

699 Sheppard Ave East Application to Lift the Holding Provisions (H) - Decision Report- Approval

Date: December 29, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Wards: Ward 17 - Don Valley North

Planning Application Number: 22 154615 NNY 17 OZ

Related Planning Application Number: 19 192154 NNY 17 OZ

SUMMARY

This application proposes to lift the Holding symbol (H) for the site at 699 Sheppard Avenue East and subject to site specific Zoning By-laws 468-2022 and 469-2022. These by-laws permit a 12-storey mixed use building, containing 169 residential units at 699 Sheppard Avenue East subject to a Holding provision.

The Holding provisions of Zoning by-law 468-2022 and 469-2022 requires that prior to lifting the Holding symbol (H) upgrades to the sanitary sewer must be completed to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water.

The required upgrades are now complete and 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's Official Plan. This report reviews and recommends approval of the application to amend site specific Zoning By-law 468-2022 and 469-2022 to lift the Holding symbol (H).

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 569-2013 as amended by site specific By-law 468-2022, to remove the holding symbol (H) with respect to the lands municipally known in the year 2022 as 699 Sheppard Avenue East in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2 to this report.
2. City Council amend former North York Zoning By-law 7625, as amended by site specific By-law 469-2022, to remove the holding symbol (H) with respect to the lands

municipally known in the year 2022 as 699 Sheppard Avenue East in accordance with the draft Zoning By-law Amendment attached as Attachment No. 3 to this report.

3. City Council authorize the City Solicitor to make such stylistic and technical changes to the Draft Zoning By-law Amendment as may be required.

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

At its meeting of July 14, 15 and 16, 2021, City Council considered and approved North York Community Council Item NY25.2, which recommended amendments to the City of Toronto Bylaw 569-2013 and the former City of North York Zoning Bylaw 7625 to permit a mixed-use development at 699 Sheppard Ave East (File No. 19 192154 NNY 17 OZ).

The Final Report can be found at:

<https://www.toronto.ca/legdocs/mmis/2021/ny/bgrd/backgroundfile-167764.pdf>

A subsequent report from the Chief Planner and Executive Director further recommended amendments to the above-noted by-laws. This item was adopted by Council on April 6, 2022 revising the proposed parking rates for the site. This was supported through a Members Motion ([MM42.32](#))

PROPOSAL

This application proposes to lift the Holding (H) symbols in site specific Zoning By-laws 468-2022 and 469-2022 pertaining to the lands at 699 Sheppard Avenue East. Lifting of the Holding symbol would allow the redevelopment of the subject lands to proceed with the proposed mixed-use development. Attachment 1 identifies the site location.

Reasons for Application

The application to lift the Holding symbol (H) for the subject lands is required to accommodate the proposed development of a new 12-storey mixed use building, containing 169 residential units at 699 Sheppard Avenue East.

Community Consultation

Community consultation is not required for an application to lift the Holding symbol (H)

and, as such, a community meeting was not held for this application.

Site Plan Control

Site Plan Control approval is required to permit the proposed development approved through the 2022 rezoning. A Site Plan Control application (File No. 21 117169 NNY 17 SA) has been submitted and is under review.

POLICY CONSIDERATIONS

Various legislation and policies guide growth and development in Ontario, including the Planning Act and various Provincial Policies such as the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.

For the purposes of the application to the remove the H symbol from the property, key policy considerations were evaluated including the need to demonstrate that there is adequate capacity for sanitary sewer services to support the proposed development.

Consistency and conformity with these policies are further discussed later in the report.

Toronto Official Plan and Sheppard East Subway Corridor Secondary Plan

Through the earlier approval by Council of the above-noted zoning by-law amendments, conformity with the official plan and secondary plan were already considered and established. The placement of the H on the subject property and its future removal due to sanitary sewer capacity is in conformity with the official plan, specifically Chapter 5.

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 lands are zoned CR 370 in By-law 468-2022 and RM6 (269)(H) in By-law 469-2022, which permit the proposed mixed use and residential apartment building. The by-laws also details specific development standards such as building heights, gross floor area, setbacks, indoor and outdoor amenity spaces, parking and loading provisions for the subject lands. These development standards remain in place.

Section 10 of By-law 468-2022 and Section (z) of By-law 469-2022 identifies the conditions underwhich the Holding (H) provision may be removed:

- a. the Sanitary Sewer Upgrades (being the upgrade of the last three 300mm sanitary sewer legs upstream of the sanitary trunk sewer to 675mm, located at the north-west corner of Sheppard Avenue East and Leslie Street intersection), which works are being undertaken by the City

of Toronto under the Design & Construction, Major Infrastructure Unit, Don & Central Waterfront District in the Engineering & Construction Services Division under project # SAP2020-GL-EASTDON-001, have been completely constructed and are operational to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water; or

b. in respect of individual parcels of land, the owner has provided an acceptable alternative solution to address the outstanding municipal sanitary sewer capacity issues to the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water and such acceptable solution has been implemented by the owner(s) at their sole cost to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water.

Zoning By-law 468-2022 may be found here:

<https://www.toronto.ca/legdocs/bylaws/2022/law0468.pdf>

Zoning By-law 469-2022 may be found here:

<https://www.toronto.ca/legdocs/bylaws/2022/law0469.pdf>

COMMENTS

Planning Act, Provincial Policy Statement and Provincial Plans

Staff have determined that the proposal has regard for matters of Provincial Interest in the Planning Act is consistent with the PPS (2020) and conforms with the Growth Plan (2020).

Policy 1.1.1 c) of the PPS directs healthy, liveable and safe communities are sustained by avoiding development and land use patterns which may cause environmental or public health and safety concerns. Policy 1.6.6.1 d) of the PPS also directs planning for servicing be integrated with land use considerations at all stages of the planning process. This application has addressed the servicing and capacity impacts of the proposed mixed-use development, and is consistent with the PPS in this regard.

The application demonstrates there are no outstanding servicing or capacity issues pertaining to the development and therefore does not conflict with the Growth Plan.

Official Plan and Sheppard East Subway Corridor Secondary Plan

This application has been reviewed against the Official Plan policies described in the Policy Considerations section of this report as well as the policies of the Toronto Official Plan as a whole. The application conforms with the Official Plan and the Sheppard East Subway Corridor Secondary Plan.

Lifting of the Holding Symbol (H)

Holding (H) provision in both site-specific zoning by-laws relate to necessary Sanitary Sewer Upgrades (being the upgrade of the last three 300mm sanitary sewer legs upstream of the sanitary trunk sewer to 675mm, located at the north-west corner of Sheppard Avenue East and Leslie Street intersection). The Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water has notified City Planning that these upgrades are completed and are operational. As such, the conditions to remove the Holding (H) symbol have been met.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan and the Sheppard East Subway Corridor Secondary Plan. The proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal conforms with the Official Plan, particularly as it relates to the implementation of holding By-laws to secure appropriate servicing infrastructure to support growth.

The conditions that are required to be addressed prior to the lifting of the Holding provision have been satisfied such that the development of the site can proceed. Staff recommend that City Council approve the proposed amendments to Zoning By-laws 468-2022 and 469-2022, to remove the H symbol from the site to allow for the development of these lands.

CONTACT

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SIGNATURE

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

ATTACHMENTS

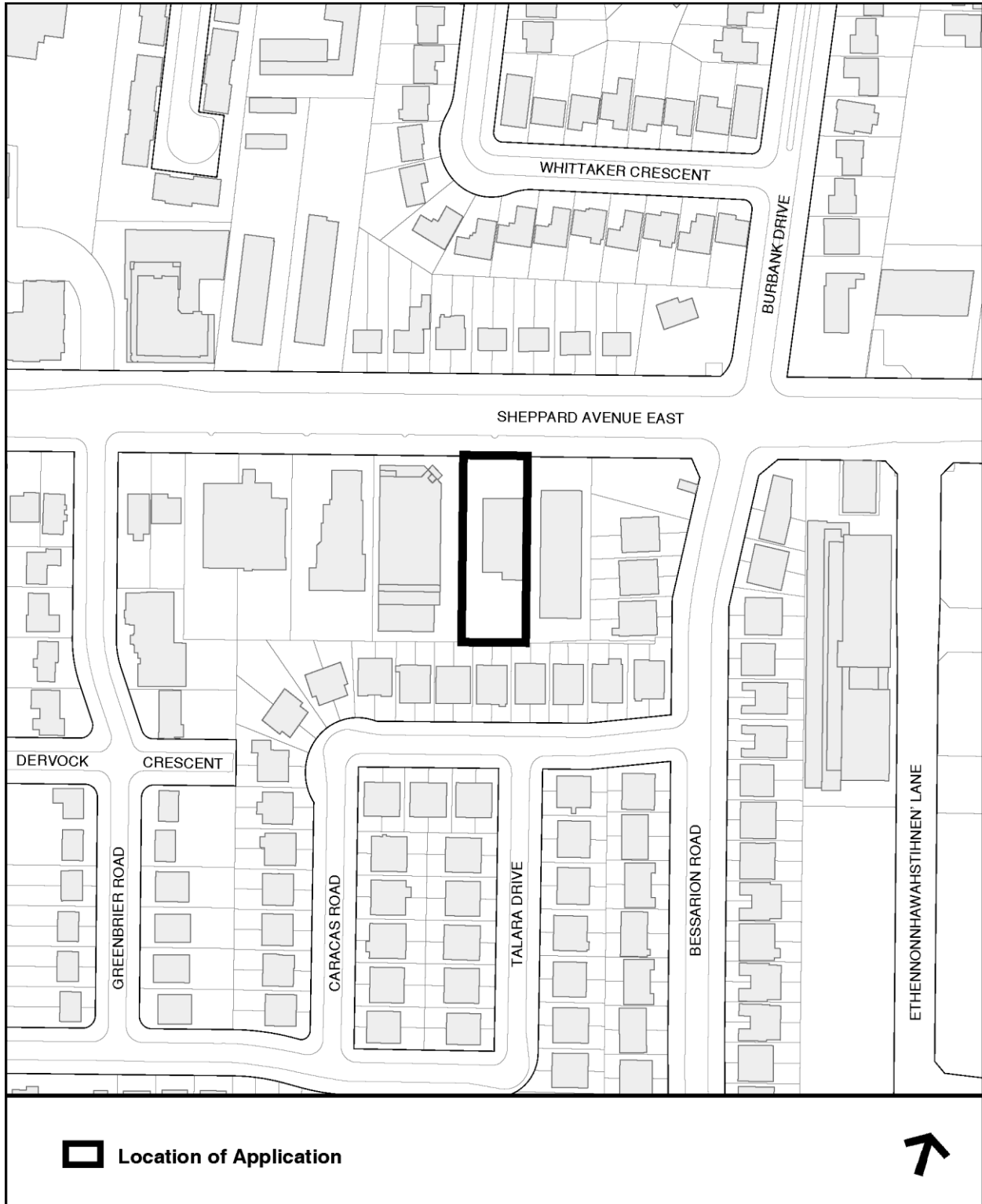
City of Toronto Data/Drawings

Attachment 1: Location Map

Attachment 2: Draft Zoning By-law Amendment - 569-2013

Attachment 3: Draft Zoning By-law Amendment - 7625

Attachment 1: Location Map



Attachment 2: Draft Zoning By-law Amendment - 569-2013

Authority: North York Community Council Item NY____, as adopted by City of Toronto Council on _____, 2023

CITY OF TORONTO

BY-LAW ____-2023

To amend Zoning By-law 569-2013, as amended by site specific By-law 468-2022, to remove the holding symbol (H) with respect to the lands municipally known in the year 2022 as 699 Sheppard Avenue East.

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 in accordance with the Planning Act; and

Whereas authority is given to Council by Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

Whereas Council is satisfied that the the conditions relating to the holding symbol have been satisfied in order to lift the holding symbol in relation to the lands to which this by-law applies; and

Whereas Council has provided notice of the intent to pass this By-law:

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

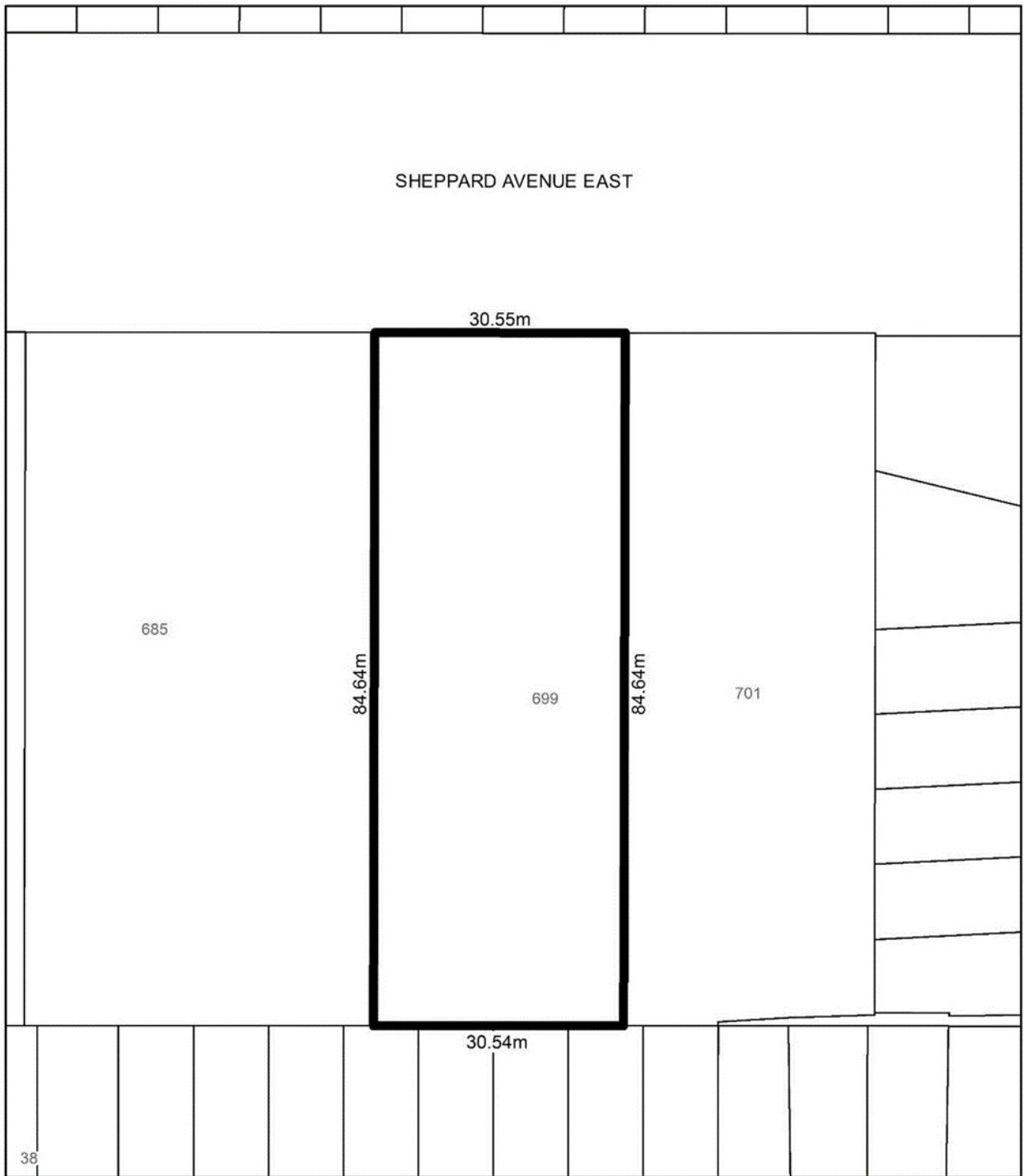
1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. Zoning By-law 569-2013, as amended, is further amended by removing the holding symbol “(H)” from the lands as shown on the attached Diagram 2.

Enacted and passed on _____, 2023.

Frances Nunziata
Speaker

John D. Elvidge
City Clerk

(Seal of the City)




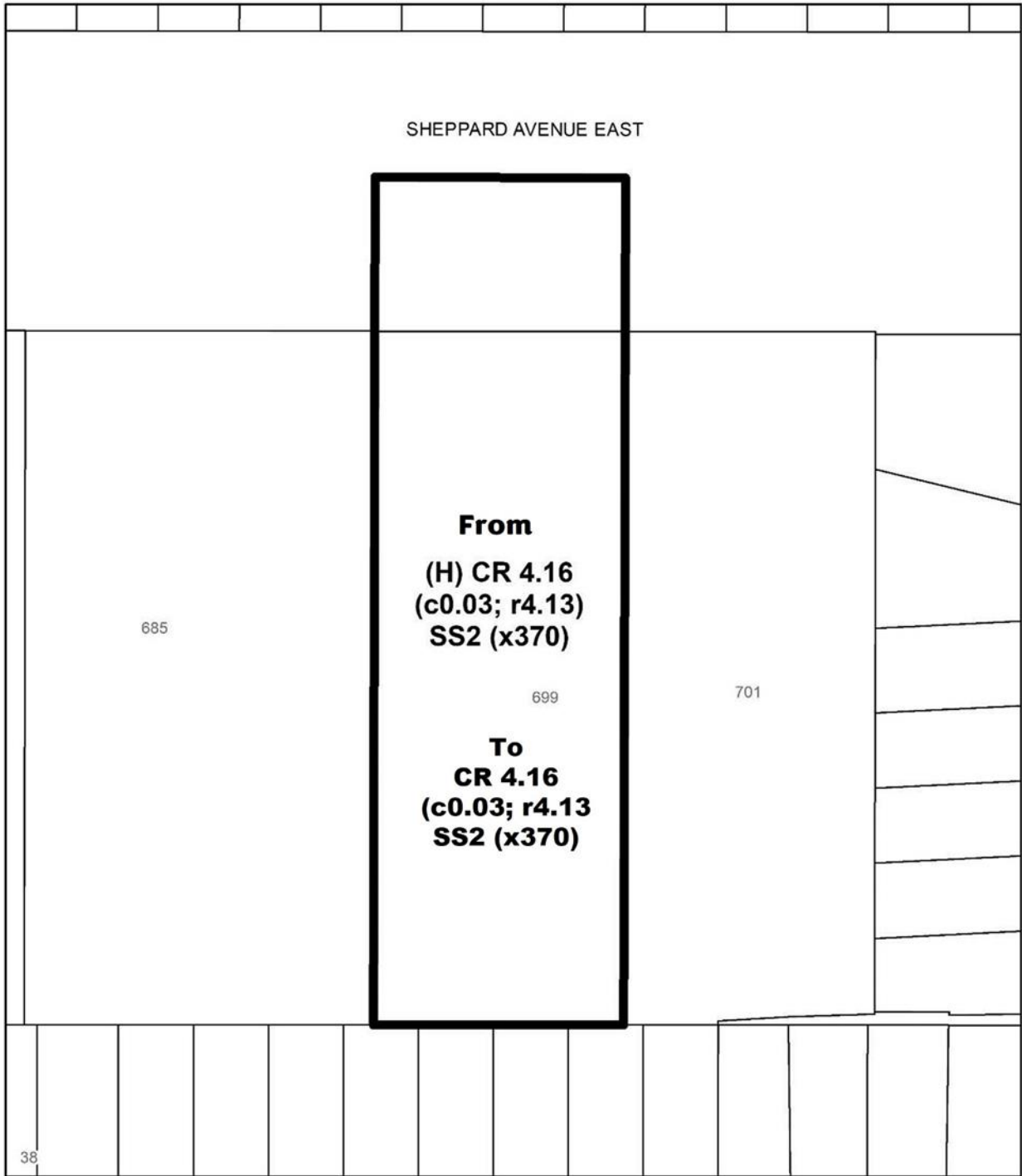
 **TORONTO**
Diagram 1

699 Sheppard Avenue East

File #

NNY 17 0Z


City of Toronto By-law 569-2013
Not to Scale
05/17/2021



Attachment 3: Draft Zoning By-law Amendment - 7625

Authority: North York Community Council Item NY____, as adopted by City of Toronto Council on _____, 2023

CITY OF TORONTO

BY-LAW ____-2023

To amend former North York Zoning By-law 7625, as amended by site specific By-law 469-2022, to remove the holding symbol (H) with respect to the lands municipally known in the year 2022 as 699 Sheppard Avenue East.

Whereas authority is given to Council by Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

Whereas Council of the City of Toronto Council is satisfied that the conditions relating to the holding symbol have been satisfied in order to lift the holding symbol in relation to the lands to which this by-law applies; and

Whereas Council has provided notice of the intent to pass this By-law;

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

1. Zoning By-law 7625, as amended, is amended by removing the holding symbol "(H)" from the lands outlined by heavy lines such that the designation is revised from RM6(269)(H) to RM6(269) as shown on Schedule "1" attached.

Enacted and passed on _____, 2023.

Frances Nunziata
Speaker

John D. Elvidge
City Clerk

(Seal of the City)