



*mgoldberg@goldberggroup.ca*  
(416) 322-6364 EXT. 2100

November 29, 2024

Members of Council  
North York District  
5100 Yonge Street, Ground Floor  
Toronto, ON  
M2N 5V7

Attention: Matthew Green, Committee Administrator

Dear Members of Council

Re: Official Plan Amendment No. 777 ("OPA 777")  
Renew Sheppard East Secondary Plan - Final Report  
Comments on behalf of 1015 and 1019 Sheppard Avenue East  
North York Community Council Agenda Item No.: NY19.11

## 1.0 Background

We are the land use planning consultants, writing on behalf Canadian Tire Corporation, Limited and Canadian Tire Properties Inc, the owner of the existing Canadian Tire site and adjacent lands municipally known as 1015 and 1019 Sheppard Avenue East (the "subject site"), located on the south side of Sheppard Avenue East, between Provost Drive to the east and Billes Heights to the west (**Figure 1**). This correspondence is in response to the city's publication of Official Plan Amendment (OPA 777) being the ReNew Sheppard East Secondary Plan (RSESP), to be considered by North York Community Council on December 3, 2024. We have corresponded to City staff earlier and we are now writing to provide written comments regarding the recommended RSESP, as it relates to the subject site.

The subject site is a large irregularly shaped parcel of 34,296.19 sq. m (8.47 ac)(3.43 ha) in size and generally regularly shaped. The subject site has an overall frontage of approximately 160 m (525 ft) on Sheppard Avenue East and a depth of approximately 170 m (560 ft). As **Figure 1** illustrates, the subject site is currently occupied by a Canadian Tire Store, gas bar and surface parking.

## 2.0 Description of Surrounding Area Context

The subject site is located in an area which has seen tremendous redevelopment in the last 2 decades characterized predominantly by tall mixed use buildings generally located between the Bessarion subway station to the west, Sheppard Avenue East to the north, Leslie subway station to the east and Highway 401 to the south (**Figure 1**). Development of tall buildings continues on the lands immediately adjacent to the west and south of the subject site. The broader area along the Major Arterial roads in the broader area, such as Sheppard Avenue East, Bayview Avenue,

and Leslie Street have also been subject to numerous mixed use and residential redevelopment applications for tall buildings.

Immediately surrounding the subject site to the east, west and south are the Concord Adex lands.

In 2000 Canadian Tire filed an application for a new mixed use community on the 20 hectare (50 acre) property and a new Canadian Tire retail store. Official Plan Amendment No. 530 to the former North York Official Plan, now incorporated in the City of Toronto Official Plan, created a 3.7 hectare (9.2 acre) park block located on the western boundary of the subject site. Included in this development is a public community centre, public library, daycare facility and two school sites. In November 2002, Official Plan and Zoning By-law amendments were approved.

Concord Adex purchased the lands from the Canadian Tire Corporation with the exception of the Canadian Tire store site and gas bar (the subject site). In July and August 2010 Concord Adex submitted further applications to amend the Official Plan and Zoning By-law and the draft plan of subdivision, seeking to amend the 2002 approval. The applications proposed revisions to the 2002 Official Plan and Zoning By-law amendments and draft plan of subdivision approval for seven development blocks.

On March 8, 2013, the OMB issued an Order approving the applications. Official Plan Amendment No. 186 and Zoning By-law Amendment No. 959-2013 (OMB) were adopted to implement the OMB Order/Decision. The approval resulted in a number of tall mixed-use buildings ranging in heights from 8- to 36-storeys. Since then, a number of amendments have taken place for adjacent sites on the Concord Adex lands to increase height and density illustrated in **Figure 2** and described below:

Address	Heights	Status
33 Singer Court	26-Storeys	Existing
29 Singer Court	28-Storeys	Existing
15 Singer Court	12-Storeys	Existing
19 Singer Court	16-Storeys	Existing
121 Esther Shiner Blvd	33-Storeys	Existing
7 Esther Shiner Blvd	21-Storeys	Existing
115 and 117 McMahon Dr	35 and 36-Storeys	Existing
85 and 95 McMahon Dr	33 and 36-Storeys	Existing
25 and 27 McMahon Dr	15 and 26-Storeys	Under Construction
19, 75, 86 Billes Heights	19, 27 and 31-Storeys	Under Construction
1181 Sheppard Ave E	32 and 38-Storey	Approved
75 And 63 Ethennonnhawahstihnen' Lane	39 and 44-Storey	Approved
1001 Sheppard Ave East	28 and 36-Storeys	Proposed

The subject site is located along the Sheppard Subway Line 4, located approximately 160 m to the entrance of the Bessarion subway station and 380 m to the entrance of the Leslie Subway Station. Line 4 provides subway service from Sheppard-Yonge Subway Station in the west to the Don Mills Subway Station in the east. The Sheppard-Yonge Subway Station also connects with

the Yonge-University Subway Line 1 which provides service from Finch Subway Station in the north, south to Union Station, and north up to Vaughan Metropolitan Centre. In addition, the subject site is located approximately 280 m from the platform of the Oriole GO Station on the Richmond Hill rail line which operates from Bloomington GO in Richmond Hill to Union Station in *Downtown* Toronto. Along Sheppard Avenue East and other Major Streets, also exists surface transit routes.

As such the subject site today forms part of a neighbourhood of surrounding tall residential and mixed use buildings that are serviced by, and have immediate access to, a wide range of surface transit routes, and rapid transit in the form of nearby subway stations and a GO Transit rail station.

### 3.0 Policy Context

The subject site is designated *Mixed Use Areas* in Map 20 of the City of Toronto Official Plan (City OP) and located on an *Avenues* in Map 2 - Urban Structures, a designation where mixed use buildings are permitted and where growth is planned to be accommodated, subject to the policies of the City OP.

The subject site is located within the Sheppard East Subway Corridor Secondary Plan (SESCSP) originally approved in 1999 and in accordance with that document, located in *Area B* (Bessarion Node), *Mixed Use Areas* which states in Policy 4.2.2.1 (B) that:

“New development will be focused:

- a) primarily south of Sheppard: on the lands designated *Mixed Use Areas*, east of Bessarion Road...”

The subject site is also located within Specific Development Policy Area 4.2.3 in Map 9-3 of the SESCO Plan, which states:

“The predominant use of the lands designated *Mixed Use Areas* within this development node will be for both residential and non-residential employment uses, public and private open space uses and amenities suitable to serve an employment district which increases in intensity of non-residential commercial use and distribution of built form density as it approaches the Leslie node.”

The subject site is located within the Bessarion-Leslie Context Plan setting out urban design guidelines in an area generally bound by south of Sheppard Avenue East, west of Leslie Street, north of Highway 401 and east of Bessarion Road.

It should be noted that as part of the recommended RSESP, the policies within the SESCO, shown on Map 9-1, do not apply to the lands within the boundaries of the RSESP, inclusive of the subject site, shown on Map 51-1.

The subject site is also located within the proposed *Bessarion Major Transit Station Area* (MTSA), pursuant to OPA 575, as adopted by Council on July 22, 2022, although not yet approved by the Minister. OPA 575 acknowledges the importance of this area and site in supporting redevelopment at transit oriented densities.

The zoning on the subject site is Commercial C1 pursuant to the former City of North York Zoning By-law 7625. The subject site is a “hole” in consolidated Zoning By-law 569-2013 and therefore is currently governed solely by By-law 7625.

#### **4.0 Recommended ReNew Sheppard East Secondary Plan**

The recommended RSESP (OPA 777) is a component of the Sheppard Avenue East Planning Review, which aims to evaluate the current policies within the Sheppard East Subway Corridor Secondary Plan and the Bessarion-Leslie Context Plan. This review focuses on the area north and south of Sheppard Avenue East, spanning from the east side of Bayview Avenue in the west to the west side of Leslie Street in the east, inclusive of the subject site. The RSESP is scheduled to be considered by North York Community Council on December 3, 2024.

#### **4.1 The Redesignation of Neighbourhoods to Mixed Use Areas**

Schedule 2 of the recommended RSESP proposes to redesignate lands on the north side of Sheppard Avenue East north to Arrowstook Road, and between Blue Ride Road and Ambrose Road from *Neighbourhoods* to *Mixed Use Areas*. This redesignation is immediately across the street to the north from the subject site. In other words, should this redesignation be approved, there will no longer be any *Neighbourhoods* designated lands facing the subject site on the north side of Sheppard Avenue East.

In our opinion this is a significant change which influences the redevelopment planning and urban design considerations of the subject site.

#### **4.2 The Proposed Character Areas for the Subject Site**

The recommended RSESP identifies the subject site within two Character Areas. Map 51-2 illustrates the northern part of the subject site within the *Sheppard Corridor Character Area*, and the southern portion of the subject site within the *Edge Character Area* (**Figure 3**).

As contained in the RSESP, the *Sheppard Corridor Character Area* will:

“...consist of mid-rise buildings, with heights generally not exceeding a value equivalent to the width of the right-of-way plus any required setback, to ensure a minimum of 5 hours of sunlight on the public realm (7.5.1).”

“Mid-rise buildings shall generally not have a step-back below the third storey, to frame the public realm, including streets, parks, and open spaces (7.5.2).”

The *Edge Character Area* will:

“...develop primarily to contain tall and mid-rise buildings with generous landscaped settings (7.6.1).”

“The tallest buildings in the Edge Character Area will be located on large sites close to the Highway 401 (7.6.2).”

“Base buildings of tall buildings will generally not be less than 3 storeys to frame the public realm, including public streets, parks, and open spaces (7.6.3).”

“Mid-rise buildings shall generally not have a step-back below the third storey, to frame the public realm, including streets, parks, and open spaces (7.6.4).”

Due to the very close proximity of the whole subject site to the subway stations to the east and the west, it is our opinion, that the whole of the subject site should be located within the *Transit Station Character Area*, like the lands to the immediate east and west. In this regard, Section 3.2.1 of the proposed RSESP states the following in relation to the Transit Station Character Areas:

“3.2.1 The Transit Station Character Area, along Sheppard Avenue East, will contain the tallest buildings within the Plan Area, primarily on lands closest to existing and planned transit stations. As the most intensely developed locations, these areas will be busy hubs near transit, with a public realm designed to handle higher pedestrian and cyclist volumes.”

To locate the portion of the subject site within the Sheppard Corridor Character Area of the RSESP would, in our opinion, be underutilizing the lands and the available infrastructure investment of the subject site.

#### **4.3 Setbacks, Height and Housing**

In addition to locating the subject site within the *Transit Station Character Area*, we also bring attention to, and recommend the following:

##### Setbacks

- Section 5.8.3 requires a minimum setback of 5.0 m from the property line on Sheppard Avenue East and does not permit cantilevering. This is too prescriptive and not appropriate in all cases on a site specific basis. Instead, we propose to modify Section 5.8.3 to read:

“5.8.3 A minimum setback of 5.0 metres from the property line for lower floors is generally required along Sheppard Avenue East to establish the Sheppard Promenade.”

##### Height

- Section 7.3.1 states that tall buildings with heights generally no greater than 45 storeys will be located close to the subways stations at Leslie Street and Bayview Avenue. We propose to modify Section 7.3.1 to also include the subway station at Bessarion Road to allow for building heights generally greater no than 45-storeys.

Section 7.3.6 requires a minimum setback of 5.0 m above the base building on Sheppard Avenue East. This is too restrictive and we recommend that this be revised to 3.0 m.

- Section 7.3.9 does not permit encroachments into the required setbacks except for minimal projections, related to the features required to the functioning of the building. In our opinion this language should be removed as the suggested language above appropriately addresses upper level setbacks and this prescription unnecessarily confines or restricts creative and appropriate architecture.

## Housing

Section 8.1.1(c) requires an additional 15 per cent be either 2-bedroom, 3- bedroom, or more bedroom units. This is too prescriptive, and flexibility is needed to respond to market needs. Our suggestion below reflects policies already contained in the Yonge-Eglinton Secondary Plan and the Downtown Plan. Instead, we proposed to modify 8.1.1(c) to read:

“c) A minimum of an additional 15 per cent of the total number of units as either 2-bedroom, 3-bedroom or more bedroom units or dwelling units that can be converted into any combination of multiple bedroom units using accessible or adaptable design measures such as knock out panels.”

### **5.0 The Evolution of Legislation and Policy**

A number of legislative and policy changes have taken place in the last few years which are germane to the planning considerations of the recommended RSESP, including:

- legislative changes to the *Planning Act*, as enacted through Bills 23 and 185, *More Homes Built Faster Act* (2022) and Cutting Red Tape to Build More Homes Act (2024).
- The new Provincial Planning Statement, 2024 (“2024 PPS”) was released by the Minister on August 20, 2024, and came into force on October 20, 2024. The 2024 PPS replaces both the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020. The 2024 PPS is intended to be a streamlined province-wide land use planning policy framework that provides municipalities with the tools and flexibility in order to facilitate the development of at least 1.5 million homes by 2031.

A much greater emphasis in this recent PPS directs planning authorities to promote the planning principles of intensification, compact form, transit supportive development forms and densities, that optimize the use of land, housing options and opportunities, and infrastructure, including public transit infrastructure, pedestrian friendly development, and efficient use of land, resources and public infrastructure. A key focus of these documents is for the provision of intensification surrounding existing and proposed higher order transit stations.

- The 2023 City Council approved Housing Pledge aimed, to facilitate the construction of 285,000 new homes by 2031.

It is through this lens that we suggest revisions to the RSESP, as a means to support Provincial and Local policies aimed at promoting optimized intensification, through redevelopment, and increasing the supply of housing in a faster manner, particularly on lands very well serviced by existing higher order transit infrastructure.

### **6.0 Conclusions and Recommendations**

It is our opinion that the portion of the lands fronting onto Sheppard Avenue East, located in the *Sheppard Corridor Character Area* of the RSESP would be underutilized if built as a mid rise building(s). We therefore conclude that given the existing and evolving development context, the

very close walking proximity to two (2) higher order transit stations and a GO Transit rail station, and the recent legislative and policy changes listed above, that these lands are capable of, and should be contemplated for, tall buildings. We conclude this for the following reasons:

- The subject site is located within the *Mixed Use Areas* land use designation as identified in the City OP and located along and *Avenue*.
- The lands to the north are proposed to be redesignated from *Neighbourhoods* to *Mixed Use Areas* thereby changing the character of those lands and the planning and urban design considerations on the subject site.
- The subject site is located within two *Major Transit Station Area* due to its location in close proximity to rapid transit stations. The Provincial policies contained in the PPS 2024 promote and encourage compact urban form, intensification, optimization of the existing land base and infrastructure, and development that is transit-supportive, as is proposed on the subject site.
- The subject site is located the proposed Bessarion Station Major Transit Station Area, as identified by OPA 575. A proposal in this location is illustrative of transit-supportive intensification that supports and implements municipal policies.
- Potential development of tall buildings on the subject site fits within the existing, approved and planned height context.
- Through good urban design, and guideline standards, potential impact implications can be mitigated and addressed.
- In addition we have proposed modification to Sections 5.8.3 related to setbacks, 7.3.1, 7.3.6 and 7.3.9 related to tower height and 8.1.1(c) related to housing to allow for greater flexibility, responding to market demands and enabling architectural flexibility.

In view of the above, we recommend that the approval of OPA 777 be deferred to enable the consideration of these recommendations, failing which, we recommend that that our suggested modifications be approved as part of the approval of OPA 777.

We would be pleased to meet with the staff and Local Councillor to discuss our clients concerns further. We also request notice of any upcoming report and/or meeting(s) concerning this topic area, and any decision regarding this matter. Please do not hesitate to contact Clay Janzen at ext. 2104 or the undesignated at ext. 2100.

Yours very truly,

**GOLDBERG GROUP**



Michael Goldberg, MCIP, RPP  
Principal

cc. Canadian Tire Corporation, Limited and Canadian Tire Properties Inc

## FIGURES



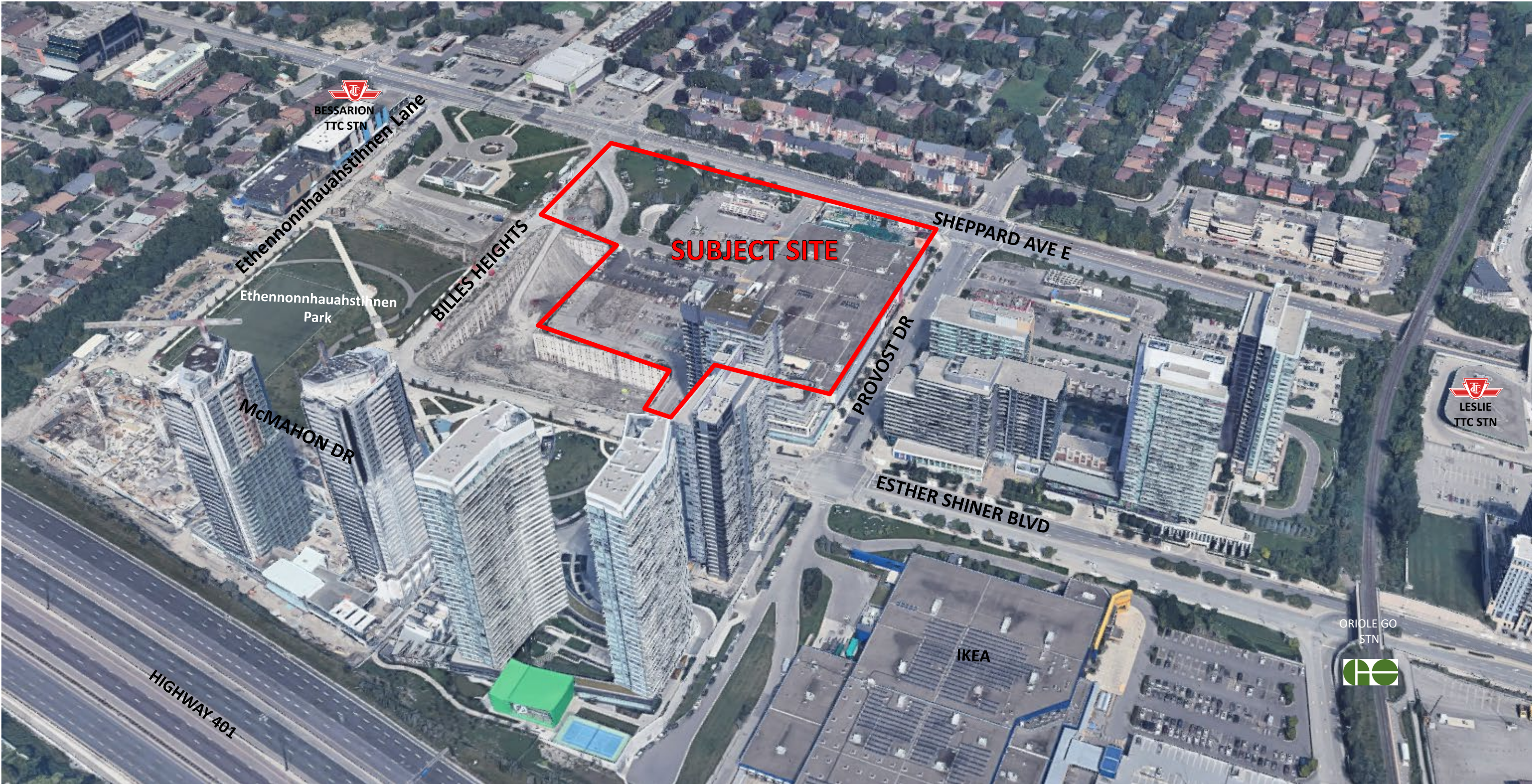
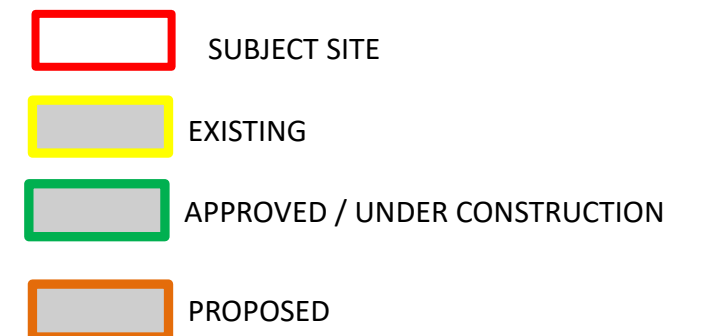
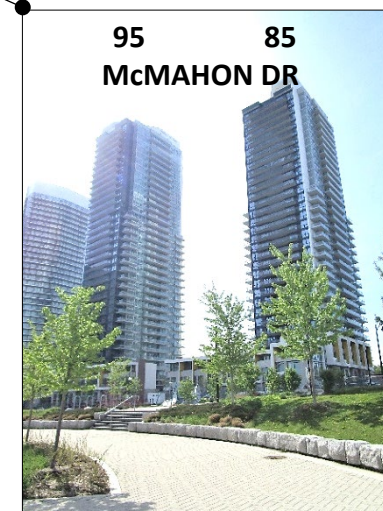
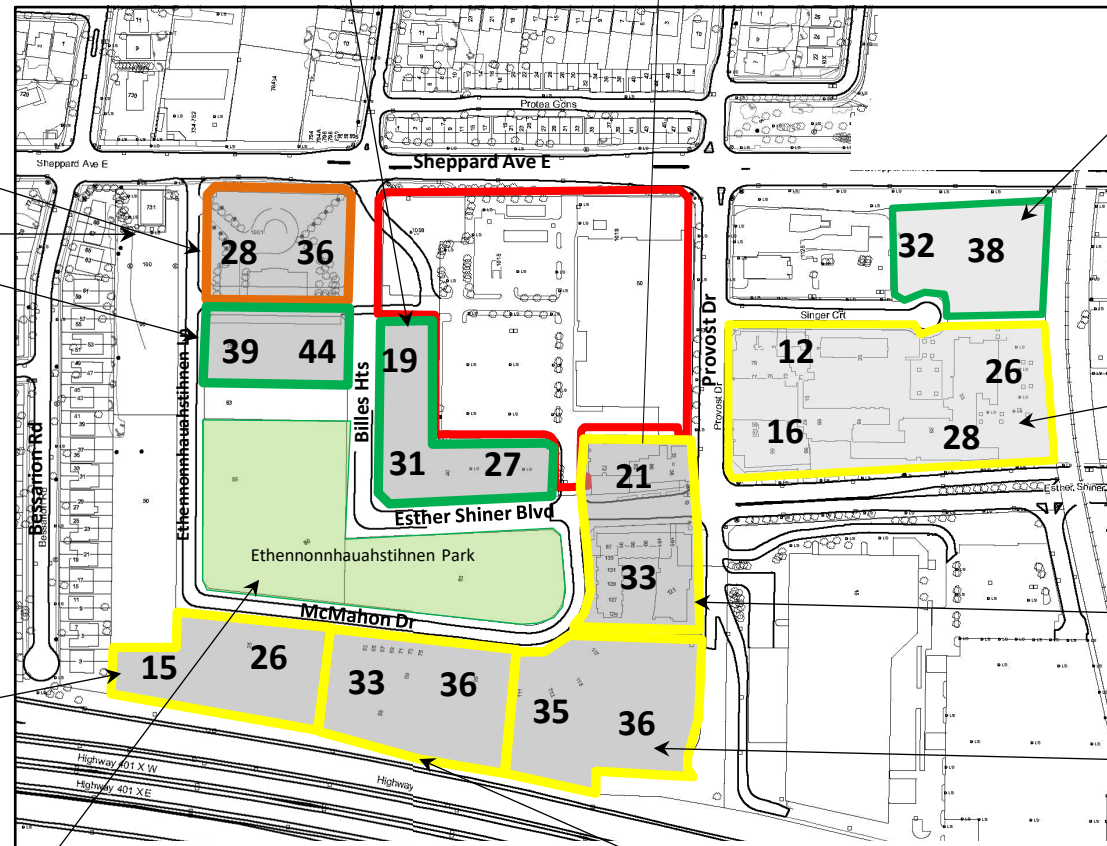
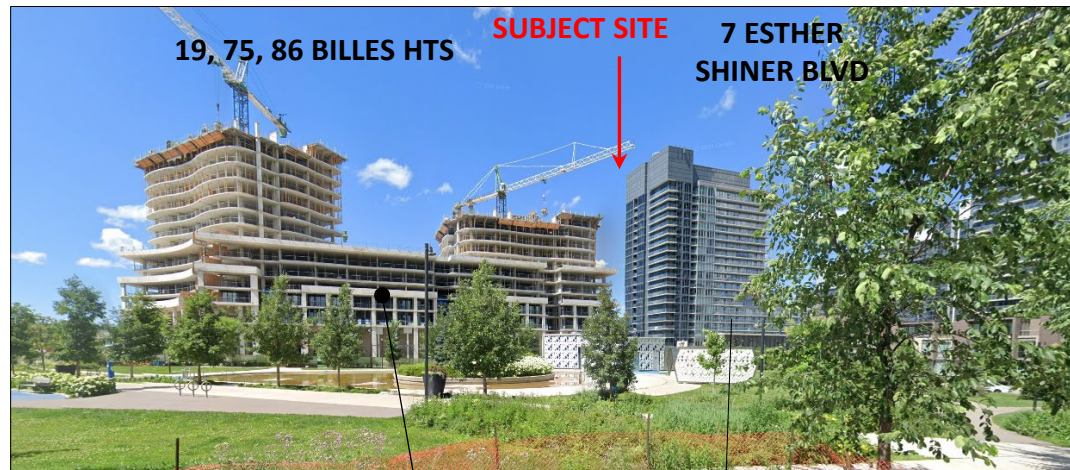


Figure 1

AERIAL VIEW LOOKING NORTH



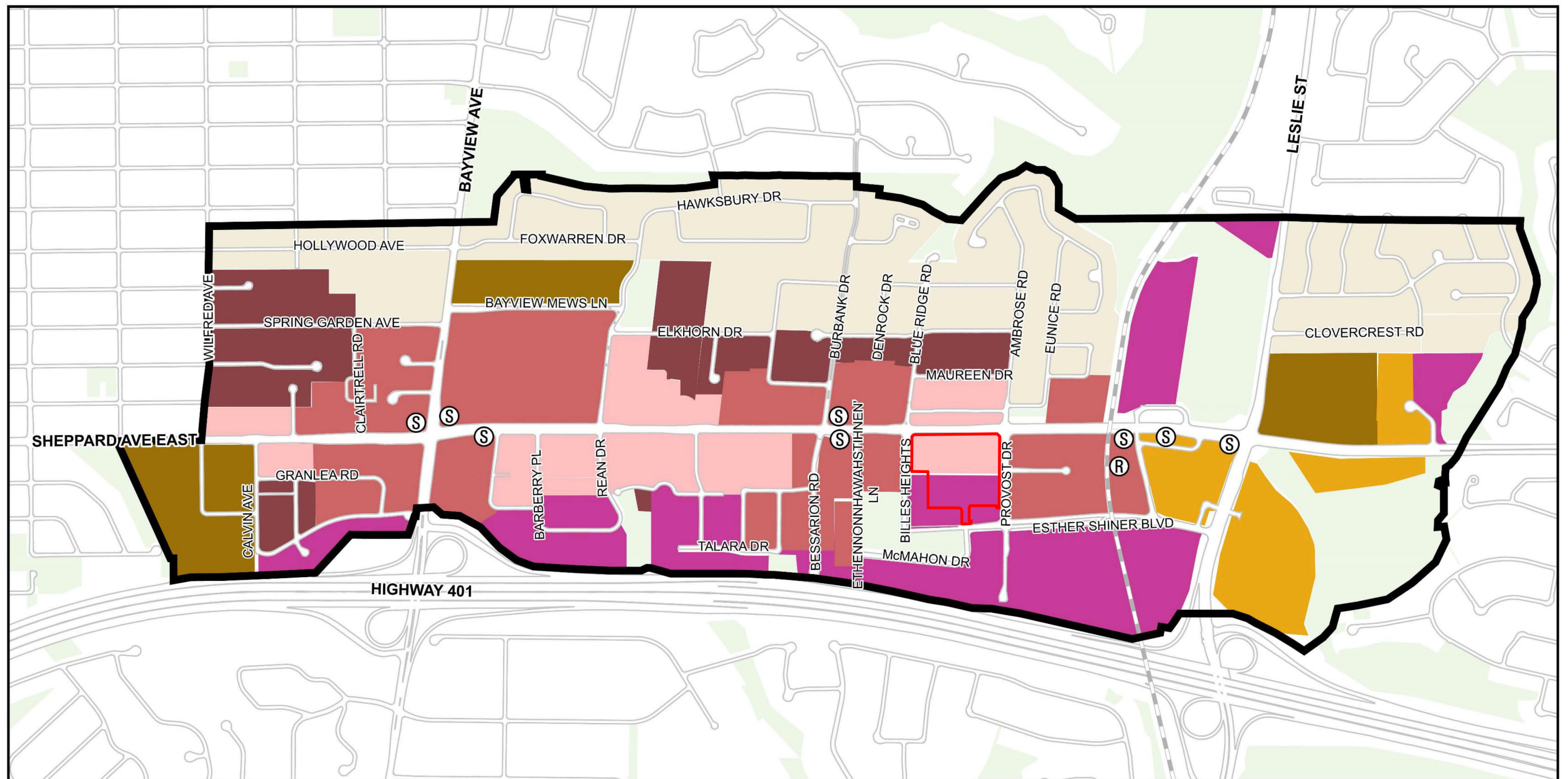


# NUMBER OF FLOORS

Figure 2

# CONCORD DEVELOPMENT SURROUNDING THE SUBJECT SITE





# Renew Sheppard East Secondary Plan

Map 51-2: Character Areas

- |                         |                                   |                                  |                      |              |
|-------------------------|-----------------------------------|----------------------------------|----------------------|--------------|
| Secondary Plan Boundary | Transit Station Character Area    | Transition Zone Character Area   | Green Character Area | SUBJECT SITE |
| Edge Character Area     | Institutional Zone Character Area | Sheppard Corridor Character Area | TTC Subway Entrance  |              |
|                         | Neighbourhood Character Area      | GO Station                       |                      |              |

Not to Scale  
 November 2024

Figure 3

