line after road widening allows for soft landscaping on private property. Staff will continue working with the applicant on streetscape improvements to be secured through the site plan control process.

## **Servicing**

The owner has provided site servicing plans and Functional Servicing, Stormwater Management, and Hydrogeological reports. The owner is required to provide revised reports as described in the Recommendations Section of this report. Staff will work with the applicant to secure any necessary improvements to the municipal infrastructure at no cost to the City during the site plan control process.

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City.

The site is approximately a 550 metre walk away from Downsview Dells Park, a 748,646 m<sup>2</sup> park which contains (2) fire pits, (5) picnic sites, a horticulture display and the Northwest Cultural Trail along Black Creek.

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 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 28 + m<sup>2</sup> of parkland per person, which is comparable to the city-wide average provision of 28 m<sup>2</sup> of parkland per person in 2016.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a 5% parkland dedication.



The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to the issuance of said permit.

### **Tree Preservation**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree by-law). The applicant submitted an Arborist Report identifying 18 regulated trees, two of which are located in with the City's right-of-way. Staff will work with the applicant on permits to remove trees in order to allow for the proposed development, and plant new ones. Replacement trees will be secured during the site plan control process.

### **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the 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. Performance measures for the Tier 1 development features will be secured through the site plan approval process.

### **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal conforms to the Toronto Official Plan, particularly as it relates to the Healthy Neighbourhoods policies in Section 2.3.1, the Built Form policies in Section 3.1.2, and the Land Use policies in Section 4.1.1. The proposal would provide much needed family-size dwelling units compatible with the surrounding context, and the multi-use path would contribute towards an active and healthy lifestyle for the community. The proposal would contribute to an overall improvement to the quality of life of its residents and surrounding community.

### **CONTACT**

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Eno Rebecca Udoh-Orok, Senior Planner  
Tel. No. 416-392-5474  
E-mail: Eno.Udoh-Orok@toronto.ca

## **SIGNATURE**

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

## **ATTACHMENTS**

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

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map 7625
- Attachment 5: Existing Zoning By-law Map 569-2013
- Attachment 6: Draft Zoning By-law Amendment, By-law 7625
- Attachment 7: Draft Zoning By-law Amendment, By-law 569-2013

### **Applicant Submitted Drawings**

- Attachment 8: Site Plan

## Attachment 1: Application Data Sheet

Municipal Address: 1629 Sheppard Avenue West      Date Received: February 18, 2016

Application Number: 16 118020 NNY 09 OZ

Application Type: Zoning By-law Amendment

Project Description: Construct seven 3-storey dwelling units contained in 3 sets of semi-detached houses and 1 detached house fronting Sheppard Avenue West, with vehicular access from a common private driveway from Sheppard Avenue West.

Applicant	Agent	Architect	Owner
Peter Barton Avtech Designs 1885 Clements Rd Unit 201, Pickering, ON, L1W 3V4	Daren Hanna, Avtech Designs, 1885 Clements Rd, Unit 201, Pickering, ON, L1W 3V4	Avtech Designs 1885 Clements Rd Unit 201, Pickering, ON, L1W 3V4	Two Bars Inc. c/o Pierre Gagne 45 Balliol St, Penthouse 6 Toronto ON M4S 1C3

### EXISTING PLANNING CONTROLS

Official Plan Designation: Neighbourhoods      Site Specific Provision: N

Zoning: UT(x48)      Heritage Designation: N

Height Limit (m): 9.2      Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m):	Frontage (m):	Depth (m):		
1198.3	31.99	28.31		
Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	0	0	333.61	333.61
Residential GFA (sq m):	0	0	1183.62	1183.62
Non-Residential GFA (sq m):	0	0	0	0
Total GFA (sq m):	0	0	1183.62	1183.62
Height - Storeys:	0	0	3	3
Height - Metres:	0	0	13	13

Residential Units by Tenure	Existing	Retained	Proposed	Total
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Rental:	0	0	0	0
Freehold:	0	0	7	7
Condominium:	0	0	0	0
Other:	0	0	0	0
Total Units:	0	0	0	0

#### Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:	0	0	0	0	0
Proposed:	4	0	0	0	7
Total Units:	0	0	0	0	7

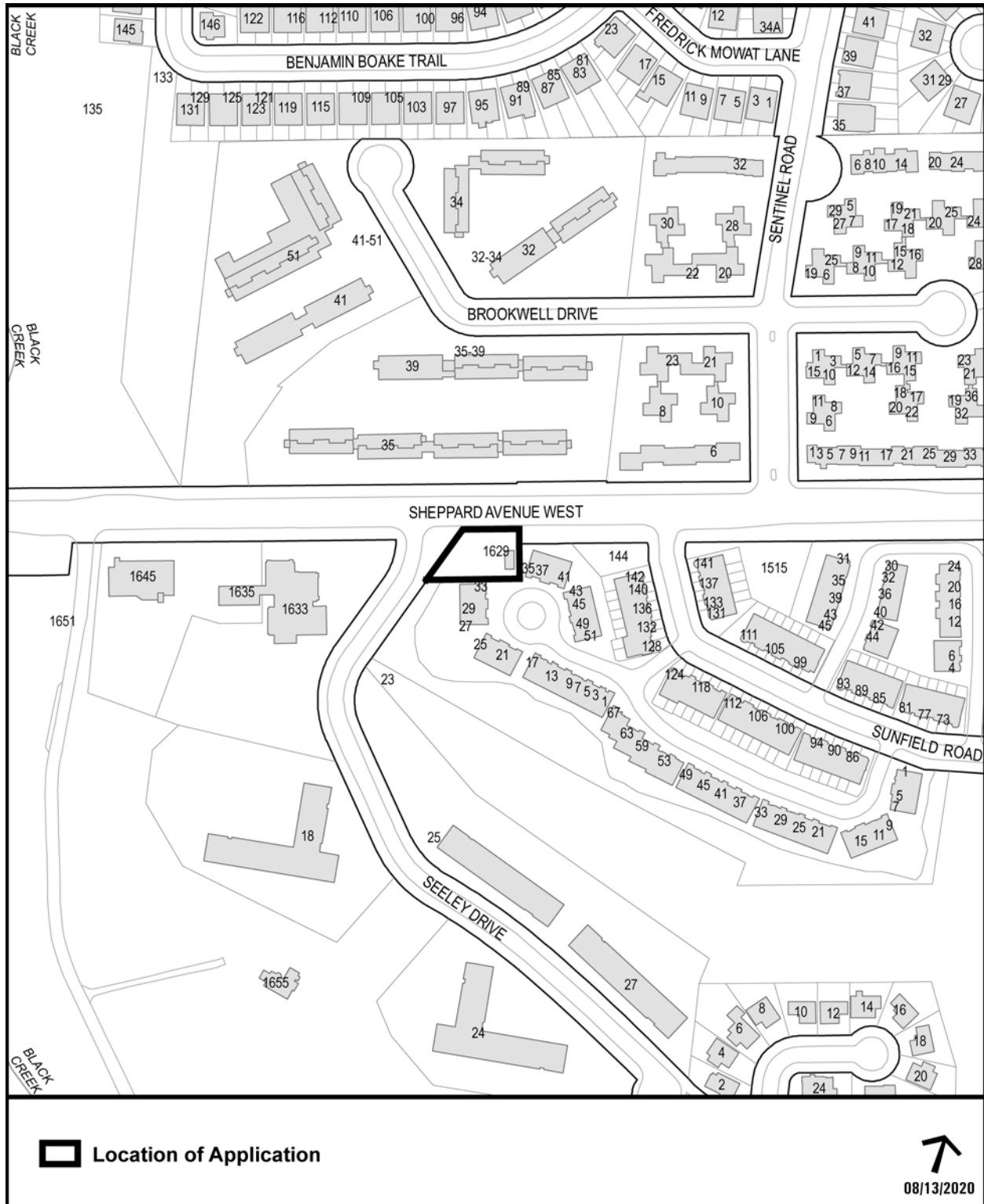
#### Parking and Loading

Parking Spaces:	7	Bicycle Parking Spaces:	0	Loading Docks:	0
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#### CONTACT:

Eno Udoh-Orok, Senior Planner Community Planning  
416-392-5474

## Attachment 2: Location Map



### Attachment 3: Official Plan Land Use Map



1629 Sheppard Avenue West

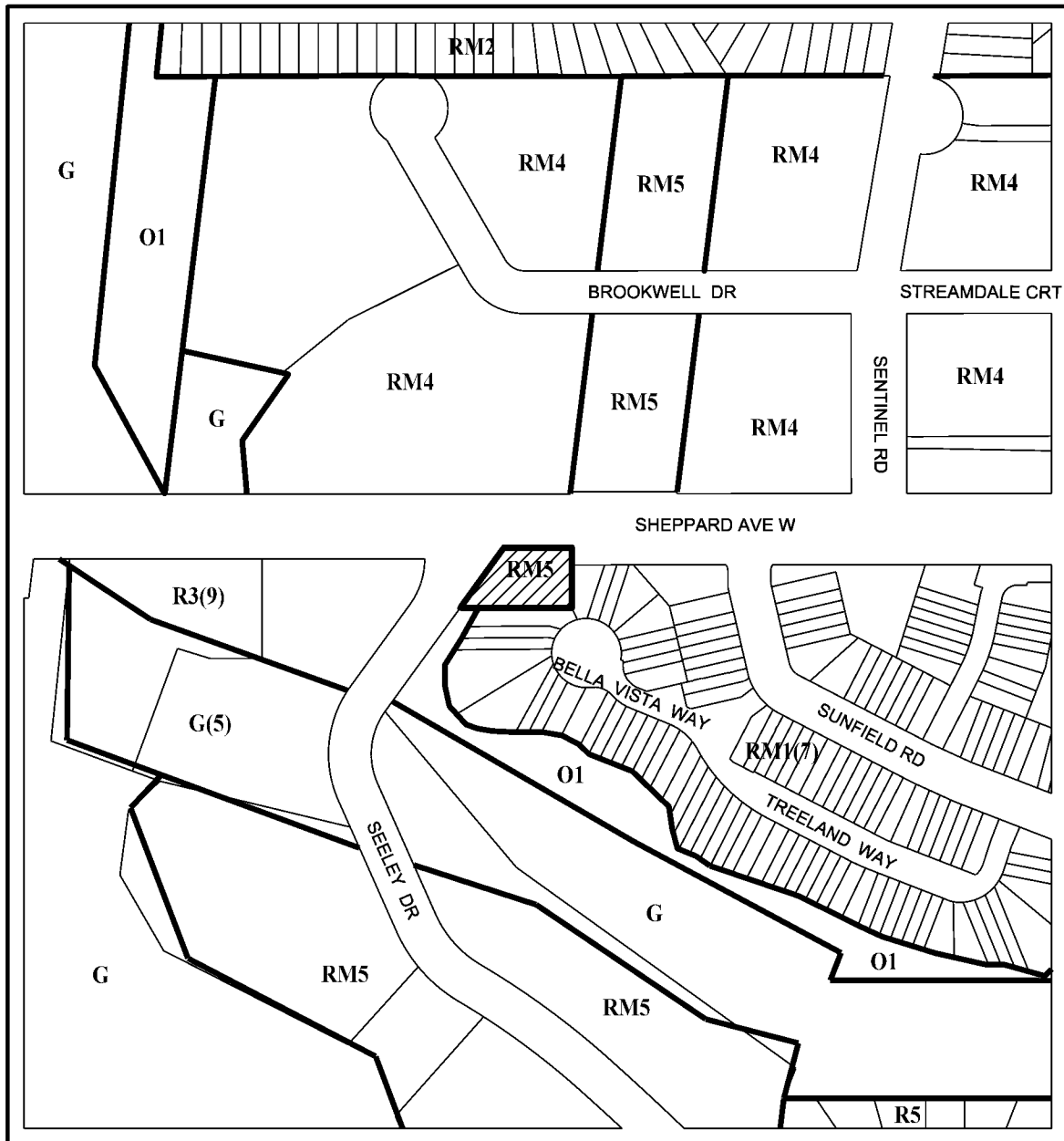
### Official Plan Land Use Map #16

File # 16 118020 NNY 09 02



Not to Scale  
08/18/2020

## Attachment 4: Existing Zoning By-law Map 7625



**Zoning By-Law No. 7625**

**1629 Sheppard Avenue West**

File # 16 118020 NNY 09 02



**Location of Application**

R3 One-Family Detached Dwelling Third Density Zone

R5 One-Family Detached Dwelling Fifth Density Zone

RM1 Multiple-Family Dwellings First Density Zone

RM2 Multiple-Family Dwellings Second Density Zone

RM4 Multiple-Family Dwellings Fourth Density Zone

RM5 Multiple-Family Dwellings Fifth Density Zone

O1 Open Space Zone

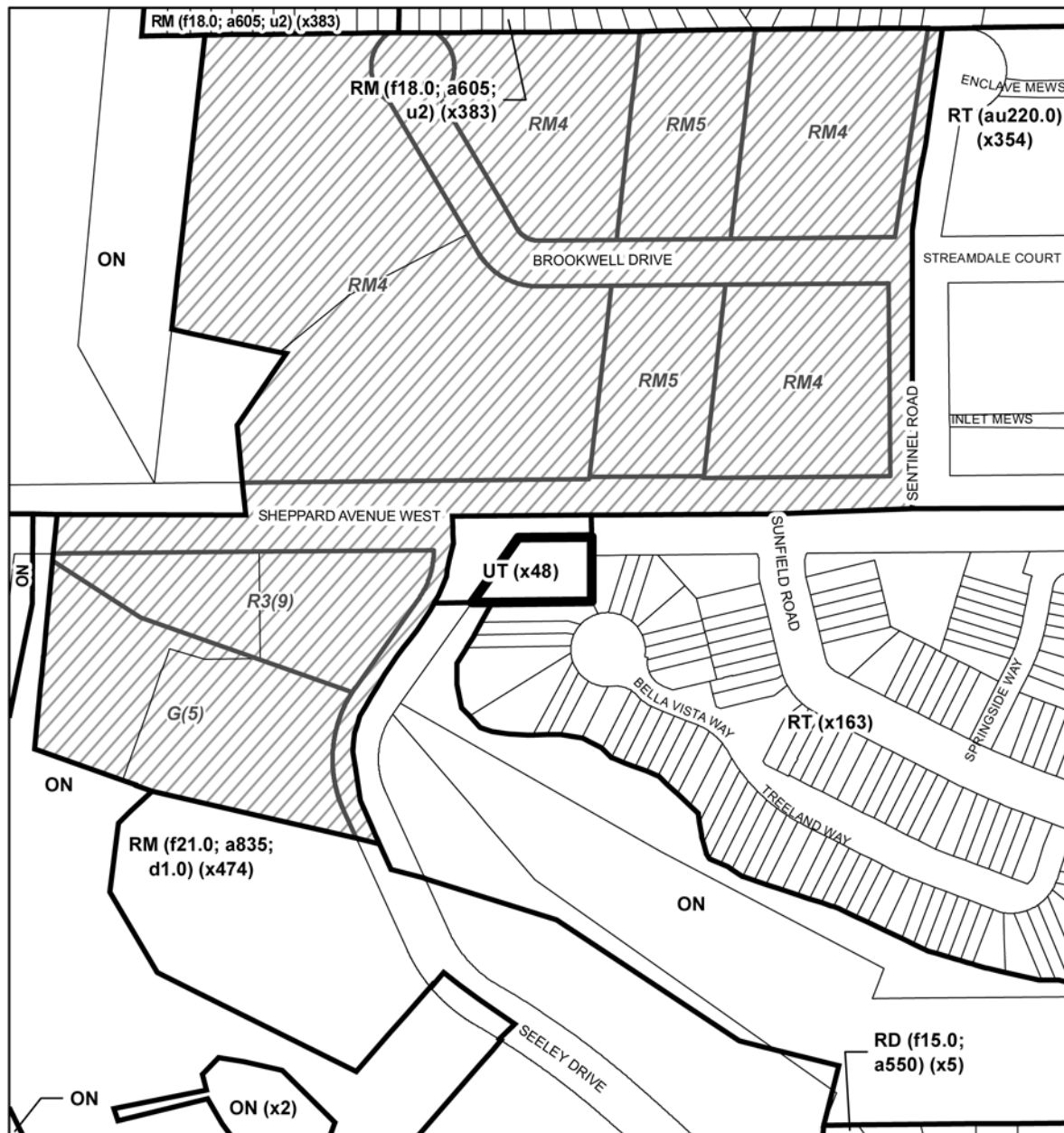
G Greenbelt Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale  
Extracted 03/01/2016

## Attachment 5: Existing Zoning By-law Map 569-2013



**Zoning By-Law No. 569-2013**

**1629 Sheppard Avenue West**

File # 16 118020 NNY 09 02



Location of Application

**RD** Residential Detached  
**RT** Residential Townhouse

**RM** Residential Multiple  
**ON** Open Space Natural  
**UT** Utility and Transportation



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

**R3** One-Family Detached Dwelling Third Density Zone  
**RM4** Multiple-Family Dwellings Fourth Density Zone  
**RM5** Multiple-Family Dwellings Fifth Density Zone  
**G** Greenbelt Zone



Not to Scale  
Extracted: 03/01/2016



## Attachment 6: Draft Zoning By-law Amendment, By-law 7625

Authority: North York Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

### CITY OF TORONTO

Bill No. ~

### BY-LAW No. XXXX-2021

#### **To Amend Zoning By-Law No. 7625 As Amended, Of The Former City Of North York With Respect To The Lands Municipally Known In The Year 2021 As 1629 Sheppard Avenue West**

Whereas Council of the City of Toronto has the authority to pursuant to 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 and comprised of both Parts A and B on Schedule 1 attached to this By-law.
2. By-law 7625, as amended, is further amended by amending the Zoning By-law Map by removing the existing RM5 zoning label on the Subject Lands and applying the zone label RM5 (31) as shown on Schedule 1 attached to this By-law.
3. By-law 7625, as amended, of the former City of North York is further amended by adding Section 64.20(31) as follows:

#### **64.20(31) RM5(31)**

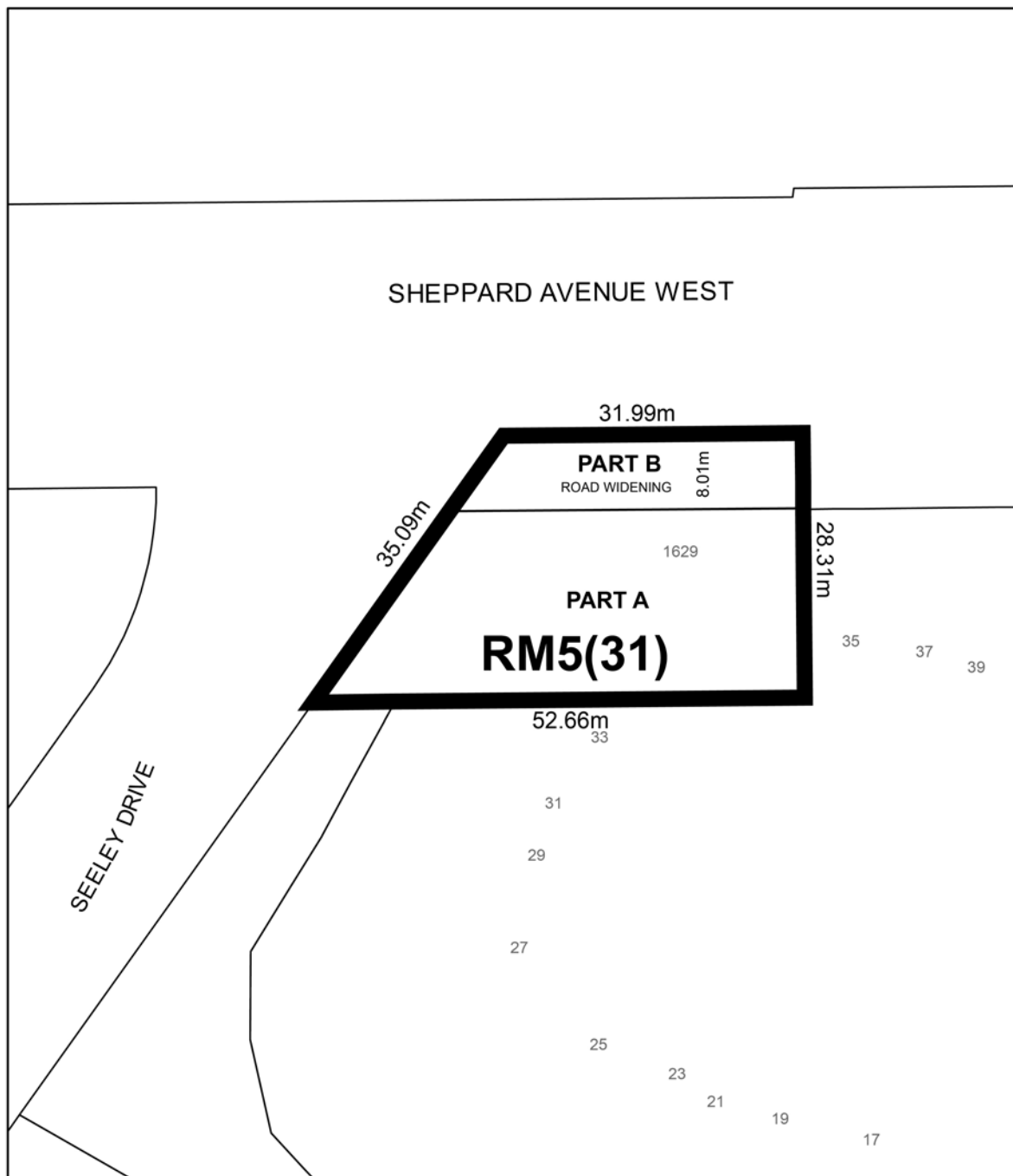
- 1) Notwithstanding Sections 2.10; 2.52; 6(9)(c) & (e); 6(24); 6A(2); 17(4)(c); 17(4)(d); 17(4)(e); 17(4)(g) and 17(4)(h) of By-law 7625, as amended, of the former City of North York the lands municipally known in the year 2020 as 1629 Sheppard Avenue West, which lands are more particularly comprised of Parts A & B as shown on Schedule 1 attached hereto, the following provisions shall apply:
  - a) The lot comprises the lands delineated as Part A on Schedule 1 of By-law (clerks to insert by-law number);
  - b) The gross floor area on the lot shall not exceed 1,400 square metres;

- c) A maximum of 7 dwelling units in 3 semi-detached buildings and 1 detached building are permitted;
  - d) Established Grade shall be defined as the Canadian Geodetic Datum elevation of 168.30 metres;
  - e) The maximum height and storeys of a **building** or **structure** is the numerical value, in metres following the letters "HT" and "ST" on Schedule 2 of By-law [clerks to insert by-law number];
  - f) No portion of any building erected or used above or below grade is located otherwise than wholly within the areas delineated by heavy lines as shown on Schedule 2 of By-law [clerks to insert by-law number];
  - g) A minimum of 7 parking spaces must be provided within the building garages in the 7 dwelling units; and
  - h) Exterior stairways and wheelchair ramps will be permitted to project into a front yard up to 1.4 metres.
- 2) Despite any existing or future, severance, partition or division of the lot, the provisions of this By-law shall continue to apply to the whole of the lot as if no severance, partition or division had occurred.
  - 3) Except as amended in this By-law, all the other provisions of By-law No. 7625, as amended, of the former City of North York shall apply to the lands subject to this by-law. In the case of any conflict, the provisions of this by-law shall prevail.

Enacted and passed on month ##, 20##.

Name, Ulli S. Watkiss,  
           Speaker       City Clerk

(Seal of the City)





## Attachment 7: Draft Zoning By-law Amendment, By-law 569-2013

Authority: North York Community Council Item ##, as adopted by City of Toronto Council on ~, 21~

### CITY OF TORONTO

Bill No. ~

### BY-LAW No. XXXX-2021

**To amend Zoning By-Law No. 569-2013, as amended, with respect to the lands municipally known in the year 2021 as 1629 Sheppard Avenue West**

Whereas Council of the City of Toronto has the authority to pursuant to 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.
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 amending the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to: RS (x38) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.4.10 Exception Number 38 so that it reads:

#### **Exception RS 38**

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 1629 Sheppard Avenue West, **dwelling units** in either **detached houses** or **semi-detached houses** may be constructed or used in compliance with (B) to (M) below.
- (B) For the purposes of this exception, the **lot** comprises the lands delineated as Part A on Diagram 1 of By-law [Clerks to insert by-law number].

- (C) Regulation 10.40.40.1(2), respecting the number of residential buildings permitted on a **lot**, does not apply.
- (D) Despite Regulation 10.40.40.40(1), the permitted maximum **gross floor area** is 1,400 square metres.
- (E) A maximum of 7 **dwelling units** are permitted.
- (F) For the purposes of this Exception, **established grade** is the Canadian Geodetic Datum elevation of 168.30 metres.
- (G) Despite regulation 10.40.40.10(1) and (3), the maximum height and storeys of a **building** or **structure** is the numerical value, in metres following the letters "HT" and "ST" on Diagram 3 of By-law [Clerks to insert by-law number].
- (H) Despite regulation 10.40.40.10(2), respecting the height of **main walls**, the heights of the main walls shall be 9.83 metres above **established grade**.
- (I) Despite Regulation 10.5.40.70(1) and 10.40.40.70, the required minimum **building setbacks** in metres are shown on Diagram 3 of By-law [Clerks to insert by-law number].
- (J) Despite regulation 10.5.40.60 respecting permitted encroachments and (I) above, the following may encroach into the required minimum **building setbacks** on Diagram 3 of By-law [Clerks to insert by-law number] as follows:
  - (i) stairs in the front yard, 1.4 metres.
- (K) Despite regulation 10.40.40.20 and 10.40.40.30, respecting building length and building depth, the lengths and depths are as shown in Diagram 3.
- (L) Despite regulation 200.5.10.1 and Table 200.5.10.1 a minimum number of **parking spaces** must be provided and maintained on the **Lot** as follows:
  - (i) 1.0 residential occupant **parking space** for each **dwelling unit** within each integral building garage.
- (M) Despite Clause 10.5.50.10 (1), a minimum of 70% of the **front yard** must be **landscaping**, of which 50% must be **soft landscaping**.

Prevailing By-laws and Prevailing Sections:

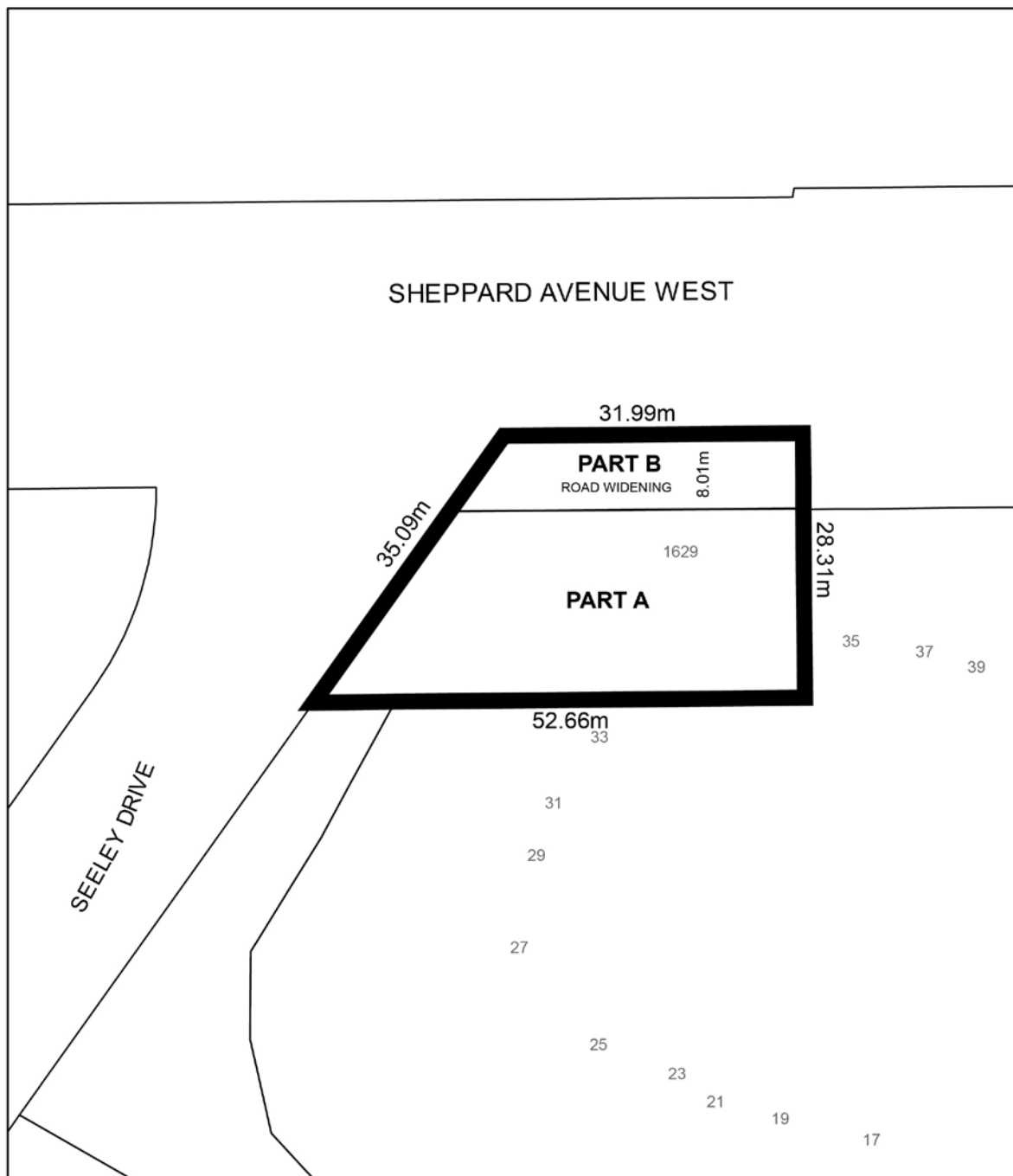
- (A) Schedule 'D' Airport Hazard Map from City of North York zoning by-law 7625.

5. Despite any existing or future, severance, partition or division of the lot, the provisions of this By-law shall continue to apply to the whole of the lot as if no severance, partition or division had occurred.

Enacted and passed on month ##, 20##.

Name, Ulli S. Watkiss,  
Speaker      City Clerk

(Seal of the City)



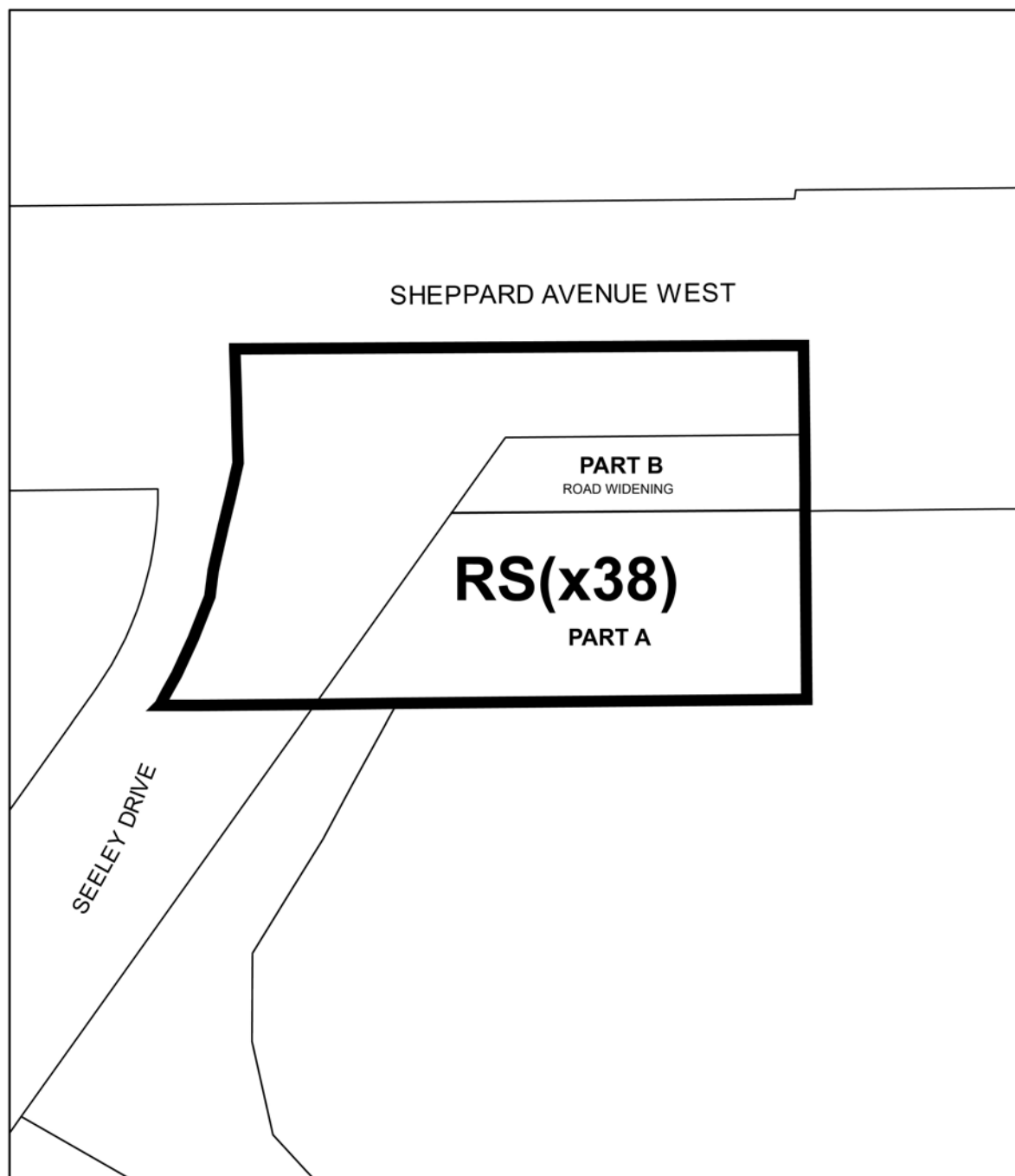
**Toronto**  
Diagram 1

**1629 Sheppard Avenue West**

File # 16 118020 NNY 09 0Z

City of Toronto By-law 569-2013  
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12/06/2021






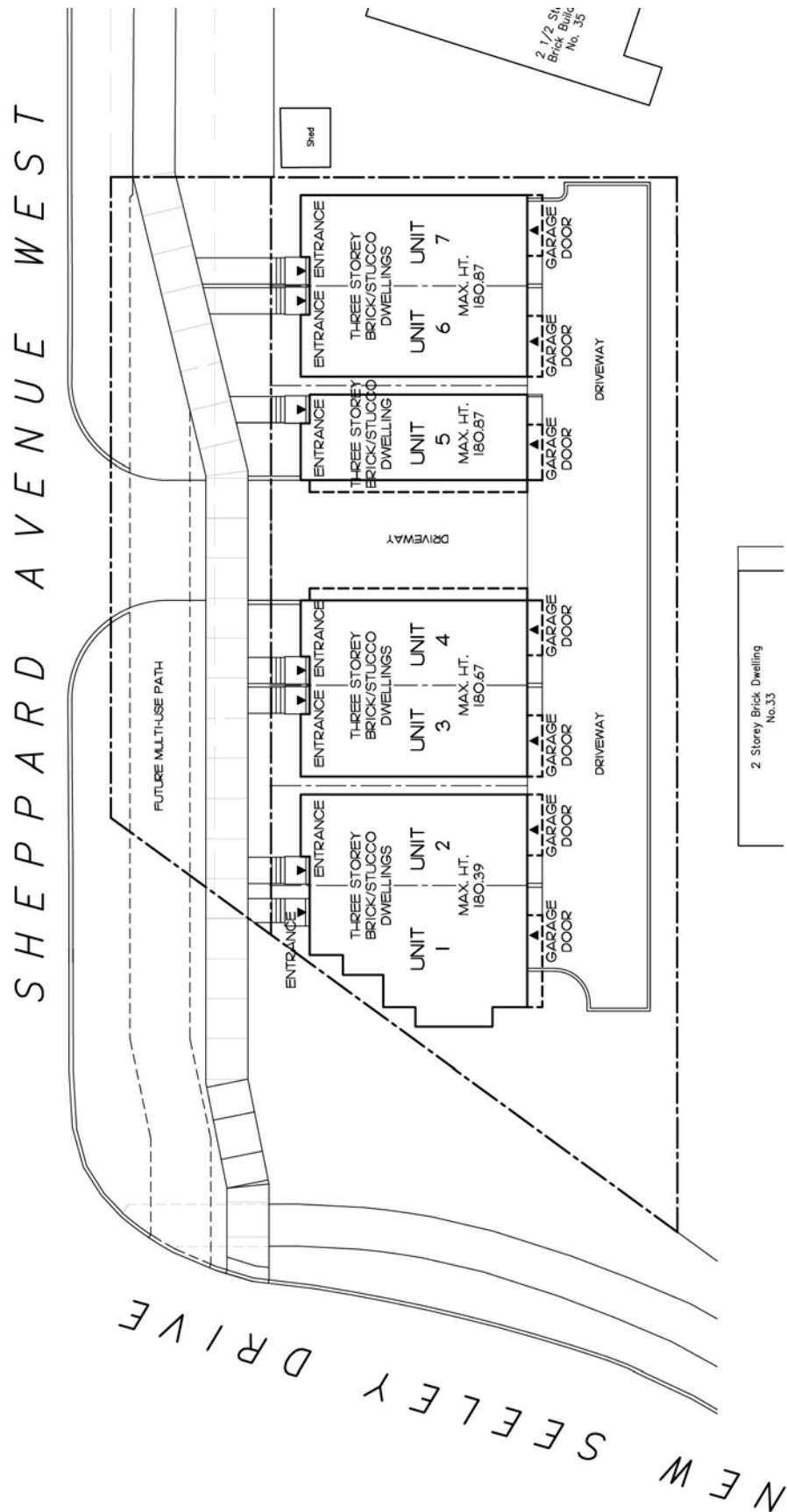
 **TORONTO**  
Diagram 2

1629 Sheppard Avenue West

File # 16 118020 NNY 09 0Z

  
City of Toronto By-law 569-2013  
Not to Scale  
12/06/2021





Site Plan