

461 Sheppard Avenue East – Official Plan Amendment and Zoning Amendment – Decision Report – Approval

Date: March 11, 2024

To: North York Community Council

From: Director, Community Planning, North York District

Ward: Ward 18 - Willowdale

Planning Application Number: 23 230561 NNY 18 OZ

SUMMARY

This application proposes to amend the City of Toronto Official Plan and Zoning By-law to permit a 44-storey (144 metres including mechanical penthouse) mixed use building at 461 Sheppard Avenue East. The proposed building would consist of 513 dwelling units and have a gross floor area of 29,151 square metres, including 372 square metres of ground floor retail gross floor area, for a Floor Space Index (“FSI”) of 13.07.

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).

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law. The proposed building represents an appropriate level of intensification on the site given its proximity to Bayview Subway Station, location within the Council-adopted Bayview Major Transit Station Area (MTSA) and has been designed to provide an enhanced public realm at a prominent node.

RECOMMENDATIONS

The Director, Community Planning North York District recommends that:

1. City Council amend the Official Plan for the lands at 461 Sheppard Avenue East substantially in accordance with the draft Official Plan Amendment attached as Attachment 5 to this report.
2. City Council amend Zoning By-law 569-2013 for the lands at 461 Sheppard Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6 to this report.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or 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. If City Council does not make a decision on this Report, there may be financial implications to the City to the current budget year and in future years.

DECISION HISTORY

A pre-application consultation (PAC) meeting was held on July 27, 2023. The current application was submitted on November 28, 2023 and deemed complete on January 10, 2024. A Preliminary Summary of the application is available here:

<https://www.toronto.ca/461SheppardAveE>.

Staff conducted a Community Consultation Meeting for the application on February 5, 2024. Community consultation is summarized in the Community Consultation section of this Report.

On July 19-22, 2022, City Council adopted four Official Plan Amendments, Official Plan Amendments 540, 544, 570 and 575, that include a total of 115 Major Transit Station Areas (MTSAs)/Protected Major Transit Station Areas (PMTSAs). The subject site is located within the Bayview MTSA (SASP 728) as identified within OPA 575. The Official Plan Amendments were forwarded to the Minister of Municipal Affairs and Housing for approval. The Minister has not yet made a decision. A copy of the report and decision can be found at the following link: [PH35.16 - Our Plan Toronto: City-wide 115 Proposed Major Transit Station Area/Protected Major Transit Station Area Delineations - Final Report](#).

City Council has also provided direction to review the existing Sheppard East Subway Corridor Secondary Plan. This review, known as the ReNew Sheppard East Planning Study, is currently ongoing. City Council's direction to review the Secondary Plan can be found at the following link: [Agenda Item History - 2018.NY31.8 \(toronto.ca\)](#). The Study webpage can be found at the following link: [ReNew Sheppard East \(Sheppard Avenue East Planning Review\) – City of Toronto](#).

THE SITE

Description

The site is located at the southwest corner of Sheppard Avenue East and Bayview Avenue. The site is generally rectangular in shape and has an area of approximately 2,231 square metres, with 52 metres of frontage on Sheppard Avenue East and 32 metres of frontage on Bayview Avenue.

Existing Use

The site is currently occupied by a gas station with two vehicular accesses provided from Sheppard Avenue East and Bayview Avenue.

THE APPLICATION

Description

The application proposes to amend the Official Plan and Zoning By-law to permit a 44-storey (144 metres including mechanical penthouse) mixed use building.

Density

The proposal has a density of 13.07 times the area of the lot.

Dwelling Units

The proposal includes 513 dwelling units, including 62 studio (12%), 292 one-bedroom (57%), 107 two-bedroom (21%), and 52 three-bedroom units (10%).

Non-Residential Component

The proposal includes 372 square metres of retail uses at the ground floor of the proposed building, along the Sheppard Avenue East frontage.

Access, Bicycle Parking, Vehicle Parking and Loading

There is one right-in-right-out vehicle access for the site provided at Bayview Avenue, at the south side of the site. A six-metre-wide driveway provides access to a pick-up and drop-off area, the loading spaces and the underground parking ramp. The proposal includes a total of 120 parking spaces in three levels of underground parking, including 113 resident spaces and seven visitor spaces. A total of 425 bicycle parking spaces, including 51 short-term spaces and 374 long-term spaces are also proposed. The proposed development includes one Type 'C' loading space and one Type 'G' loading space.

Additional Information

See Attachment 1 for the Application Data Sheet, Attachment 2 for the Location Map, Attachment 3 for the Official Plan Land Use Map, Attachment 4 for the Existing Zoning By-law Map, Attachment 5 for the draft Official Plan Amendment, Attachment 6 for the Draft Zoning By-law Amendment, Attachment 7 for the Site Plan Drawing, and Attachment 8 for the Elevation Drawings. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: <https://www.toronto.ca/461SheppardAveE>.

Reasons for Application

An Official Plan Amendment is required to amend the existing Sheppard East Subway Corridor Secondary Plan to add the site as a Key Development Area and to amend Site and Area Specific Policy #80 to allow for the proposed height and density on the site. A Zoning By-law Amendment is required to bring the site into City of Toronto Zoning By-law 569-2013, by zoning it as Commercial Residential (CR) and applying other site-

specific provisions to permit the proposed height, density, setbacks and other performance standards.

APPLICATION BACKGROUND

Application Requirements

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

- Arborist Report;
- Avenue Segment Review;
- Community Services and Facilities Study;
- Energy Strategy;
- Functional Servicing and Stormwater Management Report;
- Geotechnical Investigation Report;
- Hydrogeological Investigation Report;
- Noise and Vibration Impact Study;
- Planning Justification and Urban Design Report;
- Pedestrian Level Wind Study;
- Sun and Shadow Study; and
- Transportation Considerations 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 Official Plan amendments and Zoning By-law standards.

POLICY & REGULATION CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020), and shall conform to provincial plans, A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Greenbelt Plan, and others.

Official Plan

The Official Plan Urban Structure Map 2 identifies the site as being located along an *Avenue*. The land use designation for the site is *Mixed Use Areas*. See Attachment 3 of this report for the Official Plan Land Use Map. The site is subject to Site and Area Specific Policy 80, which applies to a number of sites in the southwest quadrant of Sheppard Avenue East and Bayview Avenue. SASP 80 applies maximum densities ranging from 1.0 times the lot area to 2.0 times the lot area, based on different lot consolidations. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making.

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

Secondary Plan

The Sheppard East Subway Corridor Secondary Plan identifies the site as being within the Bayview Node. The development nodes are the primary areas for intensification within the Secondary Plan and are located at subway stations along the Sheppard Subway Line. Policy 4.2.A sets out a re-urbanization strategy for the Bayview Node.

The Sheppard East Subway Corridor Secondary Plan can be found here: [9 - Sheppard East Subway Corridor Secondary Plan \(toronto.ca\)](#).

Zoning

The subject site is zoned General Commercial (C1) under former City of North York By-law 7625. The site is not currently subject to Zoning By-law 569-2013, but will be brought into the By-law through this application. The C1 zoning category permits a range of commercial, residential and institutional uses. See Attachment 4 of this report for the existing Zoning By-law Map.

The City of Toronto Zoning By-law 569-2013 can be found here: [Zoning By-law 569-2013 – City of Toronto](#).

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Tall Building Design Guidelines;
- Growing Up Guidelines for Children in Vertical Communities; and
- Pet Friendly Design Guidelines for High Density Communities.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-planguidelines/design-guidelines/>.

Toronto Green Standard

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.

COMMUNITY CONSULTATION

Community Consultation Meeting

A virtual Community Consultation Meeting was hosted by City staff on February 5, 2024. Approximately 22 people participated, as well as the Ward Councillor and the applicant. At the meeting, City staff and the applicant's team gave presentations on the site and surrounding area, the existing planning framework and the proposed

development. Following the presentations, City staff led a question-and-answer format meeting. Comments and questions raised at the meeting included:

- Concern about how the increased traffic will be accommodated.
- Concern about the right-in-right-out access being the only access to the site;
- Question about whether there will be a direct access to the Bayview Subway Station from the site;
- Question about the timeline for approval and construction of the proposed development;
- Question about servicing capacity in the area and how future development will be accommodated;
- Concern about the proposed height of the building and impact on surrounding properties; and
- Concern about whether the community facilities and infrastructure can accommodate all of the proposed and future development in the area.

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.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the *Planning Act*. Staff have reviewed the current proposal for consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020).

The site is located within the Council-adopted Bayview MTSA, which has a minimum planned density of 200 residents and jobs combined per hectare. The site is proposed to be redeveloped in a transit-supportive manner that maximizes the number of potential transit users as required by the Growth Plan. The proposal also adds to the range and mix of housing options in the area in accordance with Provincial policy. Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan.

Land Use

This application has been reviewed against the Official Plan. The site is located in a *Mixed Use Areas* designation in the Official Plan and along an *Avenue* where re-urbanization and growth are anticipated. The proposed mixed use building comprising residential and retail uses is permitted in *Mixed Use Areas*. Within the Sheppard East Subway Corridor Secondary Plan, the site is located within the Bayview Node where residential intensification of *Mixed Use Areas* is encouraged, as well as at-grade retail uses along the Sheppard Avenue frontage. Given the emerging policy context, including

the MTSA policies adopted by Council, staff are satisfied that the proposed land use conforms to the Official Plan.

Height and Massing

The Built Form policies in Section 3.1 of the Official Plan provide that new development should fit within its existing and planned contexts, and limit its impact on neighbourhood streets, parks, open spaces and nearby properties. The *Mixed Use Areas* policies of the Official Plan provide that the location and massing of new buildings should achieve transition between areas of different development intensity and scale. The Secondary Plan directs that building height and massing should minimize excessive shadowing and respond sensitively to nearby low density residential uses.

The proposed tower is sited towards the northeast portion of the podium to maximize separation distance from the *Neighbourhoods* lands located to the southwest of the subject site. Given that the site backs onto the adjacent *Neighbourhoods* lands diagonally, the proposed tower separation is greater than 12.5 metres at the closest point and becomes greater moving toward the north and east. In addition, the application achieves a 12.5 metre tower setback from the residential uses at the south and west property lines. The site has been designed appropriately to address the requirement for transition to lower scale *Neighbourhoods*.

The Secondary Plan also directs that the greatest heights and densities should be promoted closest to the subway stations. The site's location at the Sheppard Avenue East and Bayview Avenue intersection, directly across from the subway access, makes it an appropriate location to accommodate development of a higher intensity than other areas of the Sheppard Avenue East corridor.

The proposed 6-storey podium will form the base building and respond to the heights of the surrounding context by transitioning down to 3-storeys on either side of the building. The proposed tower floor plate will be limited to 750 square metres and set back three metres from the podium edge along the street frontages, which meets the objectives of the Tall Building Design Guidelines.

City Planning staff find that the proposed building height and massing conforms to the applicable policies of the Official Plan, Sheppard East Subway Corridor Secondary Plan, and are in keeping with the Tall Building Design Guidelines.

Streetscape and Public Realm

The Sheppard East Subway Corridor Secondary Plan directs that new buildings should be sufficiently set back from Sheppard Avenue East to accommodate streetscape initiatives. The proposed development features a five metre setback along the Sheppard Avenue East and Bayview Avenue frontages to provide the space necessary to integrate streetscape elements that will enhance the public realm at-grade. The proposed five metre setback extends up to the fourth storey of the proposed building in order to facilitate tree plantings along the street frontages which help in achieving an attractive and safe transition between the private and public realms and provide comfortable and easy circulation for pedestrians.

The proposed 6-storey podium provides a comfortable pedestrian scale from the street, and the sidewalks meet City standards to provide a safe pedestrian clearway. Further, proposed bicycle parking spaces along the streetscape promote active transportation to support the future Sheppard Avenue cycle track.

Retail uses will facilitate commercial activity at-grade to activate the public realm and create a comfortable, accessible and vibrant pedestrian environment. As a prominent node and corner site, the proposed mixed use development, large setbacks and enhanced landscaping features meet the requirements of the Official Plan with respect to creating a high-quality public realm.

Staff find that the proposal conforms with the applicable Official Plan policies in Section 3.1 and the Secondary Plan with respect to streetscape and public realm. Detailed streetscaping elements will be determined and secured through the Site Plan Control process.

Sun, Shadow, Wind

Shadow impacts affect the thermal comfort and enjoyment of being outside as well as the provision of adequate light. Shadows are impacted by the size, location, and shape of building floor plates, building height, building setbacks, as well as the time of year and angle of the sun. The Official Plan contains a number of policies that address appropriate sun and shadow impacts that direct the adequate provision of light and adequately limiting shadows on streets, properties, and open spaces. In addition, the City-wide Tall Building Design Guidelines contain performance standards intended to assist in the design and orientation of buildings to minimize their shadow impact on publicly accessible parks, open space, natural and other shadow sensitive areas.

The applicant prepared and submitted a shadow study that illustrates the extent of shadowing that would result from the proposed development, which concludes that the proposed building does not result in any shadow impacts on the adjacent *Neighbourhoods* area during any seasonal interval. The proposed development is expected to shadow a small portion of the Kenaston Gardens Parkette at 5:18pm or later in September for approximately one hour. Given the site's location to the north of the adjacent residential area, and the siting and floorplate size of the proposed tower, the shadow impacts of the proposed building are acceptable in the context of the direction provided by the Official Plan and Tall Building Design Guidelines regarding shadow impacts.

A Pedestrian Level Wind Study was submitted in support of the application. The study finds that the future wind conditions over most grade and terrace level pedestrian wind-sensitive areas will be acceptable for the intended uses on a seasonal basis. The study contains design recommendations for wind mitigation elements which will be incorporated into the building design through the Site Plan Control process.

Access, Parking, Loading

Site access is consolidated to one driveway off Bayview Avenue to reduce the number of curb cuts required for the proposed development and removes the two existing access points on Sheppard Avenue East. Staff have determined that providing access from Sheppard Avenue East will not be safe given the future Sheppard Avenue East Complete Street initiative, which includes a cycle track. Transportation Services staff and the Ministry of Transportation (MTO) accept the proposed access location and right in/right out operation.

The application proposes 113 resident and seven visitor vehicle spaces parking spaces, as well as 51 short-term and 374 long-term bicycle parking spaces, which is acceptable to Transportation Services and Transportation Planning staff. The proposal includes one Type 'C' loading space and one Type 'G' loading space, which meets the requirements of Zoning By-law 569-2013. Additional work on the Transportation Demand Management (TDM) Plan will be undertaken through the Site Plan Control process.

Servicing

The applicant has provided site servicing plans and Functional Servicing, Stormwater Management, and Hydrogeological reports. Engineering and Construction Services staff have reviewed the submitted materials and have identified several outstanding items for review. Staff are recommending that the Zoning By-law be subject to a holding provision pending the revision, review, and acceptance of the Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

Holding Provision

This report recommends the adoption of a Zoning By-law Amendment that is subject to a holding provision under Section 36 of the *Planning Act*, restricting the proposed use of the lands until the conditions to lifting the holding provision, as set out in the By-law, are satisfied. Section 5.1.2 of the Official Plan contemplates the use of a holding provision and outlines the types of conditions that may have to be satisfied prior to the removal of a holding provision. The specific conditions to be met prior to the removal of the proposed holding provisions in the proposed By-law include:

- the City has received, reviewed and accepted the Functional Servicing Report, demonstrating that sufficient capacity exists to accommodate the proposed development, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and
- Should the servicing review identify upgrades and/or new services are required, those upgrades and/or services will be secured by a financially secured agreement, prior to lifting of the holding provision.

The Chief Planner and their designate have the authority to make decisions on applications to remove holding provisions, which do not contain financial implications not previously authorized by Council.

Parkland

In accordance with [Section 42 of the Planning Act](#), the Owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per [Toronto Municipal Code Chapter 415-29](#), the appraisal of the cash-in-lieu will be determined under the direction of the Executive Director, Corporate Real Estate Management. Additionally, the [Toronto Municipal Code Chapter 415-28](#), requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

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 a Tree Protection Plan to ensure the planting of eight new private trees. Urban Forestry staff will secure the new trees through the Site Plan Control process.

Amenity Space

The Built Form policies of the Official Plan state that new indoor and outdoor amenity spaces are to be provided as part of multi-unit residential developments and are to consider the needs of residents of all ages and abilities over time and throughout the year.

The application proposes 1026 square metres of indoor amenity space (two square metres per unit) and 1026 square metres of outdoor amenity space (two square metres per unit), which meets the requirements of Zoning By-law 569-2013.

Unit Mix and Sizes

Guideline 2.1 of the Growing Up: Planning for Children in New Vertical Communities urban design guidelines states that a building should provide a minimum of 25% large units (10% of the units should be three-bedroom units and 15% of the units should be two-bedroom units). The application proposes 107 two-bedroom (21%), and 52 three-bedroom units (10%), which satisfies the requirements of the Guidelines. The Guidelines also provide criteria for minimum unit sizes for two- and three-bedroom units. Further work with the applicant will be undertaken through the Site Plan Control process to ensure the proposed unit sizes are adequate and meet the objectives of the Growing Up Guidelines.

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 2040 or sooner. Performance measures for the Tier 1 development features such as bicycle parking will be secured through the site-specific zoning by-law and additional measures will be secured through the Site Plan Control process.

Community Services and Facilities

The site's location at the Sheppard Avenue East and Bayview Avenue intersection provides an opportunity to integrate a subway access into the proposed development. Discussions between the City, TTC and the applicant will continue to occur as the site plan process moves forward to determine if there is potential to include a subway access on the subject site.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). Staff are of the opinion that the proposal is consistent with the PPS and conforms with the Growth Plan. The proposed Official Plan amendment to amend the Sheppard East Subway Corridor Secondary Plan will allow the site to redevelop in a manner supported by Provincial policy and Official Plan policy particularly relating to *Mixed Use Areas*, built form and public realm. Staff worked with the applicant to address and resolve key concerns with respect to tree plantings and soil volume requirements. Staff recommend that Council support approval of the application.

CONTACT

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SIGNATURE

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

ATTACHMENTS

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

Attachment 5: Draft Official Plan Amendment
Attachment 6: Draft Zoning By-law Amendment

Applicant Submitted Drawings

Attachment 7: Site Plan
Attachment 8: Elevations

Attachment 1: Application Data Sheet

Municipal Address: 461 SHEPPARD AVE E **Date Received:** November 28, 2023

Application Number: 23 230561 NNY 18 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Official Plan & Zoning By-law Amendment application for a 44-storey mixed use building containing 513 residential units and 372 square metres of ground level retail space.

Applicant	Agent	Architect	Owner
WESTON CONSULTING			461 SHEPPARD AVENUE EAST PROPERTIES INC

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: SASP 080

Zoning: C1 Heritage Designation: N

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

PROJECT INFORMATION

Site Area (sq m): 2,231 Frontage (m): 53 Depth (m): 39

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,185	1,185
Residential GFA (sq m):			28,780	28,780
Non-Residential GFA (sq m):	251	0	372	372
Total GFA (sq m):	251	0	29,151	29,151
Height - Storeys:	1		44	44
Height - Metres:			144	144

Lot Coverage Ratio (%): 0.52 Floor Space Index: 13.07

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	28,780	
Retail GFA:	372	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			513	513
Other:				
Total Units:			513	513

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		62	292	107	52
Total Units:		62	292	107	52

Parking and Loading

Parking Spaces: 120 Bicycle Parking Spaces: 425 Loading Docks: 2

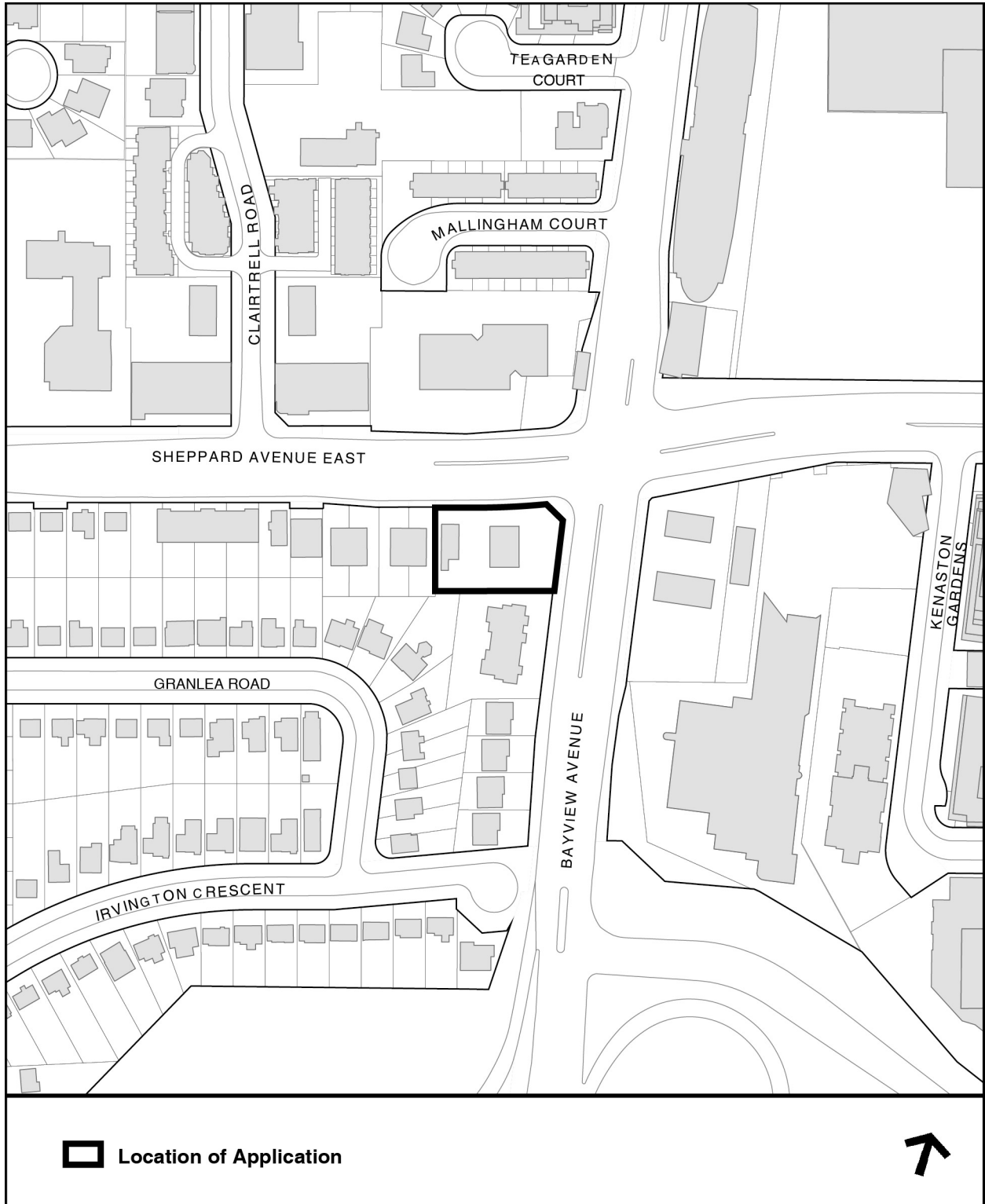
CONTACT:

Heather Au, Senior Planner, Community Planning

(416) 396-5570

Heather.Au@toronto.ca

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #16

461 Sheppard Avenue East

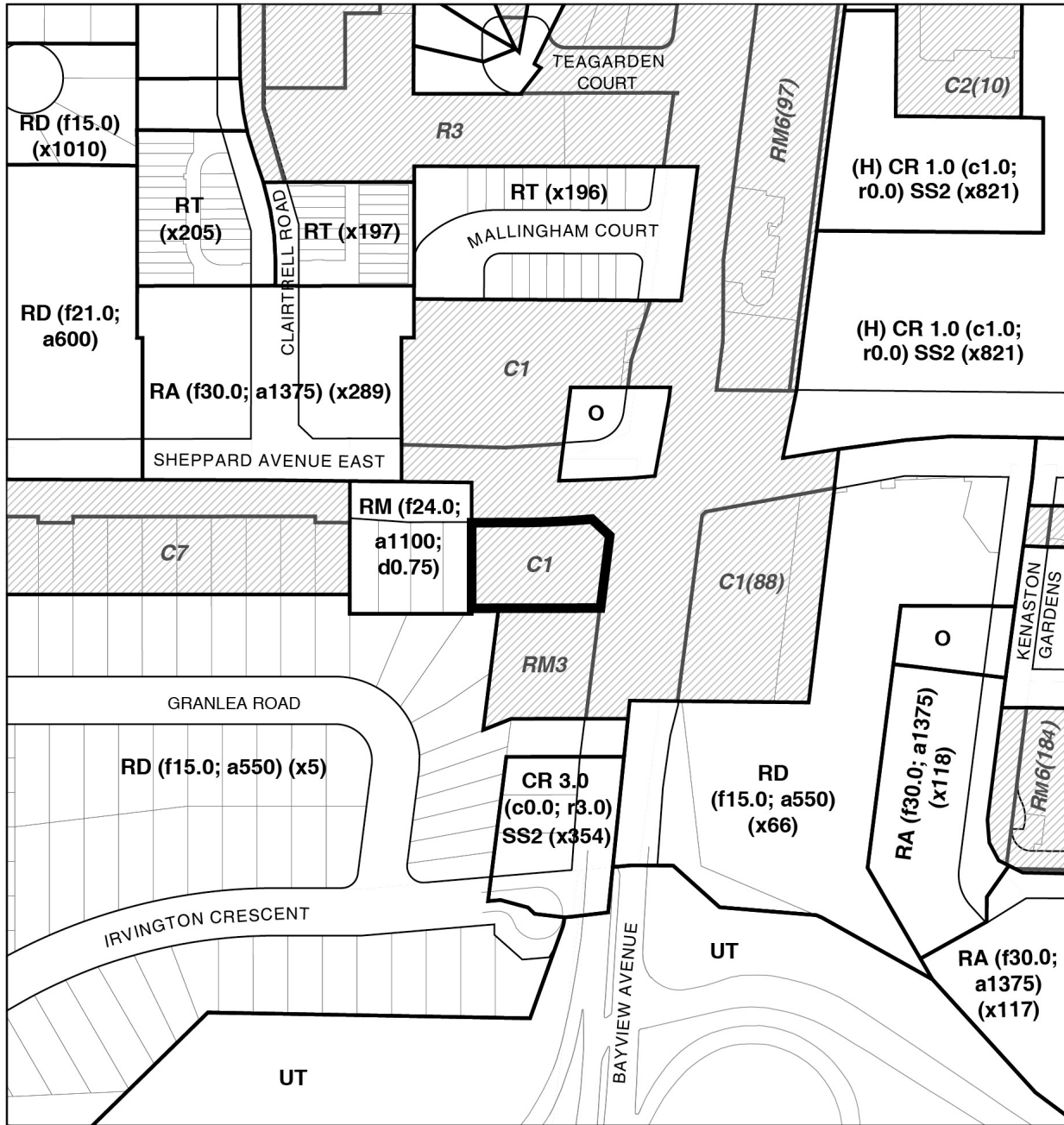
File # 23 230561 NNY 18 OZ

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



Not to Scale
Extracted: 12/07/2023

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

461 Sheppard Avenue East

File # 23 230561 NNY 18 0Z

- Location of Application
- RD** Residential Detached
- RT** Residential Townhouse
- RM** Residential Multiple
- RA** Residential Apartment
- CR** Commercial Residential
- O** Open Space

UT Utility and Transportation



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

- R3** One-Family Detached Dwelling Third Density Zone
- RM3** Multiple-Family Dwellings Third Density Zone
- RM6** Multiple-Family Dwellings Sixth Density Zone
- C1** General Commercial Zone
- C2** Local Shopping Centre Zone
- C7** Mixed Use Commercial Zone



Not to Scale
Extracted: 12/07/2023

Attachment 5: Draft Official Plan Amendment

Authority: North York Community Council Item ~ as adopted by City of Toronto Council on ~, 2024

Enacted by Council: ~, 2024

CITY OF TORONTO

Bill XXX

BY-LAW XXX-2024

To adopt Amendment No. XXX to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2023 as 461 Sheppard Avenue East

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

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

The Council of the City of Toronto enacts:

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

Enacted and Passed this ~ day of ~, A.D. 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

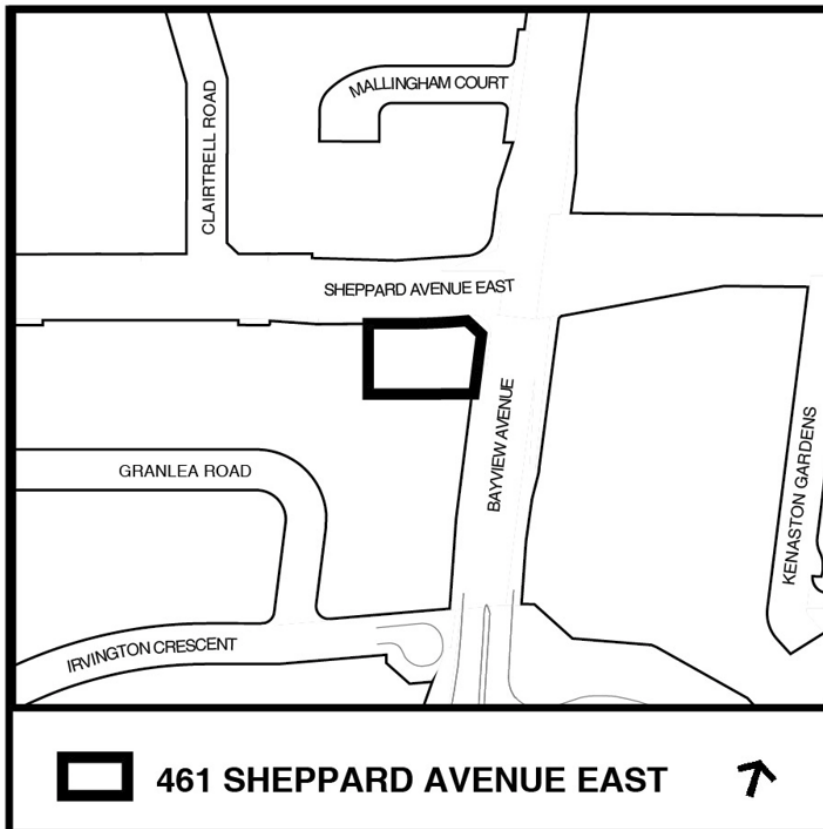
(Seal of the City)

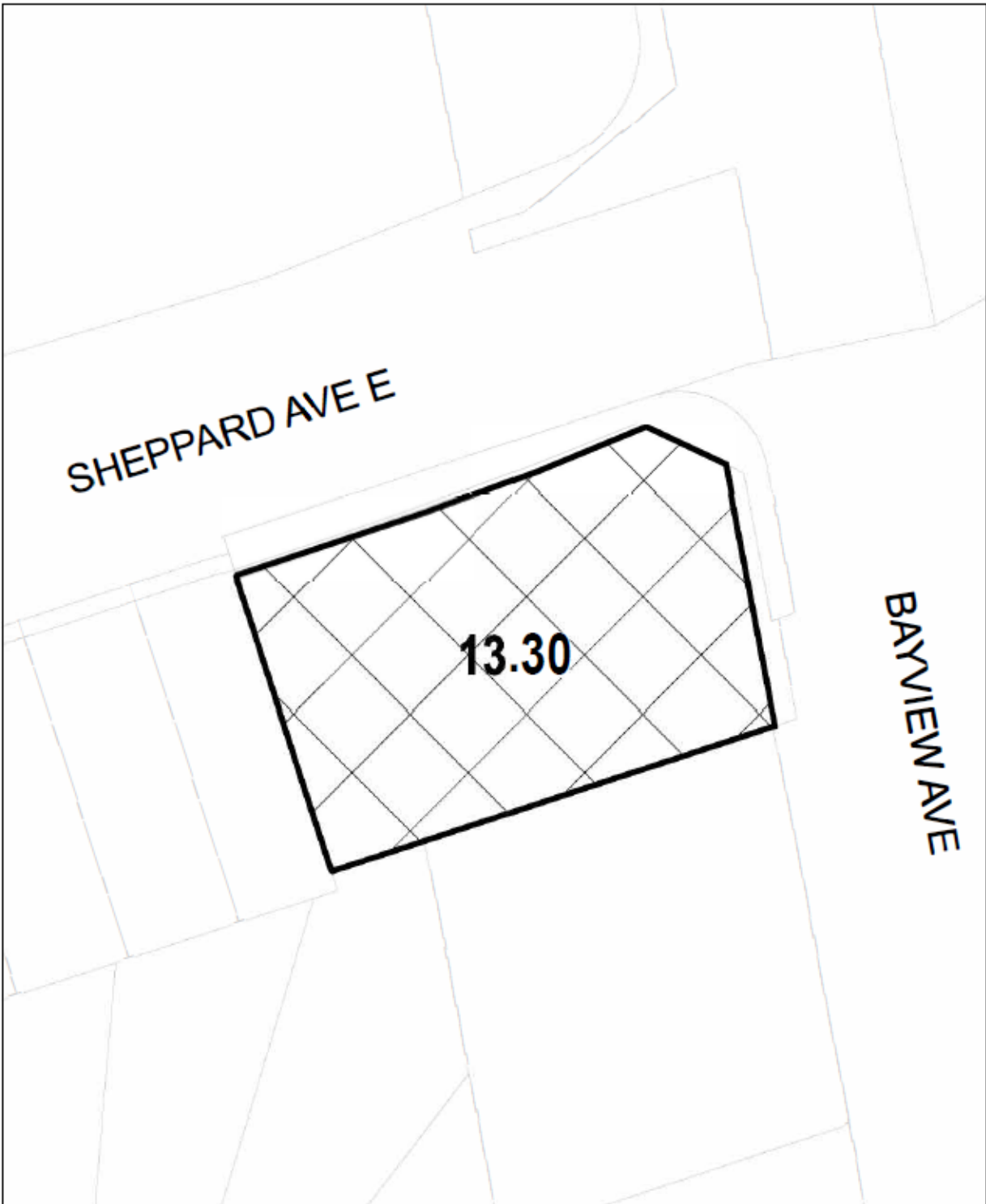
AMENDMENT NO. XXX TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2023 AS
461 Sheppard Avenue East

The following text and map constitute Amendment No. XXX to the City of Toronto Official Plan.

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

1. Chapter 7, Map 27, Site and Area Specific Policies, is amended by removing the lands known municipally as 461 Sheppard Avenue East as shown on the map below as Site and Area Specific Policy 80.
2. Chapter 7, Site and Area Specific Policies, Policy 80 is amended to delete Parcel B and subsection c) in its entirety.
3. Map 9-2 (Sheppard East Subway Corridor Secondary Plan – Key Development Areas), is amended to designate the property municipally known as 461 Sheppard Avenue East as Mixed Use Areas with a permitted maximum density of 13.30 times the lot area.





Attachment 6: Draft Zoning By-law Amendment

Authority: North York Community Council Item [##], as adopted by City of Toronto Council on ~, 2024

CITY OF TORONTO

BY-LAW No. ____-2024

To amend the City of Toronto Zoning By-law 569-2013, in respect of lands municipally known in 2023 as 461 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 has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act, as amended; and

Whereas pursuant to Section 36 of the Planning Act, as amended, the council of a municipality may, in a by-law passed under Section 34 of the Planning Act, use a holding symbol "(H)" in conjunction with any use designation to specify the use to which lands, buildings or structures may be put once the holding symbol "(H)" is removed by amendment to the by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of holding symbol "(H)"; and

Whereas pursuant to Section 39 of the Planning Act, as amended, the council of a municipality may, in a By-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law; and

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 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.1 and applying the following zone label to these lands: (H) CR 3.0 (c1.0; r3.0) SS2 (x984) as shown on Diagram 2 attached to this By-law.

4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying no value.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Article 995.20.1 and applying the following height and storey label to these lands: HT 10, ST 2, as shown on Diagram 3 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Article 995.30.1 and applying no value.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map in Article 995.40.1 and applying no value.
8. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number (984) so that it reads:

(984) Exception CR 984

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

Site Specific Provisions:

- (A) On lands municipally known as 461 Sheppard Avenue East, if the requirements of By-law [Clerks to insert By-law number] are complied with, a **building** or **structure**, may be constructed, used or enlarged in compliance with (B) to (Q) below;
- (B) Despite Regulation 40.5.40.10(1) and (2), the height of a **building** or **structure** is measured between the Canadian Geodetic Datum elevation of 181.20 metres and the highest point of the **building** or **structure**;
- (C) Despite Regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same **storey** as non-residential use portions of the **building** such as but not limited to;
 - (i) Residential lobby access;
 - (ii) Related residential uses such as a mail room, management office, amenity area, waste room and storage;

- (D) Despite Regulation 40.10.40.1(6), an entrance for a commercial use may be located a minimum of 10.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (E) Despite Regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is shown in metres after the letters “HT” as shown on Diagram 4 of By-law [Clerks to insert By-law number];
- (F) Despite Regulation 40.10.40.10(7), the permitted maximum number of **storeys** in a **building** shall be as shown in **storeys** after the letters “ST” as shown on Diagram 4 of By-law [Clerks to insert By-law number];
- (G) Despite Regulations 40.5.40.10(3) to (8) and (E) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 4 of By-law [Clerks to insert By-law number]:
- (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, window washing equipment, and elevator overruns by a maximum of 6.0 metres;
 - (ii) Terraces and balcony guards, elements of a **green roof**, planters, railings, parapets, and ornamental architectural features by a maximum of 3.0 metres;
- (H) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of the **building** is 29,700 square metres, of which a minimum of 350 square metres of non-residential **gross floor area** is required;
- (I) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 4 of By-law [Clerks to insert By-law number];
- (J) Despite Clause 40.10.40.60 and (I) above, the following elements may encroach into the required minimum **building setbacks** as outlined in Diagram 4 as follows:
- (i) Balconies, by a maximum of 2 metres;
 - (ii) Despite (J)(i) above, balconies may only project into the 3-metre tower step back at the north and east sides of the **building** by a maximum of 1.5 metres;

- (iii) Despite (J)(i) above, no balcony projections shall be located closer than 1.0 metre to an outermost exterior corner intersection of **main walls** of a **building** on floors 8 to 44;
 - (iv) Terraces, and balustrades, by a maximum of 2 metres;
 - (v) Light fixtures, eaves, canopies, ornamental elements, planters, cornices, parapets, architectural features, roof drainage to a maximum of 1.5 metres;
 - (vi) Landscape features, stairs, wheelchair ramps, ventilation shafts, to a maximum of 2 metres;
- (K) The provision of **dwelling units** is subject to the following:
- (i) a minimum of 15 percent of the total number of **dwelling units** must be 2-bedroom units;
 - (ii) a minimum of 10 percent of the total number of **dwelling units** must be 3-bedroom units;
- (L) Despite Regulation 40.10.50.10(3), no **soft landscaping** strip is required abutting a **lot** in the Residential Zone category;
- (M) Despite Regulation 40.10.90.10(1)(C), a **loading space** may be located in the **rear yard** that abuts a **lot** in the Residential Zone category;
- (N) Despite Regulation 200.5.1.10(2)(A)(iv), a maximum of 15 percent of the total **parking spaces** provided may have a minimum width of 2.6 metres, despite being obstructed on one or both sides;
- (O) Despite Regulation 230.5.1.10(4), a **bicycle parking space**, regardless of orientation, shall have a minimum width of 0.45 metres.
- (P) Despite Regulation 230.5.1.10(9), "long-term" **bicycle parking spaces** may be located on any level of the **building**;
- (Q) Despite Regulation 230.5.1.10(10), "long-term" and "short-term" **bicycle parking spaces** may be provided as **stacked bicycle parking spaces**;

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

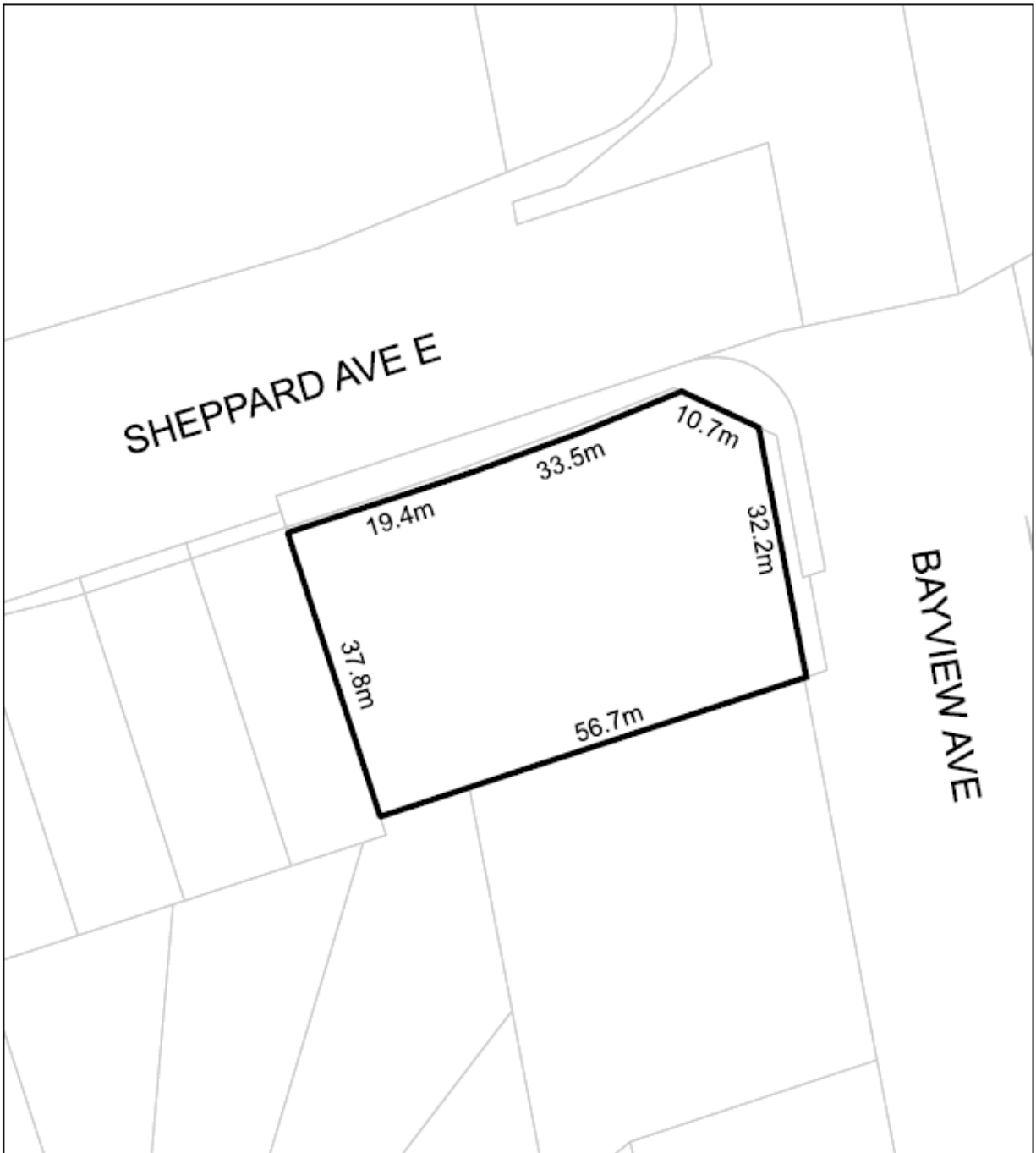
9. None of the requirements of City-wide Zoning By-law 569-2013 apply to prevent the installation of maintenance access holes and sampling ports for both the storm and sanitary service connections, in accordance with the City of Toronto Sewers By-law Chapter 681.
10. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
11. Temporary Use(s):
 - (A) None of the provisions of By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a sales centre or office for the sale and leasing of dwelling units on the lands to which this By-law applies for a period of 3 years from the date this By-law comes into full force and effect, after which this temporary use permission expires.
12. Holding Symbol Provisions:
 - (A) The lands zoned with the holding symbol "(H)" delineated by heavy black lines on Diagram 1 attached to this By-law must not be used for any purpose other than those uses and buildings existing as of the date of the passing of this By-law, until the holding symbol "(H)" has been removed; and
 - (B) An amending by-law to remove the holding symbol "(H)" referred to in (A) above may be enacted when the following are fulfilled:
 - (i) the City has received, reviewed and accepted the Functional Servicing Report, demonstrating that sufficient capacity exists to accommodate the proposed development, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services; and
 - (ii) Should the servicing review identify upgrades and/or new services are required, those upgrades and/or services will be secured by a financially secured agreement, prior to lifting of the holding provision.

Enacted and passed on [Clerks to insert date].

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)



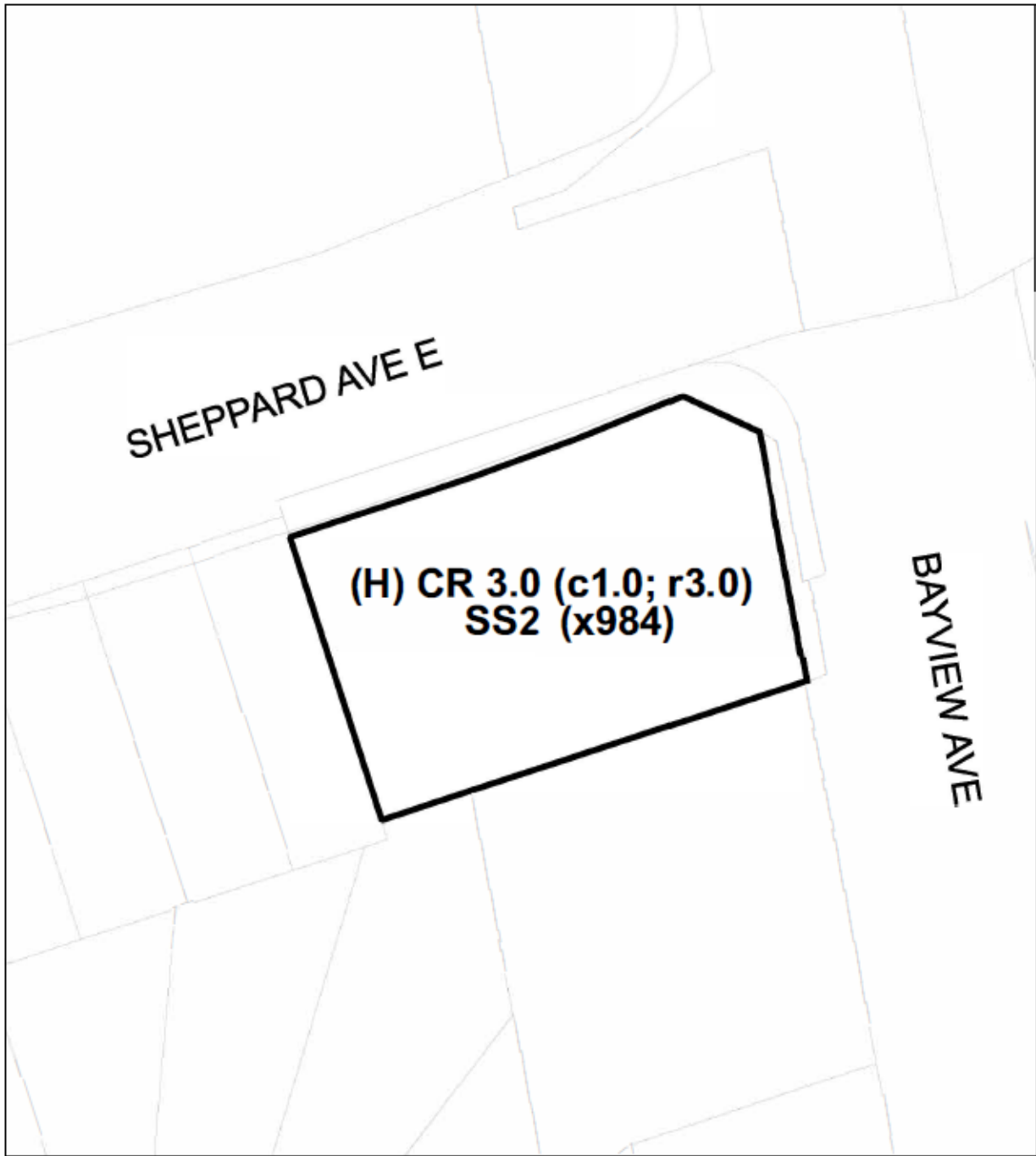
 **TORONTO**
Diagram 1

461 Sheppard Avenue East

File # 23 230561 NNY 18 OZ



City of Toronto By-law 569-2013
Not to Scale
Nov 2023



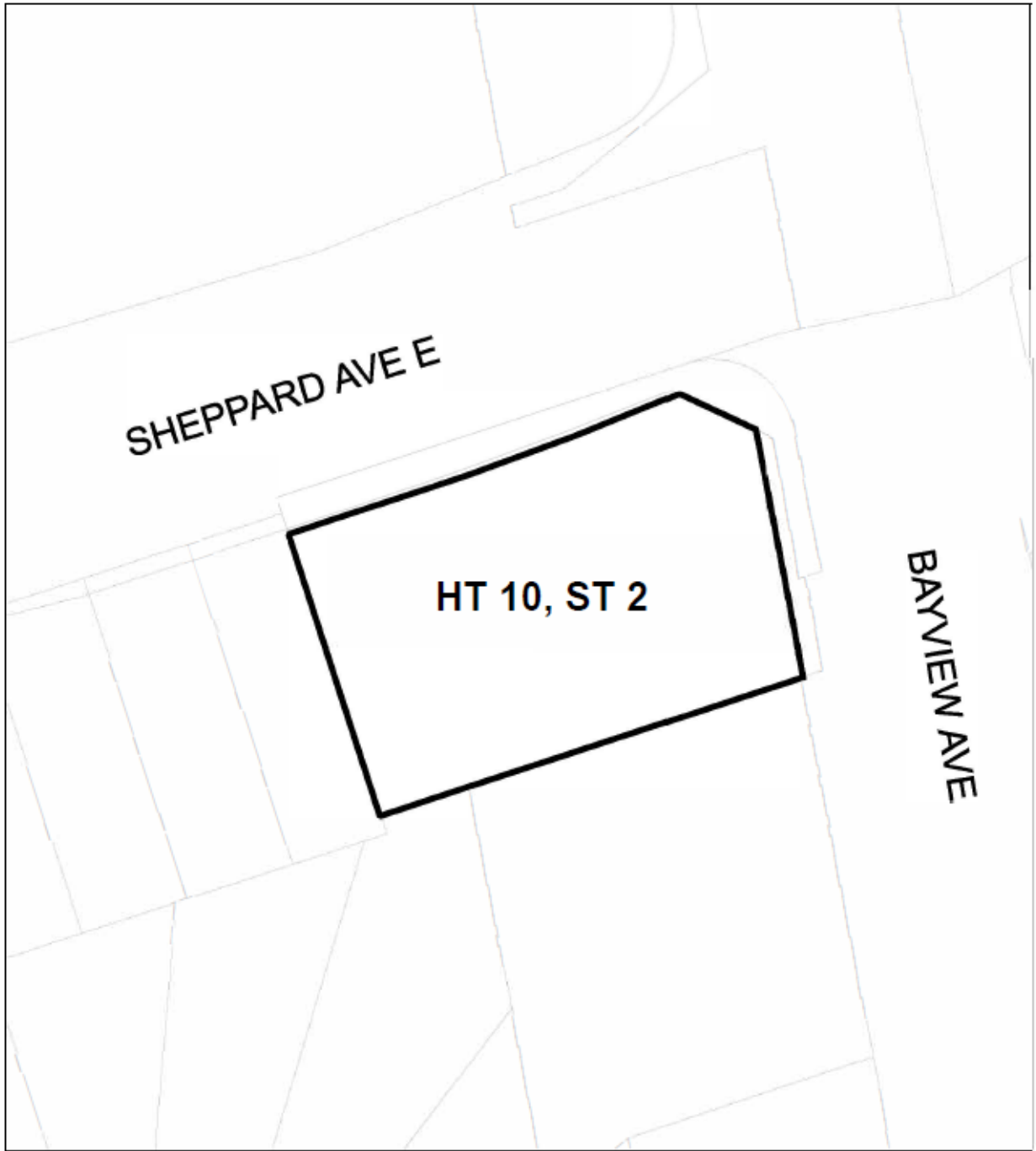
 **Toronto**
Diagram 2

461 Sheppard Avenue East

File # 23 230561 NNY 18 OZ



City of Toronto By-law 569-2013
Not to Scale
Mar 2024



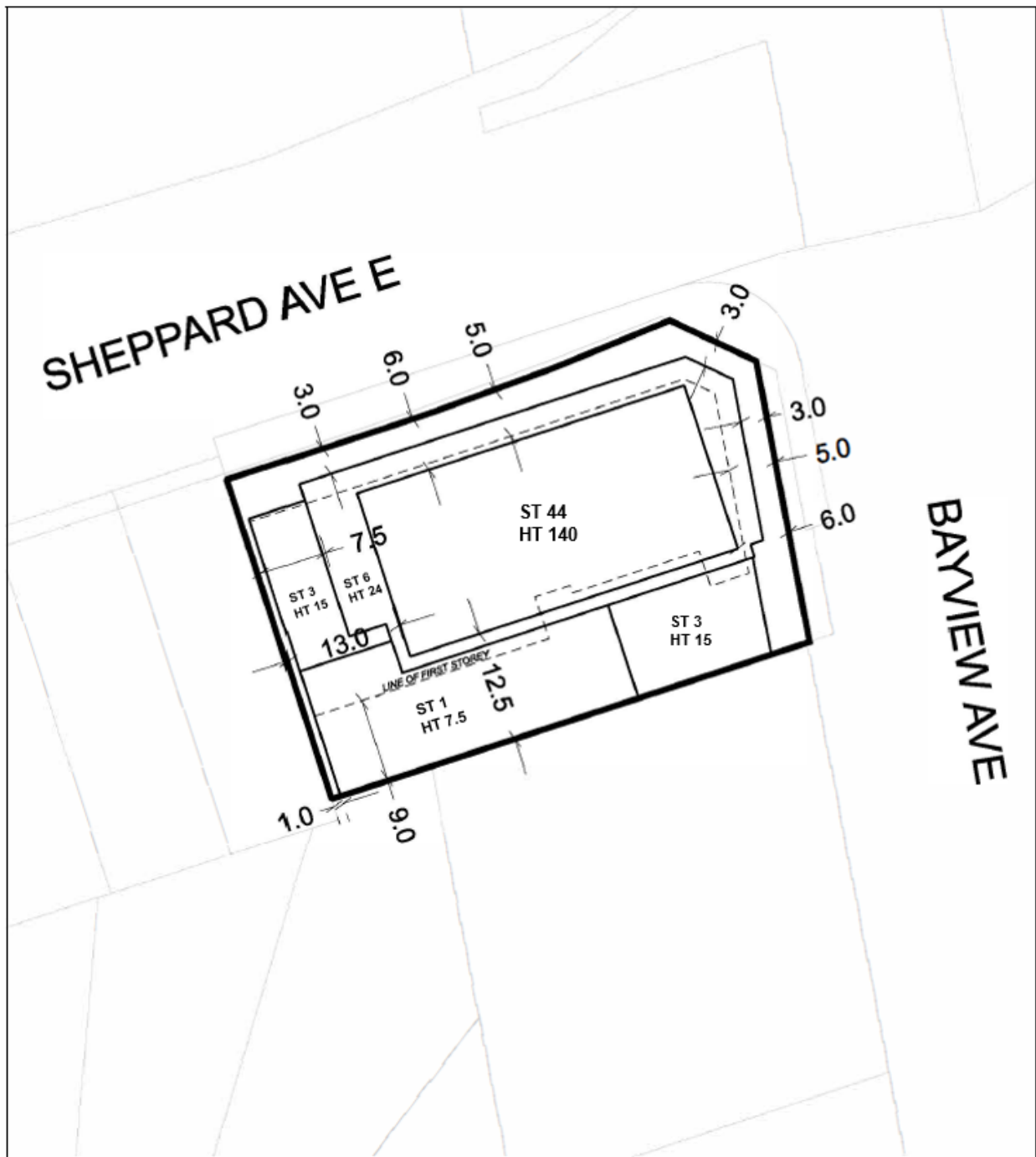
 **TORONTO**
Diagram 3

461 Sheppard Avenue East

File # 23 230561 NNY 18 OZ



City of Toronto By-law 569-2013
Not to Scale
Mar 2024



TORONTO
Diagram 4

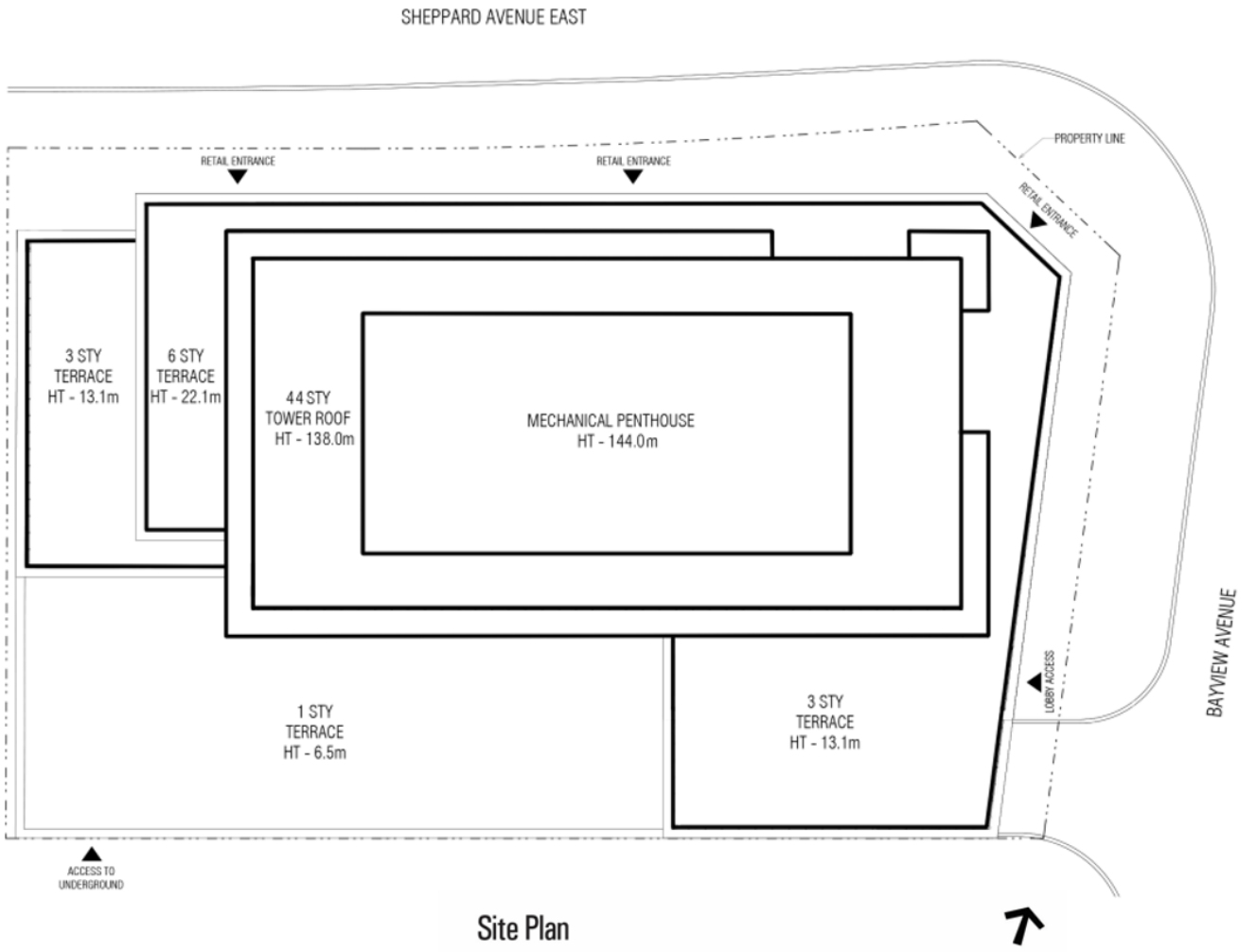
461 Sheppard Avenue East

File # 23 230561 NNY 18 OZ



City of Toronto By-law 569-2013
Not to Scale
Feb 2024

Attachment 7: Site Plan



Attachment 8: Elevations

