

## **110 Sheppard Avenue East– Official Plan Amendment, Zoning By-law Amendment – Decision Report – Refusal**

Date: June 16, 2025

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 18 - Willowdale

**Planning Application Number:** 25 134898 NNY 18 OZ

**Related Planning Application Number:** 25 134881 NNY 18 SA

### **SUMMARY**

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This Report recommends refusal of the application to amend the Official Plan and Zoning By-law to permit the construction of a 49-storey residential building (165.25 metres with mechanical penthouse) and a 53-storey (177.30 metres with mechanical penthouse) mixed-use building on a shared podium at 110 Sheppard Avenue East. The proposal contains 1,313 residential units and has a total residential gross floor area of 77,968.55 square metres. A 351 square metre retail unit is provided in the ground floor of the 53-storey building fronting Sheppard Avenue East. The overall proposal results in a density of 16.88 times the area of the lot. A total of 169 residential parking spaces are provided including 15 visitor parking spaces.

This report recommends refusal of the application as the proposal is not consistent with the Provincial Planning Statement (2024), does not conform to the Official Plan, including the North York Centre Secondary Plan. The applications propose buildings which exceed the contemplated height and density in the North York Centre Secondary Plan.

### **RECOMMENDATIONS**

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The Director, Community Planning North York recommends that:

1. City Council refuse the applications for the Official Plan Amendment and Zoning By-law Amendment (Application No. 25 134898 NNY 18 OZ) for the lands municipally known as 110 Sheppard Avenue East for the reasons identified in this Report.

2. City Council authorize the City Solicitor, together with appropriate City Staff, to appear before the Ontario Land Tribunal in support of City Council's decision to refuse the application, in the event that the decision is appealed to the Ontario Land Tribunal.

3. City Council authorize the City Solicitor and other appropriate City Staff to take any necessary steps to implement City Council's decision, including requesting any conditions of approval that would be in the City's interest, in the event an appeal of Council's decision is allowed by the Ontario Land Tribunal, in whole or in part.

## **FINANCIAL IMPACT**

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The Development Review 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**

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The site is not subject to previous *Planning Act* applications.

At its meeting on January 19, 2021, Planning and Housing Committee received the City Planning Division - Study Work Program Update and requested that the Chief Planner and Executive Director, City Planning initiate the focused review of the North York Secondary Plan and provide recommendations on maximum densities that may be included in the Secondary Plan. The Planning and Housing committee direction can be found at the following link:

<https://secure.toronto.ca/council/agendaitem.do?item=2021.PH20.2>

At its meeting on July 19, 2022, City Council adopted Official Plan Amendment 570 to delineate 57 Protected Major Transit Station Areas. The subject site is located within Site and Area Specific Policy 725, the Sheppard-Yonge Protected Major Transit Station which is planned for a minimum population and employment target of 350 residents and jobs combined per hectare. As of the date of this Report, the Minister has not yet made a decision on OPA 570. A copy of the report and Council's decision can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.PH35.16>

Staff conducted a Community Consultation Meeting for the application on May 26, 2025. The Community consultation is summarized in the Comments section of this Report.

At its meeting on December 16, 2013, City Council adopted OPA 231, following the City's first Municipal Comprehensive Review (MCR) to conform to the 2006 Provincial Growth Plan. OPA 231 is largely in effect although some policies, including policy 3.5.1.9, remain before the Ontario Land Tribunal ("Tribunal"). The Tribunal has approved significant portions of OPA 231, including a number of Council adopted site specific settlements. The Tribunal has not yet considered appeals to office replacement policies. An April 2021 consolidation of OPA 231 is available at this link:

<https://www.toronto.ca/legdocs/refdocs/11463.pdf>

## **THE SITE AND SURROUNDING LANDS**

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### **Description**

The subject site is generally rectangular in shape and is located at the northeast corner of Sheppard Avenue East and Kenneth Avenue. The subject site is approximately 4,631 square metres in area and has a frontage of approximately 42 metres on Sheppard Avenue East and 86.6 metres on Kenneth Avenue.

The site is currently occupied by a 10-storey office building with surface parking at the rear. There is also an existing pedestrian walkway along the east side of the site which connects the Willowdale Park Trail to Sheppard Avenue East.

See Attachment 2 for the Location Map.

### **Surrounding Uses**

North: 19-storey residential condominium building at 5 Kenneth Avenue. Further north is a low-rise residential neighbourhood.

South: Predominately commercial and some residential uses in a mix of one and two-storey detached dwellings and low-rise buildings fronting onto Sheppard Avenue East.

East: The Willowdale Park Trail directly abuts the site. Further east is an approved development at 120 Sheppard Avenue East for 4-storey townhomes and two mid-rise buildings 9 and 13-storeys in height.

West: Kenneth Avenue and a 12-storey office building fronting Sheppard Avenue East, and 18-storey residential condominium building fronting Kenneth Avenue.

## **THE APPLICATIONS**

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### **Description**

The applications propose the construction of two residential towers 49-storeys (165.25 metres with mechanical penthouse) and 53-storeys (177.30 metres with mechanical penthouse) in height. The towers are connected at the podium levels which range in height from 5 to 7-storeys in height. The 53-storey building fronting Sheppard Avenue East also proposes 351 square metres of retail space at-grade adjacent to Sheppard Avenue East. The total residential gross floor area of both buildings is 77,968 square metres, and 1,313 residential units. Access to the primary residential entrances to both buildings are from Kenneth Avenue.

A new 436 square metre public park is proposed on the east side of the site abutting the Willowdale Park Trail east of the site.

## **Density**

The total gross floor area of both buildings would be 78,330 square metres, resulting in a proposed density of 16.88 times the area of the lot.

## **Residential Component**

The proposal includes 1,313 dwelling units in total. Of which, 46 (3.5%) are studio units, 883 (67.3%) are one-bedroom units, 239 (18.2%) are two-bedroom units, and 145 (11%) are three-bedroom units.

## **Non-Residential Component**

The proposal includes 351 square metres of retail space on the ground floor of the 53-storey building. The retail space is provided in one unit fronting Sheppard Avenue East. An entrance into the commercial unit is provided from the public sidewalk on Sheppard Avenue East.

## **Access, Parking and Loading**

The proposal includes a total of 169 vehicular parking spaces (154 residential, 15 visitor) located in a three-level underground parking garage. A total of 986 bike parking spaces (790 spaces located at the mezzanine level, 196 spaces located underground). Type 'G' and Type 'C' loading spaces are located within the ground floor of the 49-storey building and one Type 'C' loading spaces is located within the ground floor of the 53-storey building. Parking and loading will be accessed via driveway from Kenneth Avenue.

## **Additional Information**

See Attachment 1, 2, 5, 6, 7, 8 and 9 of this Report for the Application Data Sheet, Location Map, a site plan, elevations, and 3D massing views of the proposal. 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:  
[www.toronto.ca/110SheppardAveW](http://www.toronto.ca/110SheppardAveW)

## **Reasons for Application**

A Zoning By-law amendment is required to provide development standards for the proposed buildings. The current zoning does not permit the proposed building heights, density, lot coverage, setbacks and building types.

An amendment to the North York Centre Secondary Plan is required to permit the proposed height and density. The draft Official Plan Amendment is also required to remove the lands from an existing Site and Area Specific Policy (SASP 1), which currently applies to the lands on the north side of Sheppard Avenue East, both east and west of Kenneth Avenue. The SASP and related Official Plan Amendment are discussed in further detail in the Policy and Regulation Considerations section of this report.

## APPLICATION BACKGROUND

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A pre-application consultation (PAC) meeting was held on November 5, 2024. The current application was submitted on March 28, 2025, and deemed complete on March 28, 2025. The Planning Application Checklist Package resulting from the PAC meeting and A Preliminary Summary of the application are available on the Application Information Centre (AIC) here <https://www.toronto.ca/110SheppardAveE>.

### 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.

## POLICY & REGULATION CONSIDERATIONS

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### 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 Planning Statement (2024), and shall conform to provincial plans.

### Official Plan

The Official Plan Urban Structure Map 2 identifies the subject site as being located along an *Avenue* and within a *Centre*. Land Use Map 16 designates the subject site as *Mixed Use Areas*. See Attachment 3 of this Report for the Land Use Map.

The Official Plan directs growth to the *Centres*, *Avenues*, *Employment Areas* and the *Downtown* as shown on Urban Structure Map 2 to achieve an array of planning objectives including a mix of uses, efficient use of land, infrastructure, and services, and to concentrate jobs and people in areas well served by surface transit and higher-order transit stations.

*Centres* are places with excellent transit accessibility where jobs, housing and services will be concentrated in dynamic mixed-use settings. *Centres* are focal points for surface transit routes drawing people from across the City and from outlying suburbs to either jobs within the *Centres* or to a rapid transit connection.

The *Mixed Use Areas* designation combines a broad range of residential uses, institutional uses, offices, retail and services, entertainment, recreation, and parks and open space. *Mixed Use Areas*, along with *Employment Areas*, *Regeneration Areas* and *Institutional Areas* designations are anticipated to absorb most of the increased jobs and population anticipated by the Official Plan's growth strategy.

The Official Plan's Built Form policies require new development to be located, organized and massed to fit within its existing and planned context, provide good transition in scale between areas of different building heights, promote comfortable and safe conditions for pedestrians, and support adjacent streets, lanes, parks, open spaces with improvements, expansion and active use of the public realm.

To the east, the site abuts a portion of the Willowdale Park Trail which is designated *Other Open Space Areas* on Land Use Map 16 in the Official Plan. The Built Form policies in Chapter 3 of the Official Plan require the effects of new development including shadows, noise, traffic and wind on adjacent parks and open spaces will be minimized as necessary to preserve their utility.

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.

## **Secondary Plan**

The North York Centre Secondary Plan (NYCSP) identifies the subject site as *Mixed Use Area 'C'*, which permits commercial, institutional, residential, public parks and recreational uses. Lands designated *Mixed Use Area 'C'* have a maximum density of 3.26 times the area plus 33 percent for density incentives for a maximum density of 4.34 times the site area, and a maximum height of 65 metres.

The site is within the North York Centre South sub-area as shown on NYCSP Map 8-1 which focuses on the North York Centre and Yonge-Sheppard Subway stations, and is identified in the NYCSP as the primary location for employment within the Centre. As such, North York Centre South will generally have higher densities and greater concentration of commercial uses than North York Centre North. Major concentrations of employment and residents will be located in conjunction with rapid transit.

The North York Centre Secondary Plan can be found here:

<https://www.toronto.ca/wpcontent/uploads/2017/11/8fe9-cp-official-plan-SP-8-North-York-Centre.pdf>

A review of the NYCSP is currently being undertaken by the City. Existing plan policies and areas outside of the current plan boundary will be reviewed. Additional information about the review can

be found on the City website here: [www.toronto.ca/NYCentre](http://www.toronto.ca/NYCentre)

## **Site and Area Specific Policy**

The site is subject to SASP 1, as shown on Map 8-12 of the NYCSP. SASP 1 applies to the lands on the North Side of Sheppard Avenue East, both East and West of Kenneth Avenue. The SASP states that average density for the lands will not exceed 3.26 times the lot area over the entire site, but the maximum density of that part of the site east of Kenneth Avenue will not exceed 2.55 times the lot area. The maximum gross floor area devoted to commercial uses east of Kenneth Avenue will not exceed 13,935 square metres.

## **Zoning**

The subject site is not subject to Zoning By-law 569-2013. The subject site is zoned C1-General Commercial under former City of North York Zoning By-law 7625. The C1 zoning category permits a range of commercial, institutional and residential uses in a variety of built forms including Apartment House Dwellings. See Attachment 4 of this report for the existing Zoning By-law Map. The C1 zone permits a maximum lot coverage of 33.3 percent for a mixed-use building, and a maximum height of the lesser of 9.2 metres or 3 storeys.

## **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
- Design Guidelines for Privately Owned Publicly-Accessible Spaces (POPS)
- Pet Friendly Design Guidelines for High Density Communities
- Percent for Public Art Program
- Retail Design Manual
- Toronto Accessibility Design Guidelines

## **Toronto Green Standard**

The Toronto Green Standard (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 TGS. Tiers 2 and above are voluntary, higher levels of performance with financial incentives (partial development charges refund). Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

## **Site Plan Control**

In order to implement the proposal, site plan approval is required prior to the issuance of any building permits. A corresponding Site Plan Control application has been filed for the subject lands (File No. 25 134881 NNY 18 SA ), as shown on Attachment 5: 'Site Plan' to this Report.

## **PUBLIC ENGAGEMENT**

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### **Community Consultation**

On May 26, 2025, a community consultation meeting took place. Approximately 41 members of the public attended, as well as the Ward Councilor. Following presentations by City staff and the Applicant, the following comments and issues were raised:

- Concerns about the proposed height and density and its impacts on the neighbourhood;
- Concerns about the lack of new infrastructure (e.g., school, parks, community services) to accommodate the proposed developments in the larger area;
- Concerns about the increase in traffic in the area;
- Concerns about the unit sizes and need for more family sized units;
- Concerns about the loss of existing office space;
- Concerns about the number of parking spaces provided;
- Concerns about privacy and shadowing on neighbourhoods;

The issues raised through the community consultation process have been considered through the review of the application and commented on as necessary in the body of this Report.

## COMMENTS

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### Provincial Planning 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 Planning Statement (2024) (PPS 2024). Staff find the proposal to be inconsistent with the PPS (2024) for the following reasons:

Policy 2.1.6.a) of the PPS (2024) contains provisions regarding the creation of complete communities which states that planning authorities should support the achievement of complete communities by "accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs". While the development proposes intensification and a mix of uses promoted by the PPS, it is lacking in the amount of employment uses being proposed. This site is currently an existing 10 storey office building located within a proposed PMTSA. Provincial targets that are established requires for the planning for both people and jobs (policy 2.4.2.2). Further policy 2.8.1.4 of the PPS also indicates that major office and major institutional development should be directed to major transit station areas or other strategic growth areas where frequent transit service is available. The proposed application is not consistent with this specific policy objective in light of the fact the official plan identifies this area as a primary employment location; the site is already an existing office building; and the proposed application does not propose any replacement office uses and minimal non-residential uses.

Policy 3.6.1 directs that growth should be accommodated in a manner that promotes the efficient use and optimization of existing municipal sewage services and that servicing and land use considerations are integrated throughout all stages of the planning process." The application has also not demonstrated that there is adequate capacity to support the proposed development. The application has not demonstrated



that the proposal can be accommodated by existing municipal services. As such, further information is required to be submitted to the City for review to determine if there is infrastructure capacity to support the proposal and to address existing sewers on the site.

## **Official Plan Policies and Design Guidelines**

This application has been reviewed against the Official Plan policies including Secondary Plan policies, planning studies, and design guidelines described in the Policy and Regulation Considerations Section of this Report.

## **Land Use**

The proposed residential and at-grade retail uses are permitted land use within the *Mixed Use Areas* designation in the Official Plan and Zoning. However, the subject site is also within the *Mixed Use Areas* 'C' designation and North York Centre South sub area of the existing North York Centre Secondary Plan. The policies of this Plan indicate that the North York Centre South sub area is to be the primary location for employment. The sub area is also to be significant commercial nodes in the vicinity and between the Sheppard and North York stations on the Yonge subway and Sheppard subway. Greatest heights are generally to take place on lands fronting Yonge street relative to the rest of the North York Centre South area.

The site is also designated as Mixed Use Area 'C' under the Secondary Plan which provides a range of uses including residential and commercial uses. The proposed application does not conform to this policy objective.

. Given the existing condition of the site, its proximity to two subway lines, and location in a primary employment location as per the NYCSP policies, the amount of gross floor area dedicated to non-residential uses should be increased . The loss of the existing office space does not represent a net positive for the community and does not support the goal of creating a complete community in the North York Centre.

## **Unit Size and Mix**

The Official Plan directs that a full range of housing in terms of form, tenure and affordability be provided to meet the current and future needs of residents. The proposal achieves the minimum 10 percent three-bedroom and 15 percent two-bedroom unit mix as recommended by the Growing Up Guidelines by providing 239 (18 percent) two-bedroom units, and 145 (11 percent) three bedroom units. The Growing Up Guidelines also recommend an ideal unit size of 90 square metres for two-bedroom units and 106 square metres for three-bedroom units. The application proposes an average unit size of 65 square metres for two-bedroom units and 77 square metres for three-bedroom units. In addition, the proposed average unit sizes for the two and three-bedroom units should be revised to be more in keeping with the city standards.

## Density, Height, Massing

The Official Plan's Built Form policies emphasize the importance of ensuring that new development is located, organized and massed to fit within its existing and planned context.

The proposed density of 16.88 times the site area greatly exceeds the maximum 3.26 permitted by the NYCSP. While some increase in density could be supported on the site, the buildings would need to be massed to fit the existing context and provide a transition in scale from adjacent properties that is appropriate given the planned and existing context.

The maximum building heights as set out in the NYCSP transition down in scale away from Yonge Street, providing a transition in height from the highest intensity areas along Yonge Street and the residential communities outside the Centre. In terms of proximity to Yonge Street, the site is located near the eastern edge of the NYCSP area, closer to the low-rise *Neighbourhoods* outside of the NYCSP area than it is to Yonge Street. The tall residential buildings located directly north and west of the site along Kenneth Avenue are 18-storeys in height. The tallest buildings in the Centre are located further west in proximity to Yonge Street, with the tallest building being 49-storeys located on Yonge Street. East of the Willowdale Park Trail abutting *Neighbourhoods* is an approved and not yet constructed development at 120 Sheppard Avenue East consisting of two 4-storey townhouse blocks and two mid-rise buildings 9 and 13-storeys in height. The existing context surrounding the site reflects the intent of the NYCSP by transitioning down in building scale away from Yonge Street, with less intense development in proximity to the low-rise *Neighbourhoods* located outside of the NYCSP area. While some additional height above those permitted in NYCSP may be appropriate, the proposed building height of 49 and 53 storeys do not align with the policy direction of the secondary plan and should be revised.

The NYCSP states the street wall height should be a maximum 25 metres with tall buildings stepped back above this in order to achieve a pedestrian-scale street wall condition along Sheppard Avenue East. The proposed street wall height of 31 metres does not create a comfortable pedestrian scaled massing along the street and should be reduced. The NYCSP requires buildings along side streets to be stepped back at a maximum height of 12 metres. The proposed base building height of 25.4 metres along Kenneth Avenue should be reduced to meet the intent of the NYCSP and respect the scale and proportion of Kenneth Avenue which has a right-of-way width of 20 metres.

The tower steps back by 2.5 metres above the base building on Kenneth Avenue and Sheppard Avenue East. Increased tower stepbacks should be provided to align with the NYCSP policy directions and the requirements of tall building guidelines.

The proposed gross construction floor area of both towers is 815 square metres. It should be reduced to be more in keeping with the requirements of tall building design guidelines (750 square metres) to minimize the shadow impacts of the towers onto the adjacent public streets and open spaces.

The proposed density of 16.88 and height of 49 and 53-storeys significantly exceed what is permissible on this site as per the NYCSP. While the development site may be

appropriate for intensification beyond what the NYCSP allows, the scale of the proposed buildings does not fit with the existing and planned context in the NYCSP area. While *Mixed Use Areas, Centres and Avenues* are identified in the Official Plan as areas to direct intensification, new development is subject to policies and criteria regarding appropriate building height, location and massing.

### **Public Realm & Streetscape**

The application as submitted proposes a base building setback of 1.06 metres from the Sheppard Avenue East property line, and a combined boulevard width of 7.40 metres on Sheppard Avenue East measured from the roadway to building facade. Policy 5.3.3 a) of the NYCSP requires buildings to be set back approximately 4.0 metres from the property line, with the goal of achieving a publicly accessible boulevard of approximately 10 metres in width. The proposed building should be redesigned to achieve a sufficient private setback on Sheppard Avenue East in order to provide a 10-metre wide combined public/private boulevard space to meet the goals of the NYCSP.

The application also proposes a base building setback of 0 metres from the Kenneth Avenue property line. This setback should be increased to allow for appropriate transition and space for soft landscaping and tree planting between the private and public realm on Kenneth Avenue, as directed by the Official Plan.

### **Shadow Impact**

The applicant as submitted a Sun/Shadow Study for the proposal illustrating new shadows resulting from the proposed and surrounding developments. The result of the shadow study demonstrates notable shadow impacts on Willowdale Park to the east and on the proposed on-site parkland dedication,. Official Plan Policy 3.2.3.3 and NYCSP Policy 5.6.6 speak to minimizing the effects of additional shadows on parks and open spaces resulting from development. Revisions should be made to the built form, including the base building height and tower floorplate size as a first step to minimize shadow impacts on adjacent parkland.

### **Wind Impact**

The submitted Pedestrian Level Wind Study, based on the wind tunnel testing and data analysis, concludes that there is an area along the pedestrian walkway at grade between the buildings where uncomfortable wind condition is expected in Spring and Winter. Tall wind screens are not acceptable for open spaces and pedestrian focused areas at grade.

### **Servicing**

A Functional Servicing and Storm Water Management Report has been submitted in support of the proposal. The report requires revisions based on updated engineering analyses; to describe the servicing demand changes as they relate to stormwater management, sanitary servicing and water servicing, resulting from the development proposal. The analyses and report must also determine if there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development demands or confirm that municipal infrastructure upgrades are required to provided

adequate capacity to support the development. Should these applications be approved, either the final Order should be withheld, until such time as the owner has addressed all comments from Engineering Review contained in their February 12, 2025, memorandum to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, or a Holding Provision should be applied to the implementing Zoning By-law to ensure the provision of a satisfactory report and secure any necessary upgrades and/or improvements to the City's water, wastewater and sanitary infrastructure, to the satisfaction of staff.

## **Road Widening**

In order to satisfy the Official Plan requirement of a 36 metre right-of-way for this segment of Sheppard Avenue East, a 2.76 metre road widening dedication along the Sheppard Avenue East frontage of the subject site would be required should an application be approved.

In addition, a 1.44 metre road widening along the Kenneth Avenue frontage of the site would be required to satisfy a 23 metre right-of-way width requirement, should an application be approved. Furthermore, a 6 metre corner rounding at the southwest corner of the site is required as taken from the widened Sheppard Avenue East and Kenneth Avenue road allowances.

## **Traffic Impact**

The applicant's traffic consultant, BA Group, prepared a Transportation Impact Study dated March 21, 2025 to assess the impacts of site traffic on the adjacent road network of projected future traffic conditions. The consultant estimates in this study that the proposed development will generate approximately 115 total new two-way vehicle trips (0 inbound and 115 outbound) during the weekday morning peak hour period and 130 total new vehicle two-way trips (85 inbound and 45 outbound) during the afternoon peak hour period. The applicant's consultant concludes that the traffic generated by the proposed development will have a minor impact on the overall operation of the network signalized and unsignalized intersections. Despite this conclusion, Transportation Review Staff have identified the following issues with the TIS to be addressed prior to accepting the traffic impacts of the development:

- background traffic growth rate
- impact of other future approved developments
- site trip estimates
- trip distribution
- capacity calculations
- pick-up/drop-off (PUDO) activity

In addition, Transportation Planning Staff have advised that the Travel Demand Management (TDM) plan is insufficient to satisfy the requirements of the Toronto Green Standard. This is discussed further in the section below.

Transportation Review has not accepted the study and requires a revised Transportation Impact Study to address the above-noted issues identified by staff.

## **Access, Vehicular and Bicycle Parking and Loading**

There is all-moves access driveway access proposed from Kenneth Avenue which leads to the underground parking spaces, and the loading and Pick-Up/Drop-Off (PUDO) parking spaces at grade. In the event the application is approved in some form, the location of the proposed site access is acceptable but is subject to detailed design review via the Site Plan process.

The parking requirements for the project are governed by the applicable parking provisions contained in the former City of North York general Zoning By-law No. 7625. However, Zoning Bylaw 569-2013 was recently amended by City Council in order to update the parking requirements for developments. The parking provisions contained in this by-law have been accepted by staff on recent development projects, where appropriate, as the associated parking standards are based on more recent information. As a result, Transportation Review can support parking being proposed for this project in accordance with Zoning By-law No. 569-2013.

A total of 169 parking spaces are provided for the proposed development. A total of 154 residential spaces are provided (including 18 accessible spaces), and a total of 15 visitor spaces (including 4 accessible spaces), are provided in 3 levels of underground parking. The proposed parking supply satisfies the resident, accessible and retail minimum parking standard requirements but does not satisfy the visitor minimum parking requirements of Zoning By-law 569-2013. A total of 7 pick-up/drop-off spaces are provided at grade. The proposal provides for one Type 'G' loading space and two Type 'C' loading spaces at grade, which satisfies the minimum loading supply requirements in Zoning By-law 569-2013.

A total of 903 bicycle parking space provided, including 802 long-term spaces, 101 short-term spaces, which meets the minimum Zoning By-law and TGS requirements. In accordance with AQ 2.6 of the TGS, 12 publicly accessible short-term bicycle parking spaces are provided. However, AQ 2.6 of the TGS requires the additional publicly accessible short-term spaces to be located on the site. The 12 spaces are located within the public boulevard and should be relocated to on-site.

## **Parkland**

Based on the current development proposal, in accordance with Section 42 of the Planning Act, the applicable alternative rate for on-site parkland dedication is 1 hectare per 600 net residential units to a cap of 10 percent of the development site as the site is less than five hectares, with the non-residential uses subject to a 2% parkland dedication. The total parkland dedication requirement is estimated to be 436 square metres.

The applicant is currently proposing an on-site parkland dedication of 436 square metres, located along the eastern portion of the site to connect to the Willowdale Park Trail with frontage on Sheppard Avenue East. This is acceptable to the General Manager, Parks and Recreation.

The applicant should minimize shadow impacts of the proposal on the Willowdale Park Trail to preserve its utility, in accordance with Policy 3.2.3.3 of the Toronto Official Plan, and Policy 5.6.6 of the North York Secondary Plan.

## **Tree Preservation**

The proposal has been evaluated against Performance Measure Ecology ("EC") 1.1 - 'Tree Planting and Soil Volume' and Performance Measure Ecology ("EC") 1.2 - 'Trees Along Street Frontages' of the TGS, and the City of Toronto Municipal Code, Chapter 813 ("MCC 813"), Article II (Trees on City Streets By-law) and Article III (Private Tree Protection By-law).

Upon review of the proposal, it has been determined that the requirements of Performance Measure EC 1.1 - 'Tree Planting and Soil Volume' and EC 1.2 - 'Trees Along Street Frontages' of the TGS are not being met. The application has not demonstrated a suitable growing environment for new trees. The Soil Volume Plan submitted in support of the proposal has insufficient soil volume and has not demonstrated that the development can deliver a minimum of 30 cubic metres of soil for each large growing shade tree. In addition, several of the proposed soil areas do not provide satisfactory conditions for tree planting.

The proposed base building setbacks on Kenneth Avenue also limit tree planting opportunities on the Kenneth Avenue frontage.

There are a total of 7 trees on the site subject to the Private Tree Protection By-law. One by-law regulated private tree has been identified for removal, three have been identified for preservation, and three will be injured to facilitate the construction of the development. The application proposes 5 new private trees located in the private outdoor amenity area, and 7 new City street trees (4 on the Sheppard Avenue East boulevard and 3 on Kenneth Avenue).

Should the application be approved, the applicant is to submit a tree planting deposit to ensure the planting and survival of 7 new City trees.

## **Toronto Green Standard**

The applicant is required to meet Tier 1 of the TGS in force at the time of a complete application for Site Plan Control. 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.

Upon review of the proposal, it has been determined that the proposal does not meet Policy 3.4.1 of the Official Plan and fails to achieve the following Tier 1 Performance Measures of the TGS:

- EC 1.1 for Tree Planting Areas and Soil Volumes
- EC 1.2 for Trees Along Street Frontages
- AQ 1.1 for Single-Occupant Auto Vehicle Trips

- AQ 2.1 Bicycle Parking Rates
- AQ 2.6 Publicly Accessible Bicycle Parking
- AQ 3.2 Sidewalk Space

### **Summary of Issues to be Resolved**

Based on the review of the applications, the following issues have not been addressed and need to be resolved in order for redevelopment to proceed on the subject site.

- Scale, density and massing of the development and fit of the development within the existing and planned context;
- Potential of increasing the proportion of non-residential or office uses;
- Provide adequate soil volume for trees with satisfies Toronto Green Standard EC 1.1
- Provide feasible street trees with adequate soil volumes which satisfies Toronto Green Standard EC 1.2
- Site servicing including determining area capacity for the proposed development and any necessary upgrades;
- Impact on the Willowdale Park Trail and on-site parkland dedication including shadow impacts; and
- Built form matters such as streetwall heights, building setbacks and on Kenneth Avenue and Sheppard Avenue, setbacks and tower stepbacks.

### **Further Issues**

Should the decision to refuse the application be appealed to the Ontario Land Tribunal, and Staff continue to receive additional or supplementary information regarding this application or be required to review a revised proposal, Staff may refine or identify further issues and/or supplement the reasons provided in this Report.

### **Conditions to Any Tribunal Order**

Should the refusal of Council's decision be appealed to the Ontario Land Tribunal, and not resolved or otherwise approved by City Council, and the Ontario Land Tribunal decides to grant the approval, in whole or in part, the following include a preliminary list of conditions that should be imposed on the issuance of any final order of the Tribunal to the satisfaction of the appropriate City Officials:

- The final form and content of the draft Official Plan Amendment;
- The final form and content of the draft Zoning By-law Amendment;
- The owner has at its sole expense:
  - Submitted a revised Functional Servicing Report and Stormwater Management Report, Hydrogeological Review, including the Foundation Drainage Report ("Engineering Reports") to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water;
  - Secured the design and provided financial securities in respect of any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Engineering Reports, to support the development, all to the satisfaction

of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water, should it be determined that improvements or upgrades are required to support the development, according to the Engineering Reports accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water

- Ensured that implementation of the accepted Engineering Reports does not require changes to the proposed amending By-law or that any required changes have been made to the proposed amending By-law to the satisfaction of the Executive Director, Development Review, and the City Solicitor, including the use of a Holding ("H") By-law symbol regarding any new municipal servicing infrastructure or upgrades to existing municipal servicing infrastructure, as may be required.
- Submitted a revised Transportation Impact Study and Travel Demand Management (TDM) Plan to the satisfaction of the General Manager, Transportation Services, and Chief Planner and Executive Director, City Planning.
- Submitted a revised Arborist Study, Tree Preservation Plan, Soil Volume Plan, Landscape Plan, and Planting Plan, to the satisfaction of the General Manager, Urban Forestry.
- Submitted a revised Wind Study to the satisfaction of the Chief Planner and Executive Director, City Planning.

## **CONCLUSION**

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The proposal has been reviewed against the policies of the Provincial Planning Statement (2024), and the Official Plan including the policies of the North York Centre Secondary Plan. Staff are of the opinion that the proposal is not consistent with the PPS (2024), in particular with respect to creating a complete community. Further, the proposal does not conform with the Official Plan, including the North York Centre Secondary Plan, particularly as it relates to the proposed non-residential land uses, heights, density, and built form elements including setbacks of the base building to adjacent streets, street wall heights and tower setbacks above the base building

The proposed development does not fit with the existing or planning context, does not represent good planning and is not in the public interest in its current form. As such, Staff recommend that Council refuse the application.

## **CONTACT**

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Diana Steinberg, Planner, Tel. No. 416-338-3455, E-mail: [Diana.Steinberg@toronto.ca](mailto:Diana.Steinberg@toronto.ca)

## **SIGNATURE**

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

## **ATTACHMENTS**

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### **City of Toronto Information/Drawings**

Attachment 1: Application Data Sheet  
Attachment 2: Location Map  
Attachment 3: Official Plan Land Use Map  
Attachment 4: Existing Zoning By-law Map

### **Applicant Submitted Drawings**

Attachment 5: Site Plan  
Attachment 6: Elevation (West Side)  
Attachment 7: Elevation (South Side)  
Attachment 8: 3D Massing Model (view looking northeast)  
Attachment 9: 3D Massing Model (view looking southwest)

## Attachment 1: Application Data Sheet

Municipal Address: 110 SHEPPARD AVENUE EAST      Date Received: March 28, 2025

Application Number: 25 134898 NNY 18 OZ

Application Type: Rezoning & Official Plan Amendment

Project Description: Zoning By-law Amendment and Official Plan Amendment applications to construct a 49-storey residential tower and 53-storey mixed-use tower inclusive of a shared podium ranging 5 to 7-storeys in height. Retail uses at-grade are proposed in the 53-storey building fronting Sheppard Avenue East. The building will provide a total of 1,313 residential units. Driveway access is proposed from Kenneth Avenue, leading to 3 levels of below-grade parking, providing a total of 169 parking spaces. The proposed development provides a total GFA of 78,330.72 square metres and an FSI of 16.88.

Applicant	Agent	Architect	Owner
110 Sheppard East GP Inc.	WND Associates	Sweeny & Co Architects	110 Sheppard East GP Inc.

## EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas      Site Specific Provision: Y

Zoning: General Commercial      Heritage Designation: N

Height Limit (m): 10 metres and 9.2 metres      Site Plan Control Area: Y

## PROJECT INFORMATION

Site Area (sq m): 4,630      Frontage (m): 40      Depth (m): 94

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	2,168		2,101	2,101
Residential GFA (sq m):	0		77,969	77,969
Non-Residential GFA (sq m):	12,727	0	362	362
Total GFA (sq m):	12,727	0	78,331	78,331
Height - Storeys:	10		53	53
Height - Metres:			177	177

Lot Coverage Ratio 33 Floor Space Index: 16.88  
(%):

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	77,968	164
Retail GFA:	351	12
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			1,313	1,313
Other:				
Total Units:			1,313	1,313

#### Total Residential Units by Size

	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:				
Proposed:	46	883	239	145
Total Units:	46	883	239	145

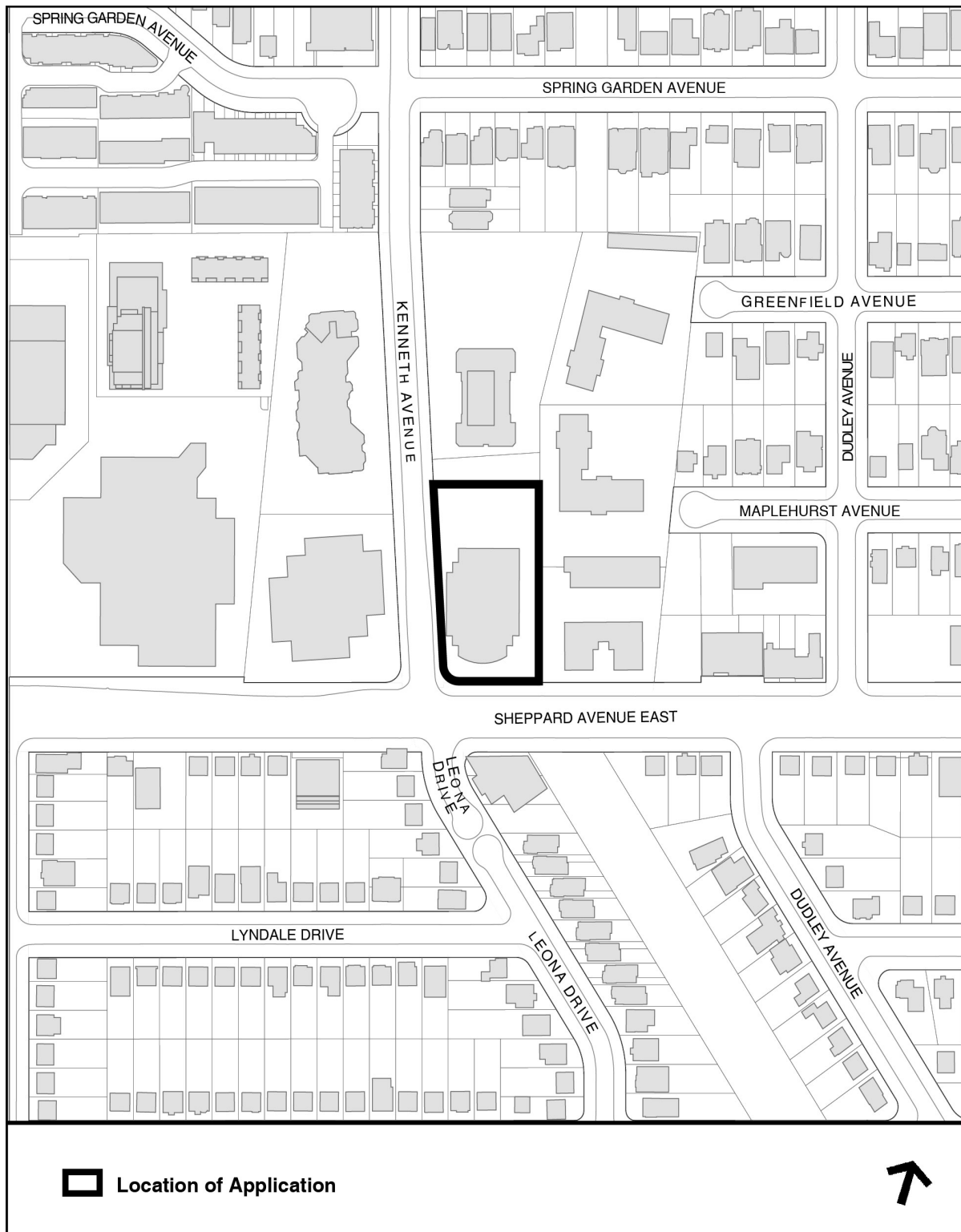
#### Parking and Loading

Parking Spaces:	169	Bicycle Parking Spaces:	986	Loading Docks:	2
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#### CONTACT:

Diana Steinberg, Planner, Community Planning  
(416) 338-3455  
Diana.Steinberg@toronto.ca

## Attachment 2: Location Map



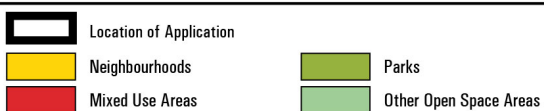
# Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #16

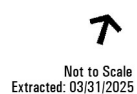
110 Sheppard Avenue East

File # 25 134898 NNY 18 02



Not to Scale  
Extracted: 03/31/2025

## Decision Report - Refusal - 110 Sheppard Ave East

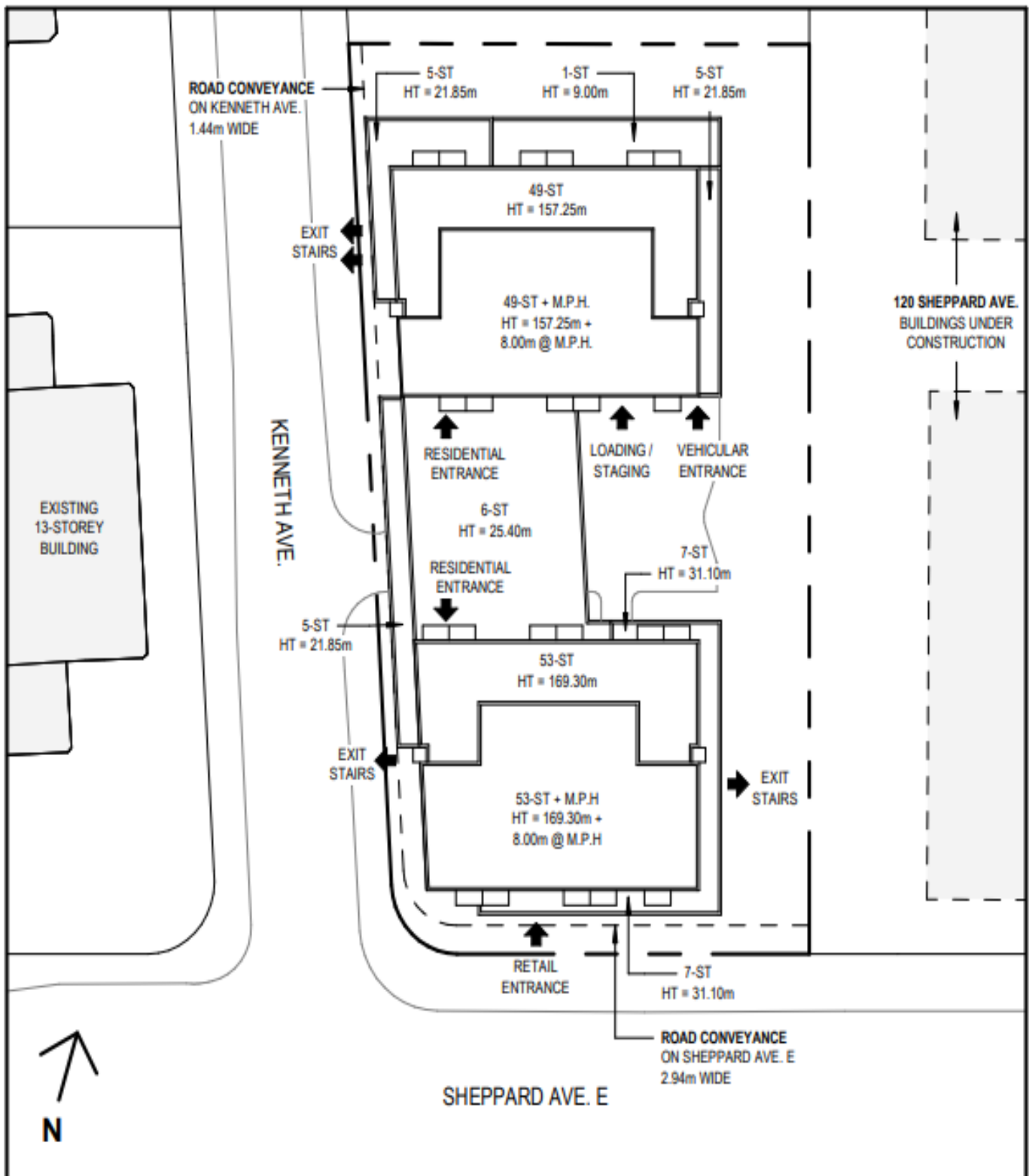


# Zoning By-law 7625

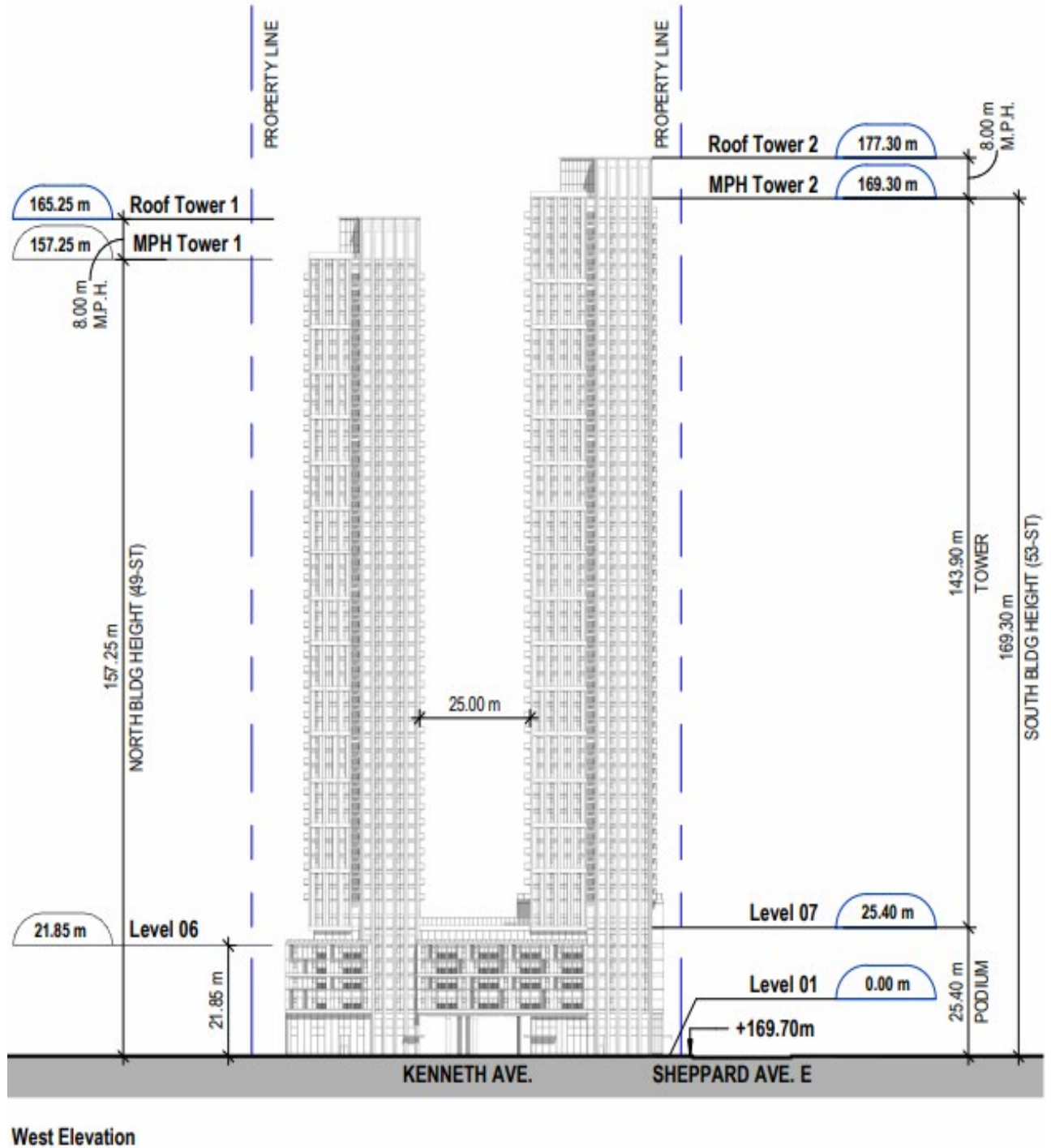
File # 25 134898 NNY 18 0Z

- | Location of Application |  |    |                 |
|-------------------------|--|----|-----------------|
| R4                      | One-Family Detached Dwelling Fourth Density Zone | O1 | Open Space Zone |
| R6                      | One-Family Detached Dwelling Sixth Density Zone  |    |                 |
| RM1                     | Multiple-Family Dwellings First Density Zone     |    |                 |
| RM6                     | Multiple-Family Dwellings Sixth Density Zone     |    |                 |
| C1                      | General Commercial Zone                          |    |                 |
| C7                      | Mixed Use Commercial Zone                        |    |                 |

# Attachment 5: Site Plan

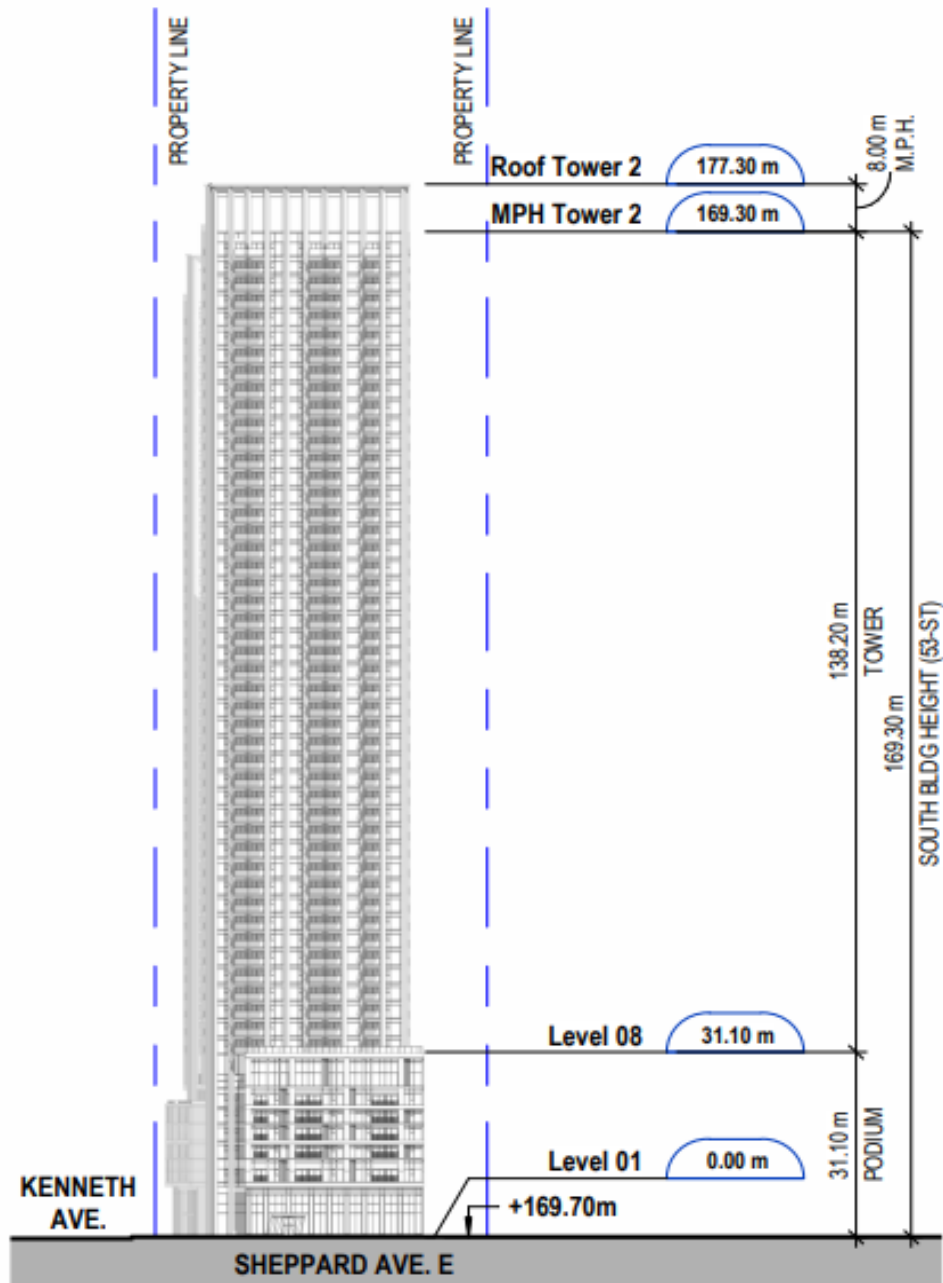


# Attachment 6: Elevation (West Side)





Attachment 7: Elevation (South Side)



South Elevation

Attachment 8: 3D Massing Model (view looking northeast)



Attachment 9: 3D Massing Model (view looking southwest)

