

1001 Sheppard Avenue East (Block 7) – Official Plan Amendment and Zoning By-law Amendment Application – Preliminary Report

Date: May 20, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 17 - Don Valley North

Planning Application Number: 22 124107 NNY 17 OZ

Related Applications: 19 265056 NNY 17 SA

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the Official Plan Amendment and Zoning By-law Amendment application for a mixed-use residential condominium development consisting of two towers (a 24 storey west tower at 80.35 metres plus 6.5 metres mechanical penthouse, and a 29 storey east tower at 95.1 metres plus 6.5 metres mechanical penthouse) atop a 6 storey podium. The development proposes 686 residential dwelling units, 2,410 square metres of retail within the podium, and a total gross floor area (GFA) of 48,049 square metres.

The application has been circulated to all appropriate City divisions and public agencies for comment. City Planning staff will proceed to schedule a Community Consultation Meeting for the application in consultation with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Planning staff schedule a Community Consultation Meeting for the application located at 1001 Sheppard Avenue East (Block 7), together with the Ward Councillor.
2. Notice for the Community Consultation Meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

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.

THE SITE

Description:

The site is located on the south side of Sheppard Avenue East and 20 metres east of Bessarion Subway Station. It is bordered by Ethennonnhawahstihnen Lane (formerly McMahon Drive) on the west and Billes Heights on the east. The site is generally rectangular in shape and relatively flat with a minor slope downward from the northwest corner to the southeast corner. It has an approximate lot area of 6,590 square metres (1.63 acres), a frontage of approximately 89 metres, and a depth of approximately 55 metres. The site forms part of the master planned community known as Concord Park Place, which was formerly known as the Canadian Tire lands.

Existing Uses:

Concord Park Place presentation centre

Official Plan Designation:

The site is designated Mixed Use Areas on Map 16, Land Use Plan. This portion of Sheppard Avenue East is also designated as Avenues on Map 2, Urban Structure.

See Attachment 4 of this report for the Official Plan Land Use Map. The Toronto Official Plan can be found here:

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

Sheppard East Subway Corridor Secondary Plan:

The site is located within the Sheppard East Subway Corridor Secondary Plan (SESCSP) area, which designates the site as Mixed Use Areas within Key Development Area 'B' (Bessarion Node). The SESCSP identifies the site and surrounding area as having a maximum density of 2.2 and states that the distribution of densities should be the highest closest to the Leslie subway station, with lower densities distributed toward the Bessarion subway station. The City of Toronto's Sheppard East Subway Corridor Secondary Plan can be found here:

<https://www.toronto.ca/wp-content/uploads/2017/11/9805-cp-official-plan-SP-9-SheppardEast.pdf>

Zoning:

Multiple-Family Dwellings Sixth Density Zone (RM6(208) A(H)) in the former North York Zoning By-law No. 7625. An apartment house dwelling including accessory private recreational amenity area and a range of commercial uses are permitted in the RM6(208)A zone. The Zoning By-law further permits a maximum of 270 dwelling units on the site with a maximum gross floor area of 25,562 square metres. Development on the subject site is permitted to have a maximum height of 8 storeys (30 metres).

The (H) symbol on the subject site prohibits use of the site other than the current existing use (i.e. presentation centre) due to limited servicing capacity in the area. This is further discussed in the next section of the report.

See Attachment 5 of this report for the existing Zoning By-law map.

The subject site is not subject to the City's new Zoning By-law 569-2013.

DECISION HISTORY

Concord Park Place:

The subject site is part of the Concord Park Place master planned community, which was formerly owned by Canadian Tire and known as the Canadian Tire Lands.

In 2000, Canadian Tire submitted applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision to develop a new mixed use community on their lands. To provide further guidance for the proposal, the Bessarion-Leslie Context Plan (Context Plan) and an Environmental Assessment (EA) for Esther Shiner Boulevard were undertaken, and after community consultation, were approved by Council in February 2002. The Context Plan provided a framework for development, including street and block pattern, building heights, transportation linkages and urban design guidelines.

In November 2002, Council approved the applications and passed OPA No. 530 and Zoning By-law Amendment No. 1094-2002, which implemented the approved Context Plan. The draft approved plan of subdivision divided the development into three phases. Phase 1 being the lands containing the Canadian Tire retail store and gas station, Phase 2 being the lands east of Provost Drive, and Phase 3 being the lands west of Provost Drive, which contains the subject site. Phases 1 and 2 were registered in 2006. The November 2002 City Council decision document can be found at:

<http://www.toronto.ca/legdocs/2002/agendas/council/cc021126/ny12rpt/cl022.pdf>

In late 2006, Concord Adex (the applicant) purchased the lands with the exception of the retail store site, a mixed use block (Block 2) to the west of the store, and the Canadian Tire office block at Sheppard and Leslie Street. In 2009/2010, the applicant revised the layout of the lands and filed applications to amend the Official Plan, the Zoning By-law, and the 2002 draft approved plan of subdivision. A Preliminary Report was considered by North York Community Council on January 18, 2011 and was

adopted without amendments. A copy of the Report and Community Council's decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.NY3.41>

In November 2011, the applicant appealed to the Ontario Municipal Board (OMB) based on Council's failure to make a decision within the time prescribed by the Planning Act. The City and the applicant continued to work to resolve outstanding issues, which included building heights, family sized units, additional Section 37 contributions and minor zoning matters. Considerable progress on the issues was made and a Request for Directions Report (dated May 28, 2012) identifying the outstanding matters was considered by North York Community Council and City Council in June / July 2012. Following the drafting of the Request for Directions Report, the City and applicant reached a settlement. The details of the settlement were discussed in a report from Legal Services (dated July 12, 2012), which was also considered by City Council in July 2012. The Request for Directions Report (dated May 28, 2012), the report from Legal Services (dated July 12, 2012), and Council's decision on the matter can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.NY17.47>

On November 27, 2012, Council considered a subsequent Request for Directions Report and adopted the recommendations. The Request for Directions Report and Council's decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.MM28.26>

On March 8, 2013, the OMB issued an Order to approve the applications. Official Plan Amendment No. 186 and Zoning By-law Amendment No. 959-2013 (OMB) were adopted to implement the OMB Order/Decision.

OPA No. 186 can be found at: <https://www.toronto.ca/legdocs/bylaws/2013/law0958.pdf>

Zoning By-law Amendment No. 959-2013 (OMB) can be found at:

<https://www.toronto.ca/legdocs/bylaws/2013/law0959.pdf>

On December 27, 2019, the applicant submitted Site Plan application 19 265056 NNY 17 SA to facilitate development of the subject site. The submitted application proposed a mixed-use midrise residential building comprised of two 8 storey buildings stepped back at the 6th storey, containing 264 residential units, as contemplated in the 2013 OMB approved applications.

Subsequent to the Site Plan application submission, the applicant revised the development design to the current proposal. Due to the increase in height and density of the proposal, the applicant was advised that Official Plan Amendment and Zoning By-law Amendments were required.

Holding Provision:

In October 2021, Council considered a Final Report for a City-Initiated Zoning By-law Amendment for a Holding (H) Symbol By-law regarding the sanitary sewer capacity in the Sheppard Avenue East corridor. The report advised Council that upgrades to the

system were required because the system was at full capacity in dry conditions and overcapacity in wet conditions. It also noted that adding flows from proposed development into the system would worsen the capacity situation further. In light of this, staff recommended that a holding (H) symbol be placed on certain lands within the sanitary sewershed, wherein an application was approved in some form. At the meeting, Council adopted staff recommendations with amendments so that a holding (H) symbol would only be applied to the subject site, and passed Zoning By-law No. 831-2021. Removal of the holding (H) symbol would be permitted once the sewer upgrades have been completed, or an acceptable alternative solution has been approved by the City.

The report, Council's decision, and Zoning By-law No. 831-2021 are available here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY25.1>

Growth Plan Conformity and Municipal Comprehensive Review

In June 2020, the City Planning Division initiated the Growth Plan Conformity and Municipal Comprehensive Review ("MCR"), which includes the delineation of approximately 180 potential Major Transit Station Areas (MTSAs) to meet Provincial minimum intensification requirements. A subset of MTSAs will be identified as Protected Major Transit Station Areas (PMTSAs), where the Council-approved inclusionary zoning policy framework can be implemented. The report can be found at the following link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH14.4>

On March 25, 2022, the Planning and Housing Committee approved for consultation 97 MTSA/PMTSAs, of which Bessarion Station was identified as a MTSA with a proposed minimum density target of 300 people and jobs per hectare. The report can be found at the following link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.PH32.7>

THE APPLICATION

Complete Application Submission Date: May 12, 2022

Description:

The applicant is proposing a mixed-use residential condominium development consisting of two towers (a 24 storey west tower and a 29 storey east tower) atop a 6 storey podium. The development proposes 686 residential dwelling units, 2,410 square metres of retail and a total gross floor area (GFA) of 48,048.56 square metres. Amenity space is largely provided on level 2 and level 7, being a total of 1,327 square metres of indoor amenity space and 1,925 square metres of outdoor amenity space. An additional small indoor amenity space (50 square metres) is also provided on the lower ground level.

Density:

7.29 times the lot area

Height:

- Podium at 6 storeys (23.5 metres)
- East Tower at 29 storeys (95.1 metres), plus 6.5 metres mechanical penthouse
- West Tower at 24 storeys (80.35 metres), plus 6.5 metres mechanical penthouse

Dwelling Units:

A total of 686 residential units are proposed, consisting of:

- 5 studio/bachelor units (0.7%)
- 496 one bedroom units (72.3%)
- 16 one bedroom plus den units (2.3%)
- 102 two bedroom units (14.8%)
- 67 three bedroom units (9.8%)

Access, Parking and Loading:

Pedestrian access for the residential component is provided at two points. The main entrance / lobby is proposed on the south elevation, facing Street D which is a new planned public street that will be constructed and opened concurrently with the development of the subject site. The secondary entrance is provided on the west elevation, facing Ethennonhawahstihnen Lane and across from Bessarion Station.

Vehicular access is provided from Billes Heights, which leads to a four-level underground parking area and loading area. All parking is located underground and the loading area is located within the building envelope on the lower ground floor area.

A total of 588 vehicular parking spaces are proposed, consisting of:

- 25 retail parking spaces
- 494 residential parking spaces
- 68 residential visitor parking spaces
- 1 car share parking space

In addition to the proposed on-site parking, the applicant is also proposing to provide on-street parking on the north side of Street D to accommodate pick-up / drop-off activity in front of the main pedestrian entrance.

A total of 3 loading spaces are proposed, consisting of:

- 2 Type B loading spaces
- 1 Type G loading space

A total of 526 bicycle parking spaces are proposed, consisting of:

- 416 long term spaces
- 110 short term spaces

Additional Information:

See Attachments 1, 2, 3, and 6 of this report for a Location Map, three-dimensional representation of the project in context, proposed site plan, and the Application Data Sheet, respectively.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

Reason for the Application:

An application to amend the Official Plan and Zoning By-law is required to implement the proposed development at 1001 Sheppard Avenue East (Block 7). The Official Plan Amendment proposes to amend the density policies and general description of the Bessarion Subway Station development node in the Sheppard Avenue East Subway Corridor Secondary Plan. The Official Plan Amendment also proposes to increase the density for this site and that of the surrounding lands. The Zoning By-law Amendment proposes to amend the development standards (e.g. height, density, massing, etc.) applicable to the site found in the former North York Zoning By-law No. 7625.

Site Plan Control:

As noted earlier, SPA application 19 265056 NNY 17 SA was submitted on December 27, 2019 to facilitate the 2002 OMB approved proposal. Following this submission, the applicant revised the proposal and submitted revised materials for the SPA application to facilitate the current proposal. The SPA application is being reviewed concurrently with the Official Plan Amendment and Zoning By-law Amendment application.

COMMENTS

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. Staff will review this application to determine its consistency with the Provincial Policy Statement, conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe, and conformity to the Official Plan and the Sheppard East Subway Corridor Secondary Plan.

City Council has declared a Climate Emergency, and set goals to achieve net zero greenhouse gas emissions by 2050 or sooner. To support strong communities and a high quality of life, development should positively contribute to its neighbourhood, including efforts toward climate change mitigation and resilience.

The following preliminary issues have been identified to be resolved:

- The alignment of the proposal with the emerging direction for the City's Growth Plan Conformity and Municipal Comprehensive Review;

- The overall fit of the proposed building with respect to its proposed density and height, and the existing and planned context including its relationship to street proportion and its relationship to the adjacent properties;
- The location and massing of the proposed buildings, which shall provide a transition between areas of different development intensity and scale, including the adjacent Neighbourhoods;
- The proposed setbacks, streetwall height, and step-back of the upper floors;
- The shadow and wind impacts on the public realm and adjacent lower-scale Neighbourhoods;
- The quality of the public realm, in particular the Sheppard Avenue Promenade as identified in the Context Plan and Urban Design Guidelines for the Lands West of Provost Drive, the relationship of the ground floor and lower levels of the building to the public streets, the provision of unencumbered sidewalks, and the adequate provision of street furniture and bicycle parking;
- The proposed development and its adherence to the principles, guidelines, and performance measures found in the Context Plan and Urban Design Guidelines for the Lands West of Provost Drive and the City's Tall Building Design Guidelines;
- The provision of a more detailed Block Context Plan to meet the City's requirements;
- The general quality of site landscaping including the provision of large growing shade trees and preservation of existing trees;
- The need for a pet relief area and on-site pet facilities with respect to the Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings;
- The unit mix and size with respect to the City's Growing Up: Planning for Children in New Vertical Communities guidelines;
- The provision of affordable housing;
- The appropriate provision of vehicular parking spaces and assessment of traffic impacts;
- The amount of indoor and outdoor amenity space;
- The infrastructure capacity (water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development. In particular, the removal of the holding (H) symbol as it relates to sewage capacity in accordance to the conditions set out in Zoning By-law No. 831-2021;
- The carry forward of agreed-upon Section 37 matters between the City and applicant at the time of previous approvals that apply to the subject site and should continue to apply to future approvals;
- In the event the City accept in-kind benefits from the applicant pursuant to Section 37 of the Planning Act, the City's Fair Wage Policy and Labour Trades Contractual Obligations will apply to such work; and,
- The applicant is encouraged to pursue Tier 2, 3 or 4 of the Toronto Green Standard (TGS) version 3, or Tier 1, 2, 3, or 4 of TGS version 4, for climate change mitigation and resilience purposes.

Additional Issues:

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

NEXT STEPS

City Planning staff will host a Community Consultation Meeting.

City staff will work with the applicant to resolve the preliminary issues discussed in this report and any additional issues that may be identified by staff and the public. City Planning staff will report back at the appropriate time in the review of the application.

A Statutory Public Meeting, as required by the Planning Act, will be held at a North York Community Council meeting when a Final Report is prepared.

CONTACT

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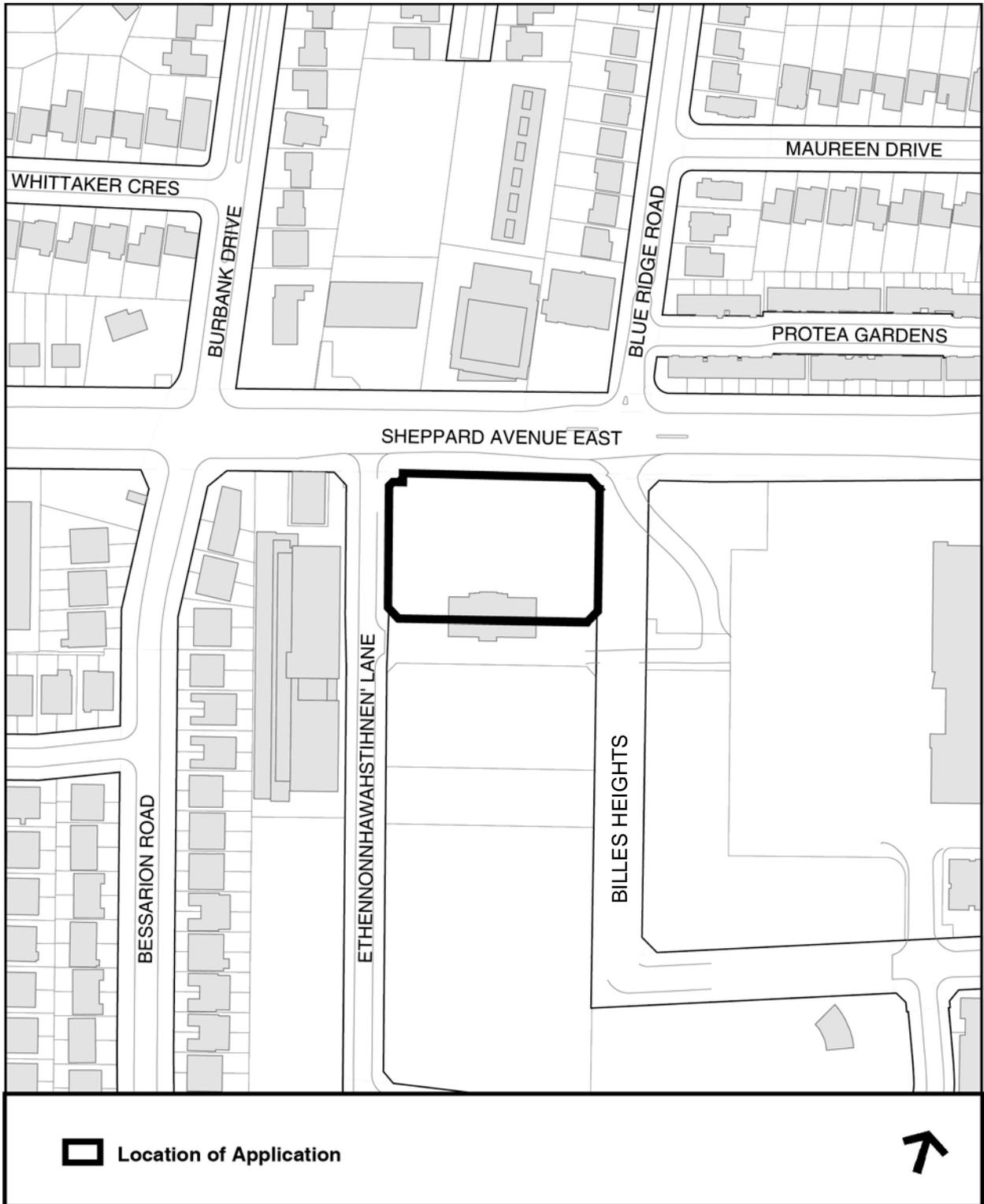
SIGNATURE

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

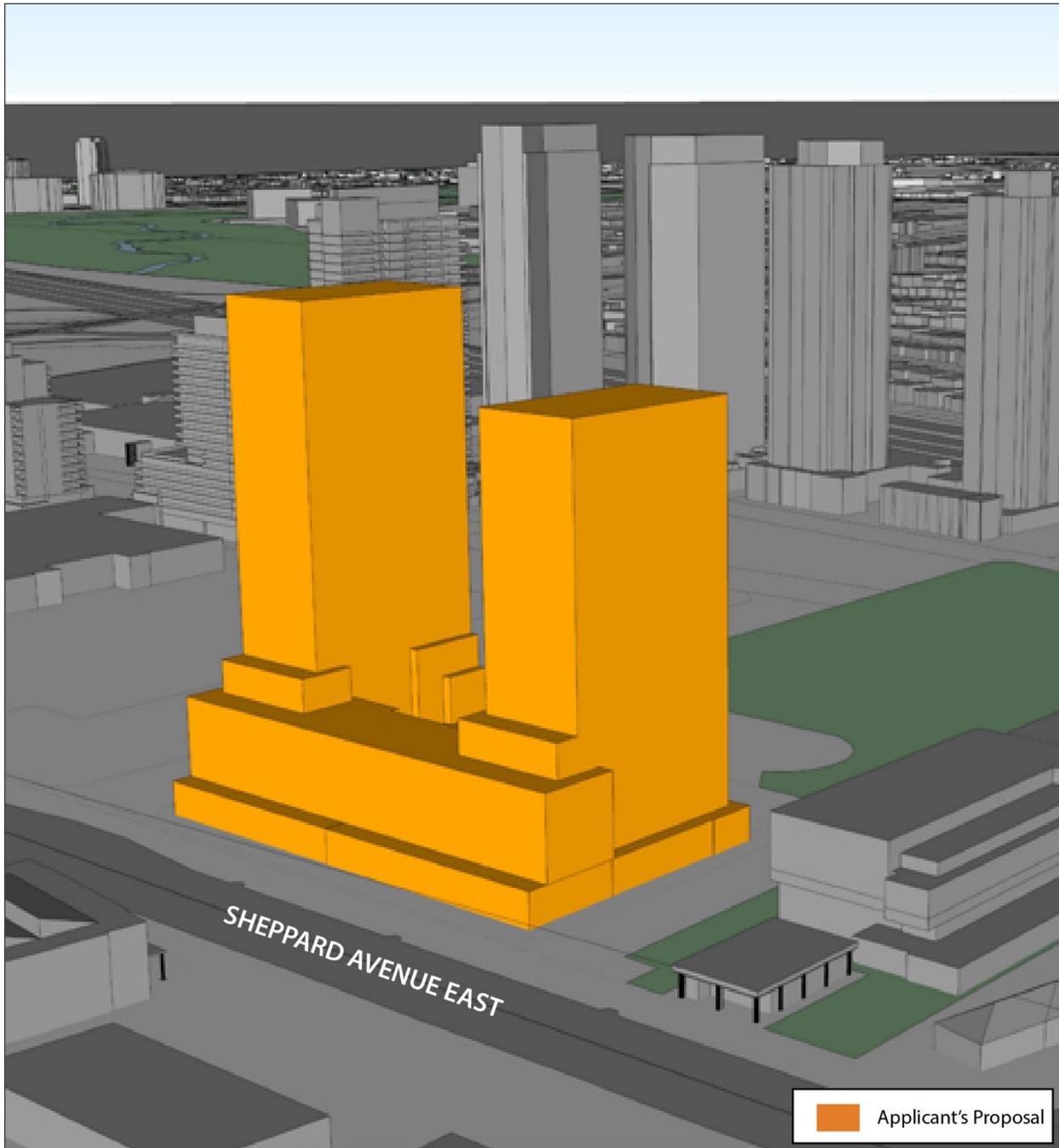
ATTACHMENTS

Attachment 1: Location Map
Attachment 2: 3D Model of Proposal in Context
Attachment 3: Site Plan
Attachment 4: Official Plan Map
Attachment 5: Zoning By-law Map
Attachment 6: Application Data Sheet

Attachment 1: Location Map

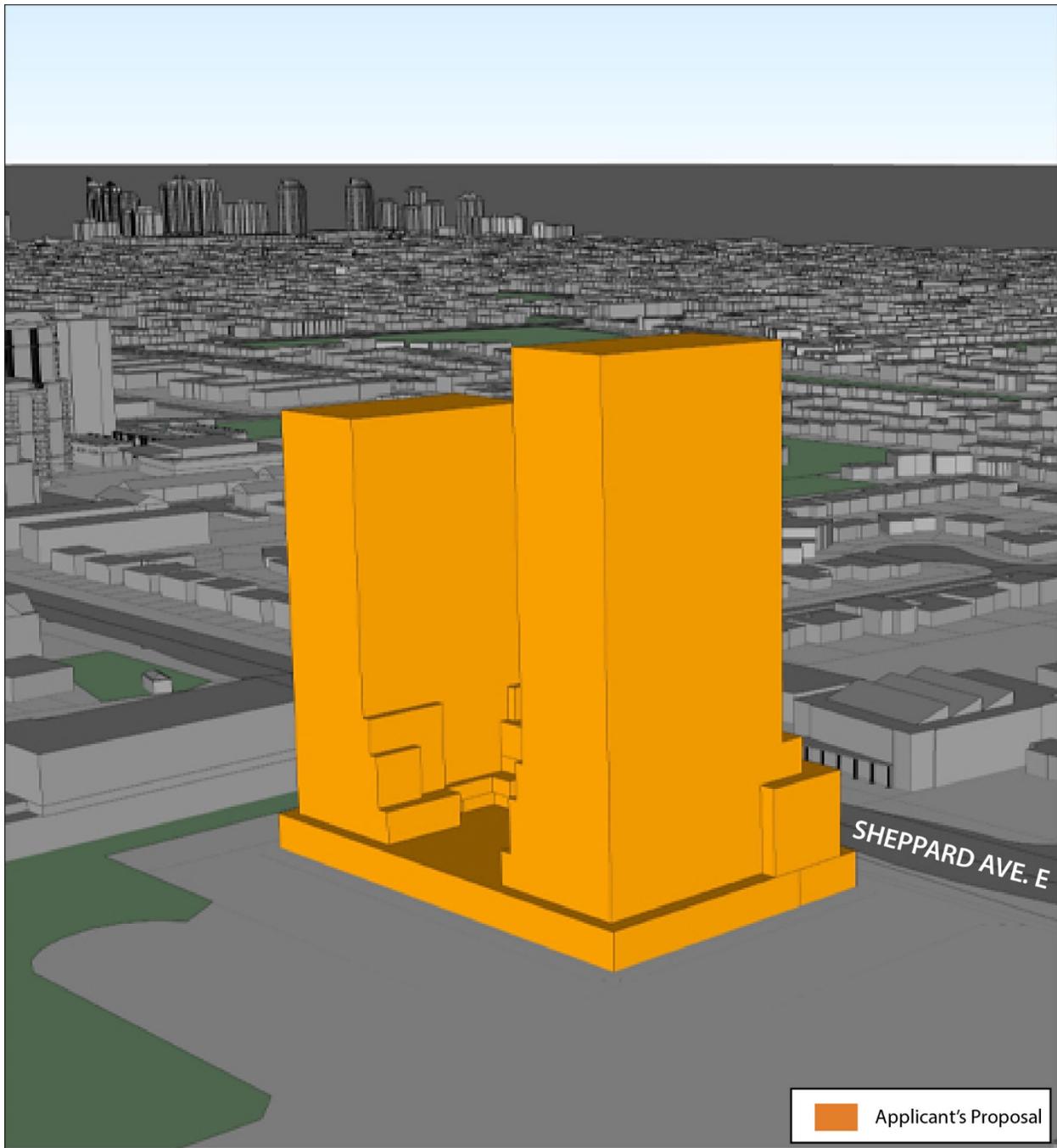


Attachment 2: 3D Model of Proposal in Context



View of Applicant's Proposal Looking Southeast

↙
04/29/2022



View of Applicant's Proposal Looking Northwest



04/29/2022

Attachment 4: Official Plan Map



Official Plan Land Use Map 19

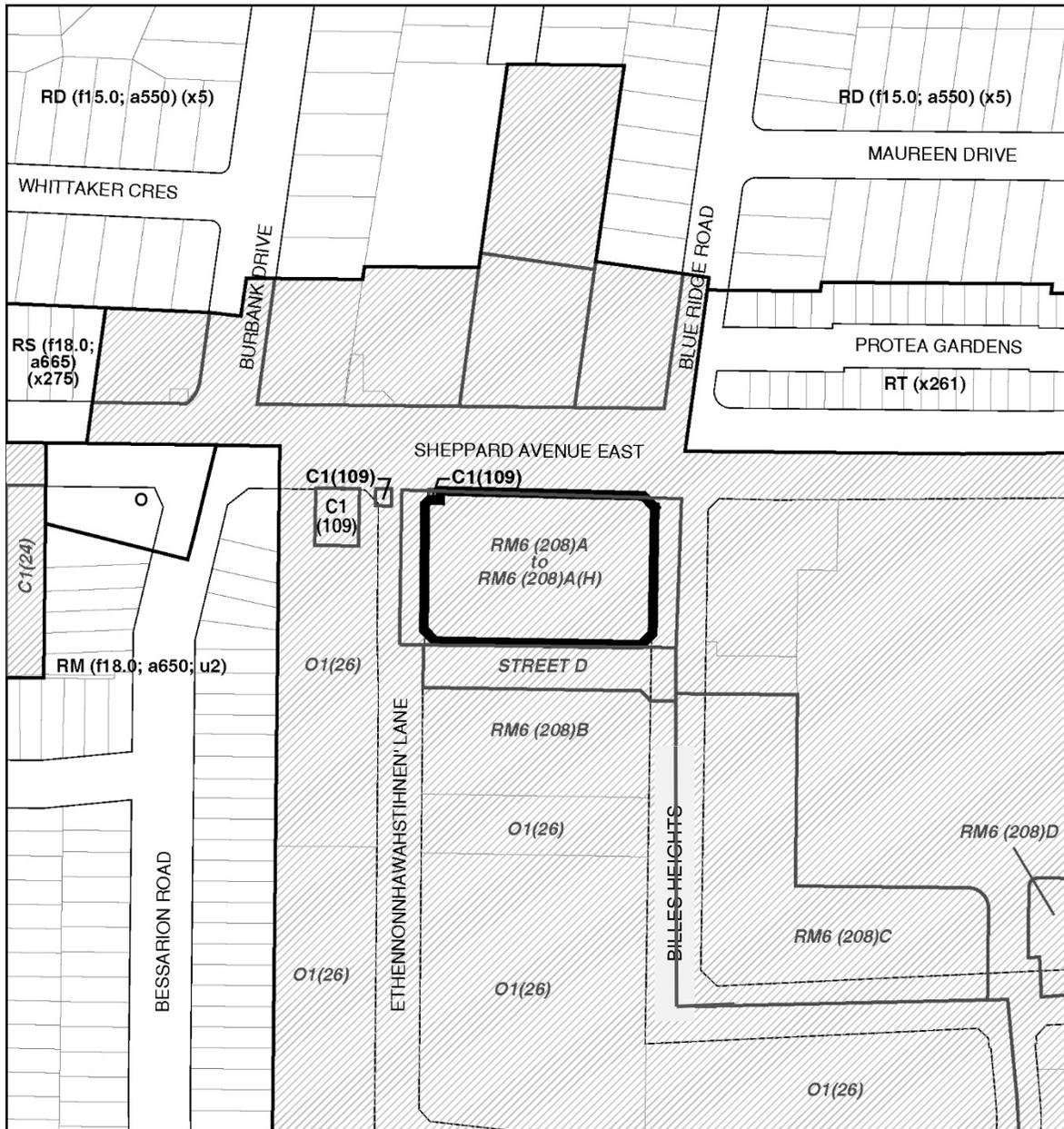
1001 Sheppard Avenue East

File # 22 124107 NNY 17 0Z

-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Parks


 Not to Scale
 Extracted: 03/21/2022

Attachment 5: Zoning By-law Map



Zoning By-law 569-2013

1001 Sheppard Avenue East

File # 22 124107 NNY 17 02

- Location of Application
- RD** Residential Detached
- RS** Residential Semi-Detached
- RT** Residential Townhouse
- RM** Residential Multiple
- O** Open Space

- See Former City of North York By-law No.7625
- R4 One-Family Detached Dwelling Fourth Density Zone
- RM1 Multiple-Family Dwellings First Density Zone
- RM4 Multiple-Family Dwellings Fourth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone
- C1 General Commercial Zone
- O1 Open Space Zone

*(H) symbol refers to a holding provision

Not to Scale
 Extracted: 03/21/2022

Attachment 6: Application Data Sheet

Municipal Address: 1001 Sheppard Avenue East (Block 7) **Date Received:** March 17, 2022

Application Number: 22 124107 NNY 17 OZ

Application Type: OPA & Rezoning

Project Description: Proposal for two residential towers 24 storeys in height for the west tower and 29 storeys in height for the east tower. The proposal includes a commercial/residential 6 storey podium with 4 levels of below grade parking. The proposed retail gross floor area is 2,410 square metres, and the proposed residential gross floor area is 45,638.86 square metres. The project proposes a total of 686 residential units, 588 parking spaces, and 526 bicycle parking.

Applicant	Agent	Architect	Owner
CONCORD ADEX INVESTMENTS LIMITED 82 Queen's Warf Road	N/A	DIALOG Unit 500, 35 John Street	CONCORD ADEX INVESTMENTS LIMITED 82 Queen's Warf Road

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	RM6(208)A	Heritage Designation:	N
Height Limit (m):	30 m	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 6,592 **Frontage (m):** 101 **Depth (m):** 65

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			5,077	5,077
Residential GFA (sq m):			45,639	45,639
Non-Residential GFA (sq m):			2,410	2,410
Total GFA (sq m):			48,049	48,049
Height - Storeys:			29	29
Height - Metres:			95	95

Lot Coverage Ratio (%): 77.02

Floor Space Index: 7.29

Floor Area Breakdown **Above Grade (sq m)** **Below Grade (sq m)**

Residential GFA: 45,239 400

Retail GFA: 2,410

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Total Residential Units by Tenure

	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			686	686
Other:				
Total Units:			686	686

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		5	512	102	67
Total Units:		5	512	102	67

Parking and Loading

Parking Spaces: 588 Bicycle Parking Spaces: 526 Loading Docks: 3

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