

North York Community Council
Toronto City Hall
100 Queen Street West
Toronto, ON ,5H 2N2

December 2, 2024
File: 12046

**Re: Renew Sheppard East Secondary Plan – Final Report
North York Community Council Item 2024.NY19.11
27 Barberry Place and 579 Sheppard Avenue East, Toronto**

Weston Consulting is the planning consultant for Maziar Moini, the owner of 27 Barberry Place and Taymour Katirai the owner of 579 Sheppard Avenue East, in the City of Toronto (the 'subject lands'). The purpose of this letter is to provide comments regarding the Renew Sheppard East Secondary Plan for Council's consideration. This letter is being provided for both properties mentioned above; however, it does not preclude future correspondence or submissions being provided for each individual property on its own.

The subject lands located at the southwest intersection of Barberry Place and Sheppard Avenue East, and approximately 220 metres east of Bayview Avenue (Figure 1). The subject lands can be described as follows:

Property	Area	Frontage	Use
27 Barberry Place	780 sq.m (approx.)	19 m (approx.)	Detached dwelling
579 Sheppard Avenue East	750 sq.m (approx.)	18.5 m (approx.)	Detached dwelling

This letter details the concerns and objections of the owners as follows:

1. The owners do not support the subject lands being identified as "Kenaston Park" on Map 51-4 Long Term Parks Plan. There is an opportunity to develop the subject lands to accommodate a mixed-use building and the subject lands should not be considered in their entirety for parkland. There are three existing parks, including the Kenaston Gardens Parkette, Rean Park and Kenaston Park in close proximity to the subject lands and we suggest these other parks could provide more meaningful programing and potentially be expanded. It is recognized that a portion of the lands along Sheppard Avenue would be appropriate to continue the greenway on the south side of Sheppard Avenue.
2. The owners do not support the subject lands depiction on Map 51-5 Public Realm Plan for the reasons described above.
3. The owners request consideration for permitting alternative building typologies than mid-rise built form, which could unnecessarily restrict building types in close proximity to the transit station character area. This approach would support the subject lands for higher density in order to optimize transit.
4. The owners have concerns that the design policies of Section 5.8, Section 7.2, and 7.3 are too prescriptive and provide less flexibility in architectural style and variation and may be unnecessarily restrictive to achieving good planning outcomes. Certain specific design policies in the new Secondary Plan are more restrictive than current guidelines and do not achieve the City's recent efforts in updating design guidelines to allow for more efficient floorplates, improve constructability and accommodate buildings on sites with geometric constraints.
5. The owners do not support Policy 8.1.1 of the Secondary Plan as it is too prescriptive. The requirement for specific dwelling sizes does not provide for variation depending on market conditions. There are City of Toronto Guidelines which encourage specific unit sizes and can be considered in the evaluation of applications.

Site Context

The subject lands are surrounded by a range of commercial uses including Bayview Village on the north side of Sheppard Avenue East and residential uses predominantly in the form of mid to high-rise residential buildings, with some immediate surrounding detached dwellings.

Bayview station, serviced by Line 4 is located 95 metres west of the subject lands and the Bessarion Station is located 755 metres to the east.



Figure 1. Aerial Image of Subject Lands

Surrounding Development Activity

Within a 250-metre radius of the subject lands there are numerous development applications in accordance with the City of Toronto Planning Application Information Centre, which includes:

Address	Application Type	Purpose	Status
589 Sheppard Avenue East and 7-9 Barbary Place	Official Plan and Zoning By-law Amendment 20 233673 NNY 17 OZ	Proposal for a new 14-storey mixed-use building with retail and residential uses. Total gross floor area of 15,096 square metres.	Under Review
567 Sheppard Avenue East	Official Plan and Zoning By-law Amendment 24 135633 NNY 17 OZ	Proposal for three buildings at 2, 45 and 55 storeys. Total gross floor area of 82,138 square metres. Includes a new YMCA facility.	Under Review

2901 Bayview Avenue and 630 Sheppard Avenue East	Draft Plan of Subdivision 20 200970 NNY 17 SB	To permit three mixed-use buildings (6-20 storeys), a retail expansion of the shopping centre, and two mixed-use buildings (29 and 30 storeys).	Under Review
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The above development applications indicate that the surrounding area continues to develop with mid to high-rise mixed-use buildings, similar to the existing built context of the area. It is our understanding the proposed development to the east addressed as 589 Sheppard Avenue East and 7-9 Barberry Place is subject to previous heritage and public realm considerations.

Existing Land Use Permissions

In accordance with the City of Toronto Official Plan Map 2: Urban Structure, Sheppard Avenue East is identified as an Avenue and in accordance with Map 16: Land Use the subject lands area designated as *Mixed Use Areas*. Sheppard Avenue East has a planned right-of-way of 36 metres. The subject lands are also located within the existing Sheppard East Subway Corridor Secondary Plan.

Lands designated *Mixed Use Areas* in the City of Toronto are planned to accommodate the majority of the growth in the city, including residential and non-residential uses.

In accordance with the existing Sheppard East Subway Corridor Secondary Plan, development is encouraged within the areas designated *Mixed Use Areas* to support the investment of the subway network. The Secondary Plan identifies the subject property as within the Bayview Node Area A. Furthermore, Map 9-2 establishes a maximum density of 3.0 FSI and Map 9-3 identifies the subject lands being subject to Specific Development Policy 4.2.2. Policy 4.2.2 of the Secondary Plan identifies that the existing uses including single detached dwellings and public parkland are permitted to continue until redevelopment occurs; the policy then provides additional policy criteria for mixed-use development, including but not limited to assemblies to achieve maximum density, retention of existing road network, and the establishment of a central park or the expansion of Rean Park.

Furthermore, Map 9-4 Conceptual Parks Plan identifies existing parks as well as new or expanded parkland, none of which are located on or adjacent to the subject lands.

Lastly, through Official Plan Amendment (OPA) 575 the subject lands are located within a delineated major transit station area (MTSA), known as the SASP 728 - Bayview MTSA. This MTSA is planned for a minimum population and employment target of 200 residents and jobs combined per hectare. OPA 575 is currently awaiting approval by the Minister.

Renew Sheppard East Secondary Plan

The purpose of this letter is to provide formal comments for consideration for the City-Initiated Renew Sheppard East Secondary Plan and associated Official Plan Amendment No. 777 (OPA 777).

In accordance with Map 51-2, the subject lands are identified as *Sheppard Corridor Character Area* and in accordance with Map 51-4, the subject lands and adjoining parcels are identified as *Parkland Priority – Kenaston Park* (Figures 2 and 3).

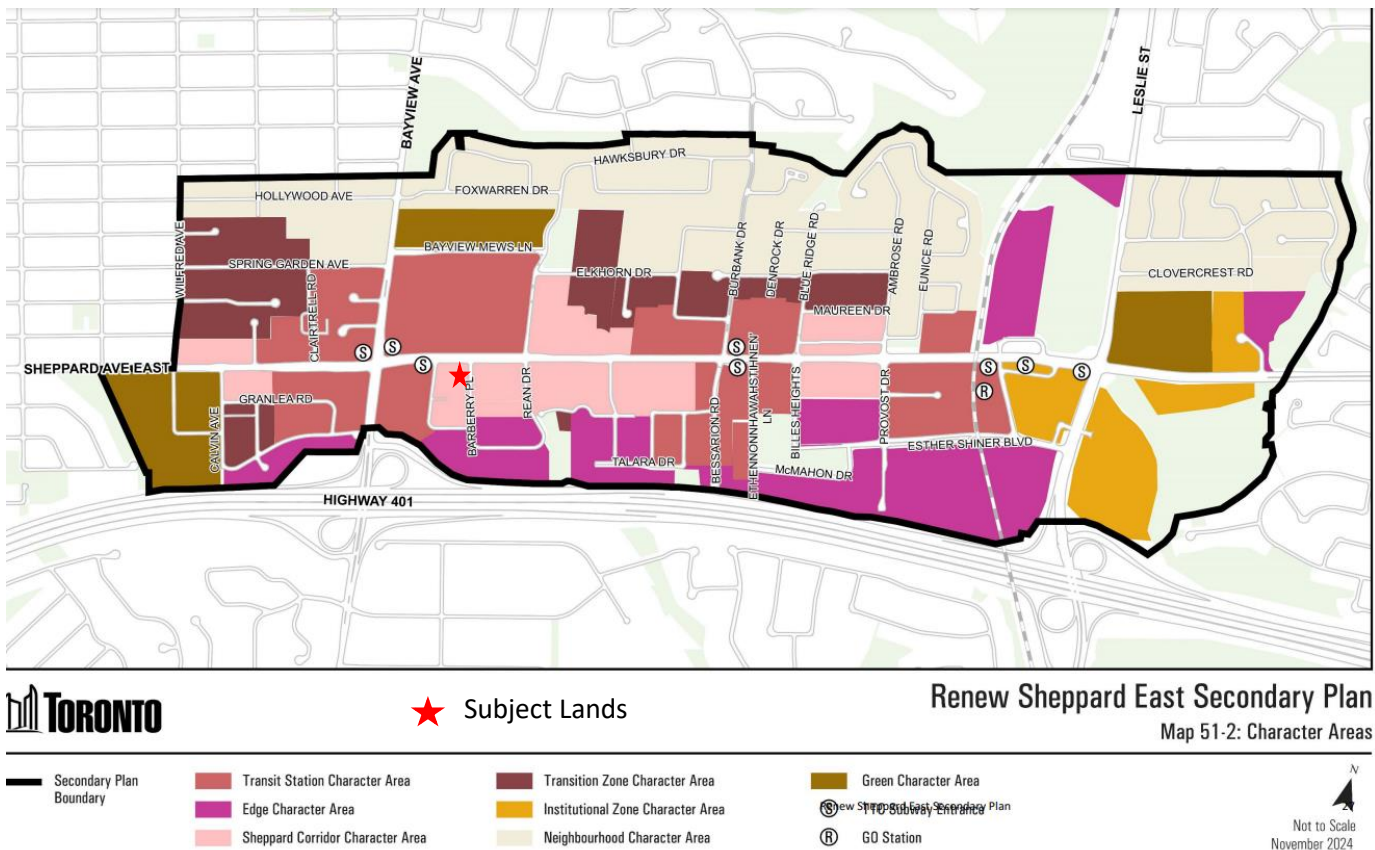


Figure 2. Renew Sheppard East Secondary Plan Map 51-2: Character Areas

In accordance with the Secondary Plan, the Sheppard Corridor Character Area will contain buildings in a mid-rise built form fitting with the existing character of the area. This area is expected to be developed at a lower intensity than the Transit Station Character Area.

Section 5 of the Renew Sheppard East Secondary Plan provides policies related to the Public Realm including parks. This Section identifies priorities for the public realm which include but are not limited to delivery of new and expanded parks with a focus on areas identified as Parkland Priority areas [emphasis added] (Figure 3). Subsection 5.3 provides further policies specific to parks, including the following:

New parks will be coordinated with enhancements to key public realm elements and complemented by the broader green space system including trails and the natural heritage areas of the East Don River Valley and ravine system, to provide a connected network of green spaces, with a variety of recreational facilities, amenities and activities within easy reach.

5.3.1 Parkland priorities within the Plan Area include, but are not limited to:

b) creating new parks, including within Parkland Priority areas identified in Map 51-4: Long Range Parks Plan; and

5.3.2 Priority locations for new parkland are conceptually shown on Map 51-4: Long Term Parks Plan. Parkland locations are identified as follows:

a) Potential Future Parks are locations where it is anticipated development could accommodate new parkland on-site;

b) *Parkland Priority areas are areas where parkland dedication or acquisition will be encouraged to achieve multiple public realm objectives;*

5.3.3 *The dedication of land to the City is to be prioritized through the development process to meet parkland dedication requirements. As part of development, parkland provision will be considered in the following order of priority:*

- a) *on-site parkland dedication;*
- b) *off-site parkland dedication;*
- c) *cash-in-lieu of parkland.*

5.3.4 *The precise size, location and configuration of Potential Future Parks and Parkland Priority areas, including additional parks not shown on Map 51-4, will be determined through the development review process and as other opportunities arise.*

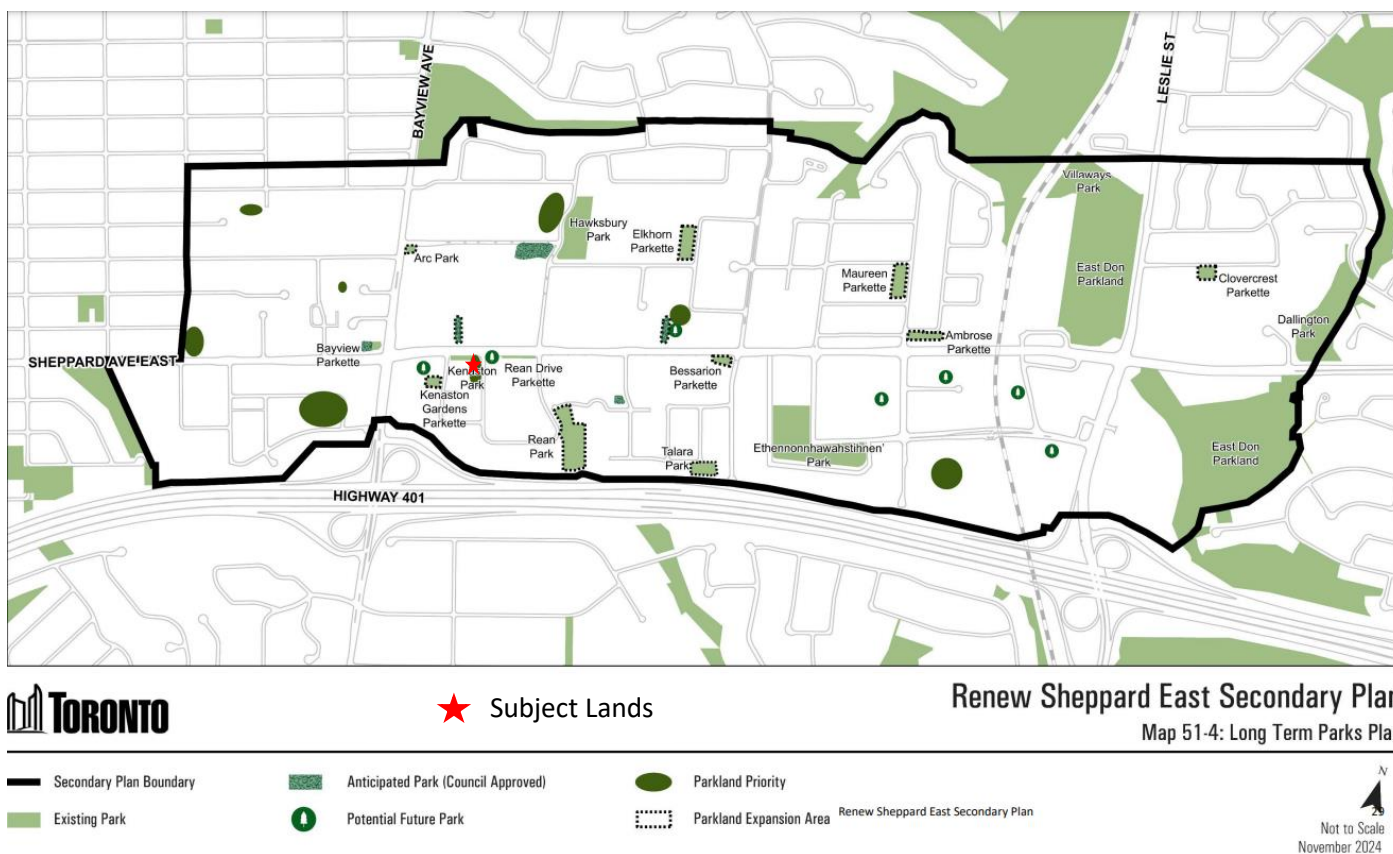


Figure 3. Renew Sheppard East Secondary Plan Map 51-4: Long Term Parks Plan

Comment: It is our opinion identifying the subject lands as Parkland Priority is not in keeping with the vision and goals of the Secondary Plan which is to accommodate residential and job growth in compact form that supports higher order transit. The area surrounding the subject lands contain a parkette and two parks. Furthermore, the proposed Green Loop provides convenient access to these existing parks. The Kenaston Gardens Parkette, Rean Park, and Kenaston Park are all located within 350 metres of one another. The subject lands provide an opportunity for residential development close to the existing Bayview station. The existing parkland within the vicinity of the subject lands meet the goals of providing a resilient public realm network of parks and open spaces in the Secondary Plan area. Furthermore, any redevelopment of the subject lands and adjacent parcels with a

mixed-use or residential building would consider opportunities to enhance the existing public realm, particularly along the Sheppard Avenue frontage.

Furthermore, policies within Section 7.2 Mid-Rise Buildings require a *“a step-back will generally be required at the 6th storey along Sheppard Avenue...”* and *“above the 4th storey in all other locations”*. It also states *“step-backs should generally not be less than 3.0 metres in depth.”*

Comment: This step-back requirement of not less than 3.0 metres in depth is contrary to the City's Performance Standards for Mid-Rise Buildings and results in inefficiencies for building design. The City's Performance Standards for Mid-Rise Buildings identifies a minimum step-back of 1.5 metres. The purpose of the step-back is to create buildings that are a comfortable scale for pedestrian, reduce shadowing and to provide building articulation, these objectives can be achieved in ways other than reducing the floor area of upper floors. Furthermore, the City's Performance Standards for Mid-Rise Buildings do not require step-backs at upper floors for buildings on 20 and 23-metre right-of-ways, this same standard should not be precluded in the Secondary Plan. The policy in the Secondary Plan should identify that mid-rise buildings are to implement measures that articulate building massing, reduce shadow impacts, and reduce the visual appearance of the height.

Section 7.3 Tall buildings, specifically policy 7.3.4 and 7.3.5 requires a *“a separation distance of generally a minimum of 20 metres to the nearest existing or planned mid-rise building”* and a base building of *“no more than 6 storeys along Sheppard Avenue...”* and *“no more than 4 storeys in all other locations”*. The Secondary Plan also states *“a step-back of 5.0 metres is required above a base building on Sheppard Avenue East”* and *“a minimum step-back of generally 3.0 metres is required above a base building locations other than those noted in Policies 7.3.6 and 7.3.7 of this Plan.”*

Comment: Policy 7.3.4 and 7.3.5 is over prescribed as the current standards and approved developments in the City allow for a separation distance of 11 to 14 metres between tall and mid-rise buildings. With regards to the height of the base building of tall buildings, this should be informed by the existing context of streetwall buildings with consistent height. Similarly, to above regarding step-backs, the City's Tall Building Design Guidelines require a minimum step-back of 3 metres. The objectives of the step-back for the tower can be met with the minimum 3-metre, as applied throughout the city in recent years.

Section 7.5 provides policies related to the Sheppard Corridor Character Area which state that this 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 is provided on the public realm.”* Similar policies are included in Section 3.3.

Comment: The Sheppard Corridor Character Area is planned to accommodate mid-rise buildings; however, the Edge Character Area located to the south of the subject lands is planned to accommodate tall and mid-rise buildings and the transit station area located directly surrounding Bayview station is to accommodate the tallest buildings. These policies are not consistent with provincial and municipal policies to locate the greatest densities near transit stations; rather, it provides for the tallest buildings at the station, then mid-rise buildings with less density, then an increase in density further from the station but adjacent to the 401. It is recommended the policies include greater flexibility in built form to allow for site specific considerations.

Policy 8.1.1 of Section 8 Housing of the Renew Secondary Plan requires a minimum percentage of the units to the two-bedrooms and larger.

Comment: The requirement for specific dwelling sizes is too prescriptive and does not provide for variation depending on market conditions. The City of Toronto has Guidelines which encourage specific unit sizes. This type of policy is better suited to be captured in guidelines to be considered with each application process rather than be prescribed in policy.

As detailed above, identifying the subject lands as Parkland Priority does not allow for the full optimization and utilization of the nearby transit station, which would be otherwise be achieved with appropriate intensification. Furthermore, policies within 7.2 and 7.3 are too prescriptive and detract from architectural variation and other means to address matters such as privacy, separation distances, pedestrian scale design, and shadowing. The various City guidelines provide for the appropriate evaluation of built form. Section 7.5 limits the building typology on the subject lands to mid-rise buildings which restricts intensification that is context specific and does not provide for appropriate transit-supportive development. Lastly, policy 8.1.1 is too prescriptive; the type and size of dwelling units are based on market conditions and influenced by the various City guidelines.

Conclusion

We request modifications to the Renew Sheppard East Secondary Plan in accordance with the comments of this Letter. Furthermore, we ask that this correspondence be added to the public record for the North York Community Council on December 3, 2024 regarding the Renew Sheppard East Secondary Plan Public Meeting.

Thank you for the opportunity to provide these comments. Please contact Kayly Robbins at ext. 315 should you have any questions regarding this submission.

Yours truly,

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