

**3105 to 3133 Sheppard Ave E - Official Plan Amendment  
and Zoning By-law Amendment Applications -  
Preliminary Report**

<b>Date:</b>	March 24, 2015
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Acting Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 40 – Scarborough-Agincourt
<b>Reference Number:</b>	14 265429 ESC 40 OZ

**SUMMARY**

This application proposes to amend the Official Plan and Zoning By-law to permit a 30-storey mixed use building including a 6-storey podium at 3105 to 3133 Sheppard Avenue East. The proposal consists of 365 apartment dwelling units and ground floor commercial uses fronting Sheppard Avenue East. Three levels of underground parking are proposed with driveway access proposed from Pharmacy Avenue.

This report provides preliminary information on the above-noted applications and seeks Community Council's directions on further processing of the applications and on the community consultation process.

The application should proceed through the normal planning review process including the scheduling of a community consultation meeting. A final report will be prepared and a public meeting will be scheduled once all identified issues have been satisfactorily resolved and all required information is provided.



Staff have significant concerns with the proposal, specifically the building height, massing and density and consequently will be seeking significant modifications to the proposal with the further processing of the application.

## **RECOMMENDATIONS**

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### **The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting for the lands at 3105 to 3133 Sheppard Avenue East together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the *Planning Act*.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

There are no previous development applications on these lands which may have relevance to the decision on this application.

### **Pre-Application Consultation**

A pre-application consultation meeting was held on July 25, 2012 with the previous property owner along with the current planning consulting firm and architect to provide feedback and to discuss complete application requirements for an 18-storey, mixed-use 384 dwelling unit building consisting of a 9-storey podium and a 9-storey tower element. City Planning Division staff expressed concerns with this proposal in terms of the proposed height and massing.

The ownership of the lands changed in 2014. Discussions and a meeting were held in February 2014 with the current property owner, at their request, to discuss site servicing issues related to the possibility of re-locating the existing storm and sanitary sewer easement across the southern portion of the site and related implications.

No pre-application consultation meetings were requested by the current property owner to discuss the 30-storey proposal that was subsequently filed as part of these development applications. A pre-application checklist was provided to the applicant, upon request, on September 30, 2014.

## **ISSUE BACKGROUND**

### **Proposal**

This application proposes to demolish the existing commercial plaza and amend the Official Plan from *Neighbourhoods* to *Mixed Use Areas* and Zoning By-law to permit a 30-storey mixed use building including a 6-storey podium.

The U-shaped podium extends along the Sheppard Avenue frontage and partially along the Pharmacy Avenue frontage and east property line. The tower element sits atop the podium along the northwest portion of the site towards the intersection.

The proposal consists of 365 apartment dwelling units and 1,190 square metres of ground floor commercial uses fronting Sheppard Avenue East. The total proposed gross floor area is 29,005 square metres or approximately 5.84 times the area of the lot.

The residential unit mix proposes 54 one-bedroom units, 157 one-bedroom plus den units, 73 two-bedroom units, 63 two-bedroom plus den units and 18 three-bedroom units.

The building proposes 1,460 m<sup>2</sup> of amenity area on the seventh floor, comprising 595 m<sup>2</sup> of indoor amenity space and 865 m<sup>2</sup> outdoor amenity space.

A total of 341 parking spaces are proposed, including 295 parking spaces within a three-level underground parking garage for residents and 46 shared surface parking spaces for residential visitors and commercial uses. Two full movement vehicular accesses are proposed off Pharmacy Avenue including: a driveway to the surface parking area and residential drop-off area; and a ramp to the underground parking garage, located immediately north of the driveway. The development site excludes the required 2.13 metre road widening along the Sheppard Avenue East frontage.

Attachments 1 and 2 include the applicant's site plan and elevations. Additional site and development statistics are included in the application data sheet (Attachment No. 5).

### **Site and Surrounding Area**

The site is located on the southeast corner of Sheppard Avenue East and Pharmacy Avenue. The rectangular site is approximately 0.5 hectares in area with frontages of approximately 82 metres along Sheppard Avenue East and 61 metres along Pharmacy Avenue. A 6.15-metre easement is located along the south property boundary for stormwater and sanitary infrastructure.

The lands are currently occupied by a one and two-storey commercial building (Wishing Well Plaza) with surface parking located between the building and Sheppard Avenue East. There are three existing full movement vehicular accesses: one driveway off Sheppard Avenue East and two driveways off Pharmacy Avenue.

Surrounding land uses include:

- North: an 11-storey apartment building on the northeast corner of Pharmacy Avenue and Sheppard Avenue and a two-storey townhouse development immediately north. Further north and east are detached dwellings. Further west on the northwest corner of Pharmacy Avenue and Sheppard Avenue is a vacant parcel with zoning approvals for a 14-storey apartment building, further north are detached dwellings;
- South: a local municipal park (Wishing Well Woods Park) immediately south and further south are detached dwellings;
- East: the Sheppard Avenue pedestrian entrance to Wishing Well Woods Park is located immediately east. Further east is a place of worship and detached dwellings; and
- West: a one and two-storey commercial plaza on the southwest corner of Pharmacy Avenue and Sheppard Avenue and a one-storey commercial plaza further south on the west side of Pharmacy Avenue. Further west are detached dwellings.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The site is designated *Neighbourhoods* in the City of Toronto Official Plan (Attachment No. 3). The Official Plan identifies *Neighbourhoods* as being physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

Sheppard Avenue is shown as an *Avenue* on Map 2 Urban Structure of the Toronto Official Plan. *Avenues* are important corridors along major streets where reurbanization can create new housing and jobs while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents. Reurbanizing the *Avenues* will be achieved through the preparation of Avenue Studies for strategic mixed use segments of the corridors.

Development may be permitted on the *Avenues* prior to an Avenue Study and will implement the policies of the Plan for the relevant designation area(s). Where a portion of an *Avenue* is designated *Neighbourhoods*, the policies of Chapter 4 will prevail to ensure any new development respects and reinforces the general physical character of established neighbourhoods, and that parks and open spaces are protected and enhanced.

Map 4 – Higher Order Transit Corridors – identifies Sheppard Avenue East as a Transit Corridor for potential expansion. Map 5 – Surface Transit Priority Network – identifies Sheppard Avenue East as Transit Priority Segments.

Healthy Neighbourhoods Policy 2.3.1.1 states that "*Neighbourhoods* and *Apartment Neighbourhoods* are considered to be physically stable areas. Development within *Neighbourhoods* and *Apartment Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas."

Policy 4.1 of the Official Plan contains specific development criteria related to lands designated *Neighbourhoods*. Policy 4.1.5 states that development in established *Neighbourhoods* will respect and reinforce the existing physical patterns and character of the *Neighbourhoods*, with particular regard to, among other things:

- Heights, massing, scale and type of dwelling unit of nearby residential properties;
- Size and configuration of lot;
- Prevailing building type;
- Setback of buildings from the street; and
- Prevailing patterns of rear and side yard setback and landscaped open space.

An application has been submitted to amend the Official Plan to redesignate the site as *Mixed Use Areas*. The *Mixed Use Areas* land use designation provides for a broad range of commercial, residential and institutional uses. Policies for *Mixed Use Areas* within Section 4.5 of the Plan require new development to:

- create a balance of high quality commercial, residential and institutional uses that reduce automobile dependency and meet the needs of the local community;
- provide good site access and circulation and an adequate supply of parking;
- provide an attractive, safe and comfortable pedestrian environment; and
- provide indoor and outdoor recreation space for building residents.

Specific development criteria for *Mixed Use Areas* necessitate, among other matters, new development to be located and massed in order to:

- provide a transition between areas of different intensity and scale, through means such as appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- limit shadow impacts on adjacent *Neighbourhoods*;
- frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Both Healthy Neighbourhoods Policy 2.3.1.2 and Built Form Policy 3.1.2 of the Official Plan, in large part, re-iterate the development criteria noted above.

Built Form Policy 3.1.3 of the Official Plan identifies tall buildings as those whose height are typically greater than the width of the adjacent road allowance. The planned right-of-way width in front of this site is 36 metres and the proposed building height (excluding mechanical penthouses) is 93.9 metres (30 storeys). As such, the proposed building meets the definition of a tall building. If through the evaluation of this application it is determined that a tall building is appropriate at this location it will be reviewed in the context of the City's Tall Building policies and guidelines.

Section 3.1.1 of the Official Plan includes policies on the public realm. The policies encourage development that improves the public realm (streets, sidewalks and open spaces) for pedestrians.

The Housing policies of the Official Plan support a full range of housing in terms of form, tenure and affordability, across the City and within neighbourhoods.

The Official Plan provides for the use of Section 37 of the Planning Act to secure community benefits in exchange for increased height and density for new development, provided it first meets the test of good planning and is consistent with the policies and objectives of the Plan.

In addition to the policies referenced above, the entire Official Plan will be considered through the review of this application. The Toronto Official Plan is available on the City's website at: [www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm).

## **Zoning**

The lands are zoned Neighbourhood Commercial (NC) under the Sullivan Community Zoning By-law 10717, as amended, of the former City of Scarborough. The NC Zone permits non-residential uses such as day nurseries, automobile service stations, banks, business and professional offices, personal service shops and restaurants. Residential uses are not permitted. The existing zoning for the site permits a maximum gross floor area of 50% of the lot area.

The site is also part of the new City of Toronto Zoning By-law No. 569-2013 enacted by City Council on May 9, 2013. The lands are zoned Local Commercial Zone, CL 0.5 (x104) (Attachment No. 4). The LC Zone permits non-residential uses such as a retail store, restaurant, personal service shop, medical office, office and financial institution. The maximum permitted density is 0.5 FSI and the maximum permitted height is 10 metres.

### **Site Plan Control**

The property is subject to site plan control. A site plan control application has not been submitted.

### **City-Wide Tall Building Design Guidelines**

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure that they fit within their existing and planned context and minimize their local impacts.

The Guidelines provide specific recommendations for tall buildings on issues of fit and transition in scale, sunlight and sky view, building placement, base building height and scale, tower floor plate size, separation distances, tower articulation, sustainable design and pedestrian realm considerations including streetscape, wind effects and landscape design. The Guidelines can be found at:

<http://www.toronto.ca/planning/tallbuildingdesign.htm>

### **Mid-Rise Building Guidelines**

Toronto City Council, in July 2010, adopted the recommendations contained in the staff

report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study", with modifications and directed staff to use the Performance Standards for Mid-Rise Buildings in reviewing all new and current mid-rise development proposals on the *Avenues* for a two year monitoring period.

The Avenues and Mid-rise Buildings Study identifies a list of best practices and establishes a set of performance standards for new mid-rise buildings. Key issues addressed by the Study include maximum allowable building heights, setbacks and stepbacks, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods* and *Parks and Open Space Areas* and corner sites. The Study can be found at:

<http://www1.toronto.ca/City%20of%20Toronto/City%20Planning/Urban%20Design/Mid-rise/midrise-FinalReport.pdf>

If through the evaluation of this application it is determined that a mid-rise building is appropriate at this location it will be reviewed in the context of the Avenues and Mid-rise Buildings Study.

## **Sheppard LRT**

The Sheppard East Light Rail Transit (LRT) line is one of the projects funded under the Master Agreement signed between the City, TTC and Metrolinx. It is proposed to extend from Don Mills Station to Morningside Avenue. Metrolinx is in the process of advancing the design of the facility with a target start of service date in December 2021. Once completed, the Sheppard LRT will provide an enhanced level of public transit along the Sheppard corridor. An LRT stop is proposed in proximity to the Pharmacy Avenue and Sheppard Avenue East intersection.

## **Tree Preservation**

The applicant has submitted a Tree Preservation Plan outlining the condition of the trees on the subject property. A total of four trees are proposed for removal. This Plan has been circulated to Urban Forestry for review and comment.

## **Reasons for the Application**

This proposal is not consistent with the policies of the Official Plan, in particular, the policies of the *Neighbourhoods* designation. An amendment to the Official Plan from *Neighbourhoods* to *Mixed Use Areas* is required to permit the development as proposed.

A zoning by-law amendment is required to both the Sullivan Community Zoning By-law and the new City-wide Zoning By-law 569-2013 to permit the proposed residential use and to establish appropriate zoning provisions to implement the proposed development.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Planning Rationale;
- Shadow Study;
- Preliminary Wind Report;
- Toronto Green Standard Checklist;
- Transportation Study;
- Functional Servicing Report;
- Geotechnical Report;
- Phase 1 Environmental Assessment; and
- Landscape Plan and Tree Preservation Plan.

A Notification of Complete Application was issued on January 23, 2015.



## Issues to be Resolved

### Height, Massing and Density

This application proposes a building height of 30-storeys including a 6-storey podium at 5.84 times the area of the lot.

The immediate neighbourhood context includes a municipal park, 1 to 2 storey commercial plazas, a 2 storey townhouse development, place of worship, detached dwellings, an 11-storey apartment building and a vacant parcel with zoning approvals for a 14-storey apartment building. The proposed building heights significantly exceed the building heights found within the existing neighbourhood.

On a preliminary basis, the scale and intensity of the proposal appears to be different from the prevailing physical character of the neighbourhood. Staff are concerned that the proposed development does not fit into the existing and planned context along this segment of Sheppard Avenue East.

The proposed height, density and massing are key issues that will need to be addressed, in relation to both the appropriate level of intensity and scale of development, as well as the appropriate transition and impact on the properties, streets and Wishing Well Woods Park within close proximity to the site. Significant revisions will be required to the building height, density and massing of this development.

### Other Issues to Be Resolved

In addition, on a preliminary basis, the following issues have been identified:

- Conformity with the *Neighbourhoods, Mixed Use Areas, Avenues, Healthy Neighbourhoods, Housing, Community Services and Facilities, Built Form and Public Realm* policies of the Official Plan;
- Appropriateness of the proposed land uses;
- Determination whether this site is appropriate for a tall building or a mid-rise building;
- Conformity with the appropriate Council-approved building guidelines;
- Evaluation of the proposed wind conditions for pedestrians on adjacent streets, parks and open spaces;
- Evaluation of the interface and setback between the building to both the existing southern boundary of Wishing Well Woods Park and its Sheppard Avenue pedestrian entrance;
- Evaluation of coordinated streetscape and public realm improvements with the proposed LRT stop in close proximity to the site;
- Evaluation of traffic impact, site access and circulation and parking;
- Evaluation of two proposed full movement accesses located immediately adjacent to each other and the associated traffic implications on Pharmacy Avenue and site circulation;
- Evaluation of servicing and site organization;

- Evaluation of site servicing and stormwater management, including implications of the proposed development on the existing municipal servicing easement along the southern boundary of the site and the appropriateness of the existing easement width;
- Appropriateness of landscaped open space and indoor and outdoor amenity areas;
- Appropriateness of the proposed mix of bedroom types;
- Adequacy of community services and facilities to serve the proposed development;
- Adequacy of capacity in local schools to serve the proposed development;
- Evaluation of parkland dedication requirements;
- Appropriate Section 37 contributions; and
- Determination of appropriate development standards.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

Colin Ramdial, Senior Planner  
Tel. No. (416) 396-4151  
Fax No. (416) 396-4265  
E-mail: [cramdial@toronto.ca](mailto:cramdial@toronto.ca)

## **SIGNATURE**

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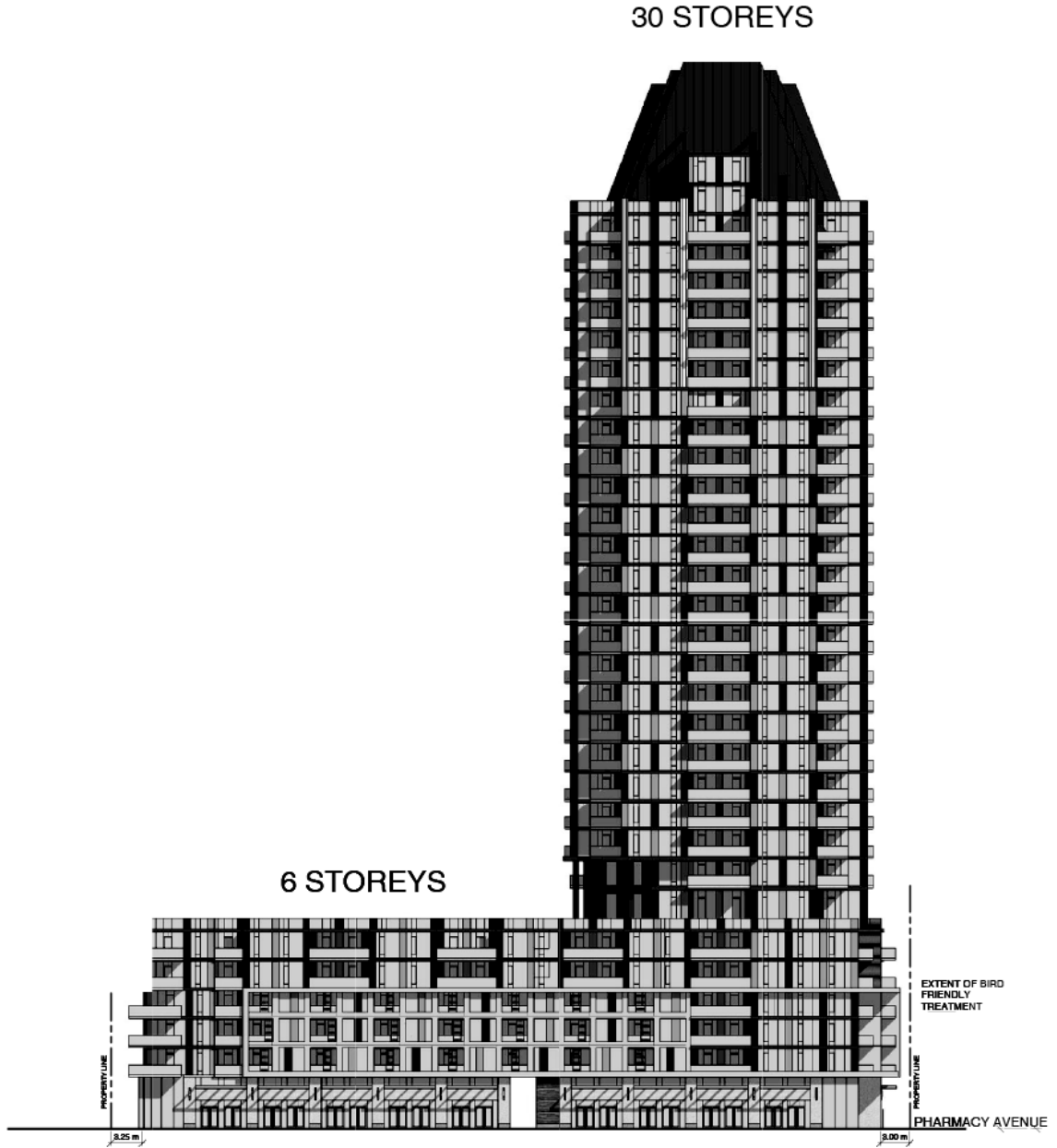
Joe Nanos, Acting Director  
Community Planning, Scarborough District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations, as provided by applicant  
Attachment 3: Official Plan  
Attachment 4: Zoning  
Attachment 5: Application Data Sheet



**Attachment 2: Elevations**



**Elevation Plan - North**

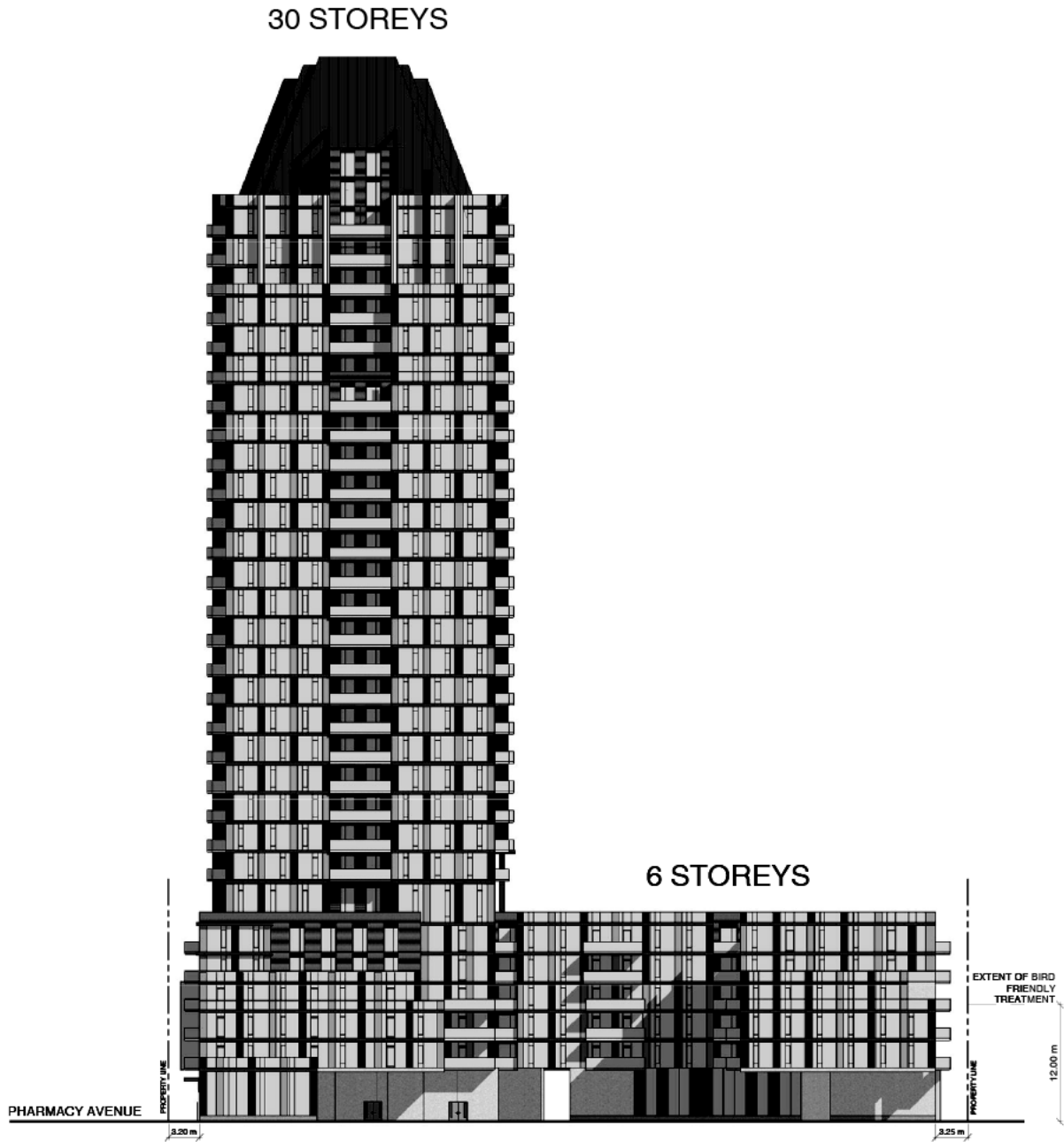
**3105-3133 Sheppard Avenue East**

Applicant's Submitted Drawing

Not to Scale  
03/17/15

File # 14 265429 ESC 40 0Z

## Attachment 2: Elevations



### Elevation Plan - South

3105-3133 Sheppard Avenue East

Applicant's Submitted Drawing

Not to Scale  
03/17/15

File # 14 265429 ESC 40 0Z

**Attachment 2: Elevations**

**30 STOREYS**



**Elevation Plan - West**

**3105-3133 Sheppard Avenue East**

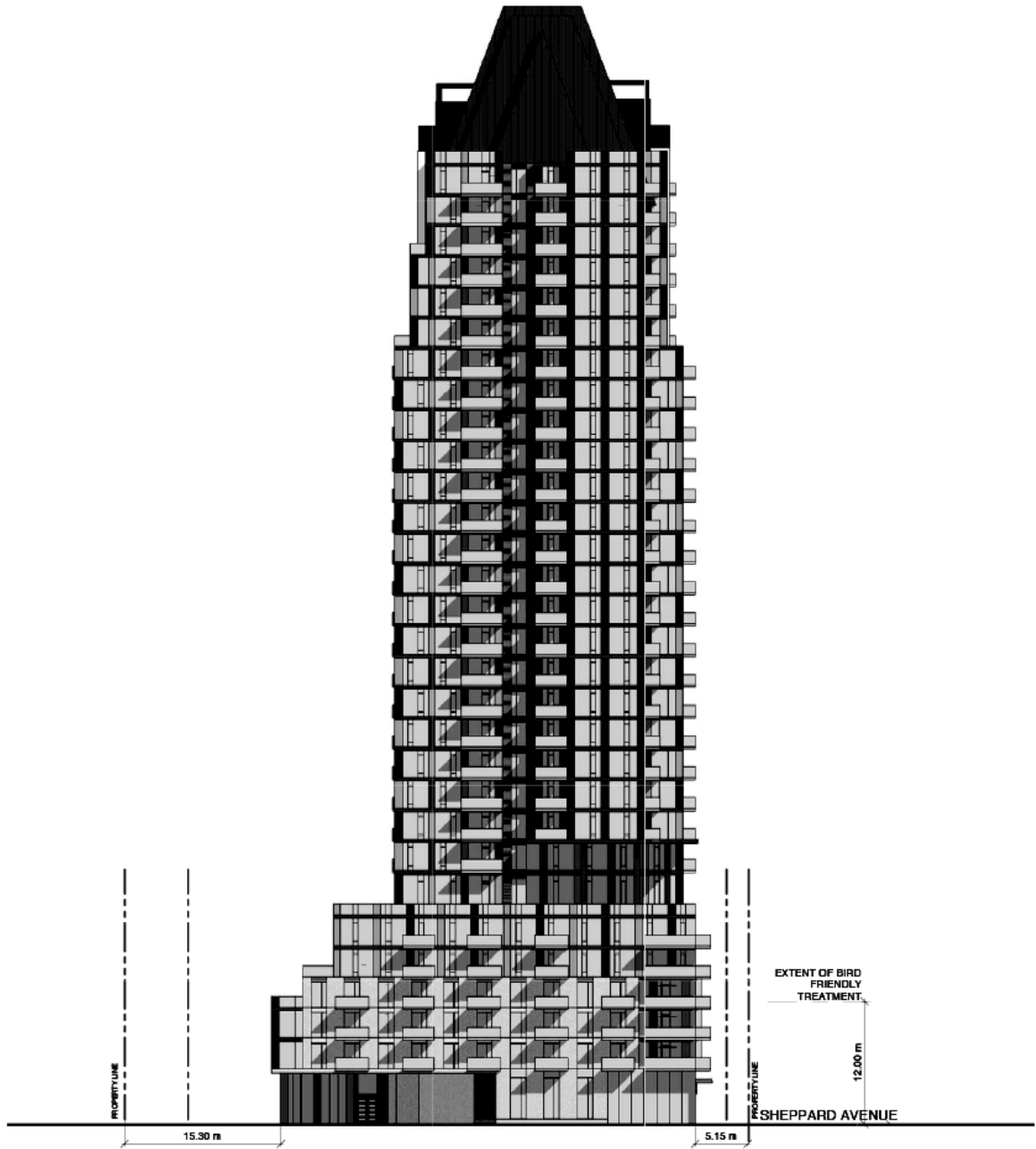
Applicant's Submitted Drawing

Not to Scale  
03/17/15

File # 14 265429 ESC 40 0Z

**Attachment 2: Elevations**

**30 STOREYS**



**Elevation Plan - East**

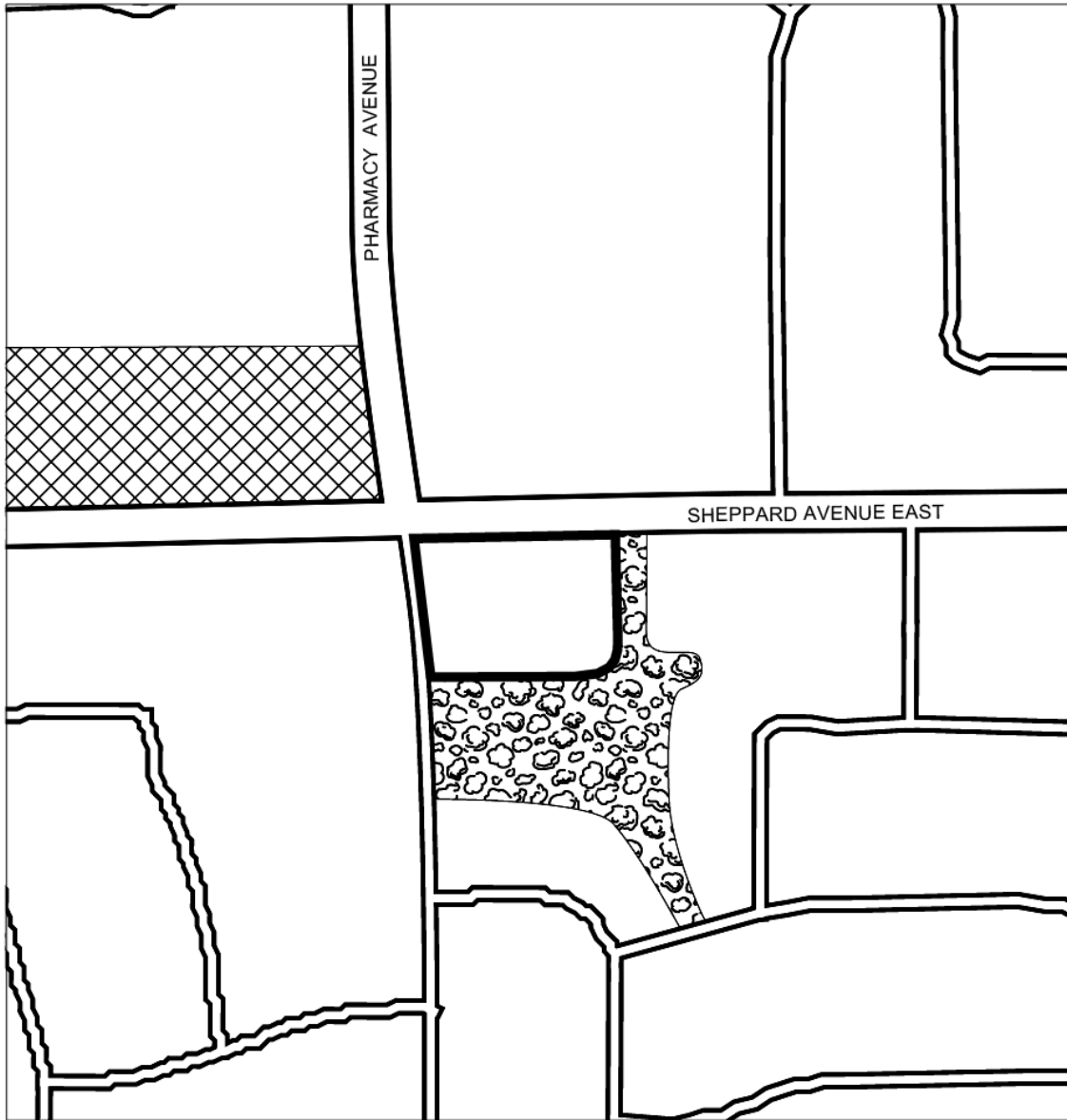
**3105-3133 Sheppard Avenue East**

Applicant's Submitted Drawing

Not to Scale  
03/17/15

File # 14 265429 ESC 40 02

### Attachment 3: Official Plan



**Toronto** City Planning  
Extract from Official Plan

3105-3133 Sheppard Avenue East

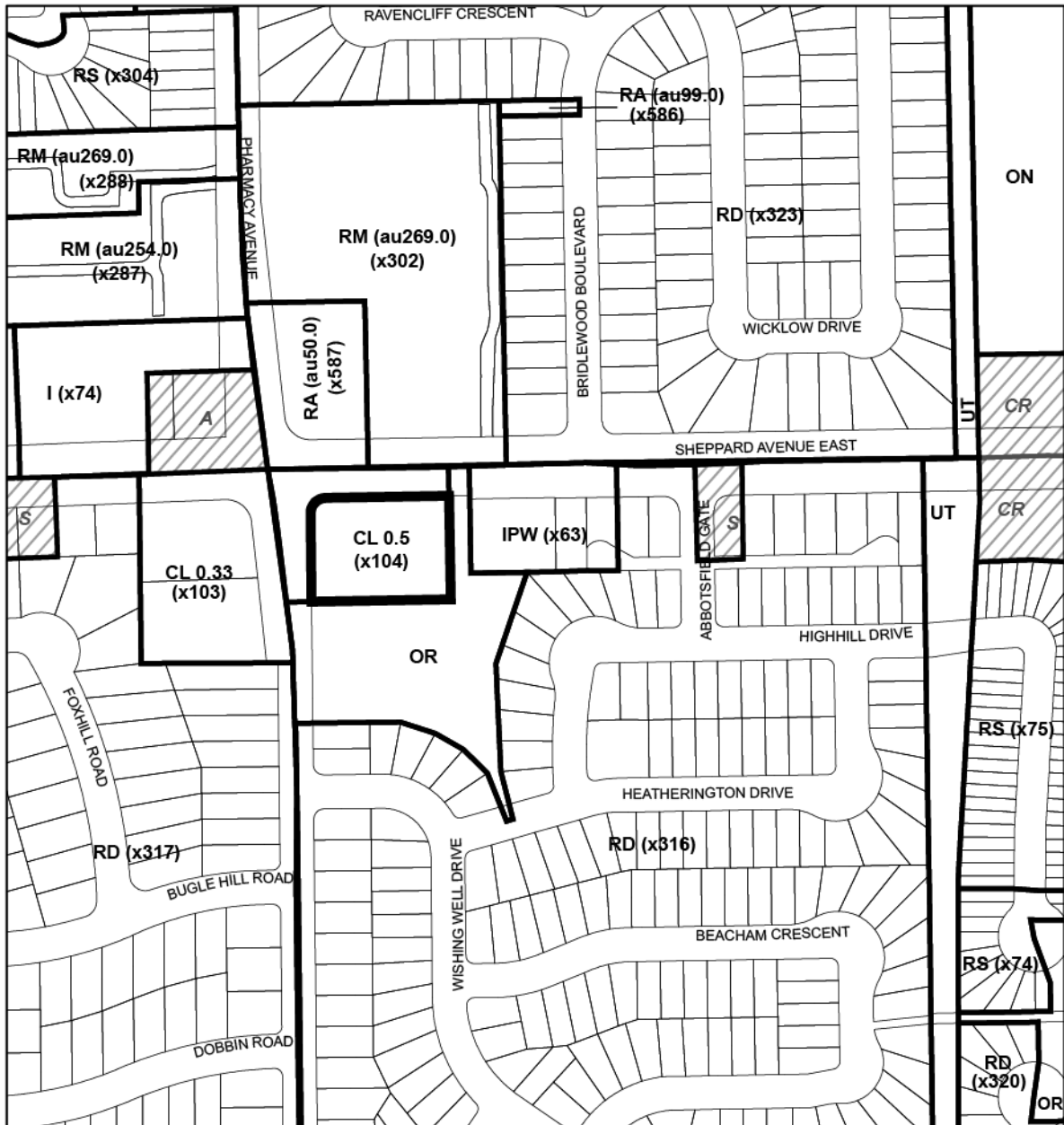
File # 14 265429 ESC 40 0Z

- |  |  |
|--|--|
|  Site Location            |  Parks & Open Space Areas |
|  Neighbourhoods           |  Parks                    |
|  Apartment Neighbourhoods |  |

↑  
Not to Scale  
02/18/2015



## Attachment 4: Zoning



**3105-3133 Sheppard Avenue East**

**Zoning By-Law No. 569-2013**

File # 14 265429 ESC 40 0Z

Location of Application

See Former City of Scarborough Sullivan Community Bylaw No. 10717 & See Former City of Scarborough L'Amoreaux Community Bylaw No. 12466

RD Residential Detached  
 RS Residential Semi-Detached  
 RM Residential Multiple  
 RA Residential Apartment  
 CL Commercial Local

I Institutional  
 IPW Institutional Place of Worship  
 ON Open Space Natural  
 OR Open Space Recreation  
 UT Utility and Transportation

S Single-Family Residential  
 A Apartment Residential  
 CR Commercial - Residential



Not to Scale  
 Extracted: 02/19/2015

## Attachment 5: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	14 265429 ESC 40 OZ
Details	OPA & Rezoning, Standard	Application Date:	December 17, 2014

Municipal Address: 3105 SHEPPARD AVE E

Location Description: PLAN 4787 BLK C \*\*GRID E4003

Project Description: Proposed Official Plan Amendment and Zoning By-law Amendment to permit a 30 storey mixed use residential building with a 6 storey podium and a 24 storey tower element. 365 residential units are proposed with a gross floor area of 29,005 m<sup>2</sup> including 1,190 m<sup>2</sup> of retail and service commercial uses at grade and 341 parking spaces.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
1900401 ONTARIO INC			1900401 ONTARIO INC

### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:	
Zoning:	Neighbourhood Commercial	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	4969.4	Height:	Storeys:	30	
Frontage (m):	81.7		Metres:	110.1	
Depth (m):	60.95				
Total Ground Floor Area (sq. m):	1835.1				<b>Total</b>
Total Residential GFA (sq. m):	27815		Parking Spaces:	341	
Total Non-Residential GFA (sq. m):	1190.3		Loading Docks	1	
Total GFA (sq. m):	29005.3				
Lot Coverage Ratio (%):	36.9				
Floor Space Index:	5.8				

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	27815	0
Bachelor:	0	Retail GFA (sq. m):	1190.3	0
1 Bedroom:	211	Office GFA (sq. m):	0	0
2 Bedroom:	136	Industrial GFA (sq. m):	0	0
3 + Bedroom:	18	Institutional/Other GFA (sq. m):	0	0
Total Units:	365			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Colin Ramdial, Senior Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 395-7150</b>