

**847 – 873 Sheppard Avenue West  
Official Plan & Zoning By-law Amendment Application  
Preliminary Report**

<b>Date:</b>	January 13, 2010
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 10 – York Centre
<b>Reference Number:</b>	09 187447 NNY 10 OZ

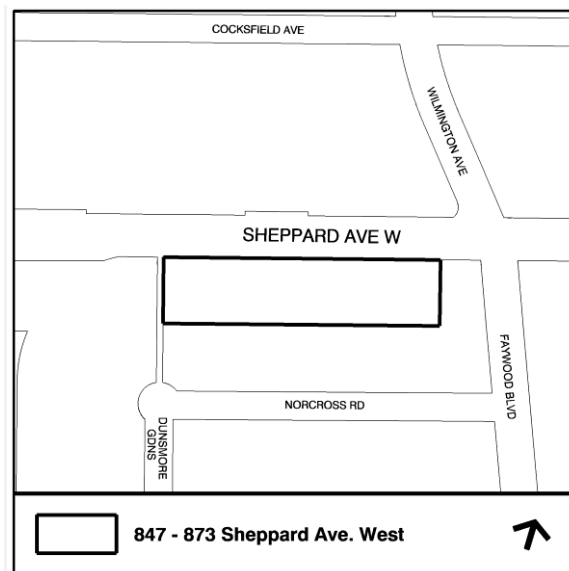
**SUMMARY**

This application was made on November 12, 2009 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This application proposes to amend the Sheppard West/Dublin Secondary Plan and former City of North York Zoning By-law 7625 to permit the construction of two 9 storey mixed use buildings with commercial uses at grade and residential uses above at 847 – 873 Sheppard Avenue West.

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

It is intended that a community consultation meeting be scheduled by staff in consultation with the Ward Councillor for February or March, 2010. A Final Report and Public Meeting under the *Planning Act* to consider this application is targeted for the final quarter of 2010 provided any required information is submitted by the applicant in a timely manner.



## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting 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

Three properties within the development site, 865–869 Sheppard Avenue West, were subject to an Official Plan and Zoning By-law Amendment application submitted in 2005 to permit the construction of a six storey mixed-use building with ground floor commercial uses and 54 apartment dwelling units above at a density of 2.5 times the area of the lot. City Council approved the application at its meeting of September 28, 29 and 30, 2005. The approval included the adoption of a recommendation from staff that prior to introducing the Bills enacting the OPA and Zoning By-law Amendment, the owner be required to obtain a Notice of Approval Conditions from the Director of Community Planning, North York District. A copy of the Decision of City Council can be found at the following link:

<http://www.toronto.ca/legdocs/2005/agendas/council/cc050928/ny7rpt/cl037.pdf>

The owner of the property did not obtain the required Notice of Approval Conditions and the Bills enacting the Official Plan Amendment and Zoning By-law Amendment were never put before Council. Because the approval had not yet been enacted by the passing of a Bill by City Council, the Ontario Municipal Board listed 865 – 869 Sheppard Avenue West in Attachment 6 of its July 5, 2006 Order that brought the majority of the Toronto Official Plan into force and effect. The listing of these properties in Attachment 6 means that the policies and land use designations of the Toronto Official Plan do not apply to these lands, and thus the Official Plan of the former City of North York is the in-force Plan.

### Pre-Application Consultation

Two pre-application consultation meetings were held with the applicant to discuss complete application submission requirements.

## ISSUE BACKGROUND

### Proposal

The applicant is proposing two 9 storey (29.75m) mixed use buildings above a common 2 storey underground parking garage on the south side of Sheppard Avenue West, two properties west of Faywood Boulevard. A total gross floor area of 27,965m<sup>2</sup> is proposed resulting in a density of 3.0 times the area of the lot. Retail/commercial uses are proposed at grade in the building on the western part of the site and 11 live/work units are proposed at grade in the building on the eastern part of the site. A total of 303 residential dwelling units are proposed.

As illustrated in Attachments 2 and 3, the proposed buildings terrace from their full height along Sheppard Avenue West down to 3 storeys at the rear of the site. The ground floor non-residential uses are set back to create a covered walkway along Sheppard Avenue West. Residential units occupy the second through eighth storeys, while each ninth storey consists of residential amenity space that wraps the mechanical penthouse. The principal entrance and lobby to each building is proposed from Sheppard Avenue West, while a secondary entrance is taken from a vehicular entrance court between the two proposed buildings.

A total of 388 parking spaces are proposed to serve the development. The majority of parking is proposed to be provided below grade in a 372-space two storey parking garage. The applicant proposes that vehicular access to the garage be taken from an existing laneway off Sheppard Avenue West abutting the west property line. An additional access point off Sheppard Avenue West for service vehicles, pick-up and drop-off operations and 16 surface parking spaces is proposed in the middle of the block between the two proposed buildings.

The site statistics are presented on the Application Data Sheet (Attachment 6).

### Site and Surrounding Area

The site is located on the south side of Sheppard Avenue West, two properties west of Faywood Boulevard. The site has a frontage of 195.4m along Sheppard Avenue West, a depth of 47.25m and an area of 0.93 hectares. The assembly of these 14 properties to create the development site encompasses a major portion of the block between Faywood Boulevard and Wilson Heights Boulevard. The majority of the assembled properties contain single detached homes, while 871 and 873 Sheppard Avenue West contains a single storey building occupied by 2 restaurant uses.

Land uses surrounding the site are as follows:

*North:* at the corner of Wilmington Avenue and Sheppard Avenue West, a two-storey mixed use plaza with residential units above grade-related retail, a place of worship and a mix of mid-rise residential apartment buildings ranging in height from 6 to 8 storeys in height.

*East:* two single storey single detached houses (843 and 845 Sheppard Avenue West).

*South:* single detached dwellings fronting Norcross Road.

*West:* an existing public laneway, west of the laneway is a two storey mixed building with retail uses at grade and residential apartment uses on the second storey, and two mixed use mid rise buildings beyond at the intersection of Sheppard Avenue West and Wilson Heights Boulevard.

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

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and protecting public health and safety. 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**

Map 2 of the Toronto Official Plan identifies this portion of Sheppard Avenue West as *Avenues*. *Avenues* are corridors along major streets intended for incremental reurbanization to create new residential, commercial and retail opportunities while improving the overall pedestrian environment, the appearance of the street and accessibility to transit for community residents. Map 4 of the Plan identifies Sheppard Avenue West as a possible higher-order transit corridor expansion opportunity and Map 5 identifies Sheppard Avenue West as a Transit Priority Segment demonstrating the intention of maintaining and improving transit service along this corridor over both the short- and long-term.

The Toronto Official Plan designates the site *Mixed Use Areas* which provides for a wide range of land uses to create animated districts along transit routes that provide opportunities to rely less on private automobile trips. New buildings in *Mixed Use Areas* are to be located and massed to provide a transition between different development intensity and scales, particularly towards lower scale *Neighbourhoods*. Development in these districts is to frame streets and provide an attractive, comfortable and safe pedestrian environment to take advantage of nearby transit services.

The site also falls within the Sheppard West/Dublin Secondary Plan. The objectives of this Secondary Plan are very similar to those of the *Avenues* in structuring growth along this transit corridor. The site straddles two *Mixed Use Areas* designations within the Sheppard West/Dublin Secondary Plan, with 847 – 867 Sheppard Avenue West

designated *Mixed Use Area 'B'* and 869 – 873 Sheppard Avenue West designated *Mixed Use Area 'A'*.

Lands designated *Mixed Use Area 'A'* are intended to be the primary commercial areas of the Secondary Plan; centered around major intersections along the Sheppard Avenue West corridor (Bathurst Street, Wilson Heights Boulevard and Allen Road). The maximum permitted density provided for in *Mixed Use Area 'A'* is 2.0 times the area provided the maximum commercial density does not exceed 1.0 times the area of the lot.

In *Mixed Use Area 'B'*, the preferred form of mixed use development also contains ground floor commercial uses with upper floor residential uses. This designation provides greater densities for development parcels that provide a mix of commercial and residential uses and which have a frontage on Sheppard Avenue West of greater than thirty meters. Given the frontage of the development site lands having this designation and the mix of uses being proposed, the maximum density provided for is 2.0 times the area of the lot.

The maximum height provided for by the Secondary Plan regardless of designation is 5 storeys with the height of any building or portion thereof, not exceeding the horizontal distance separating that building, or portion thereof from any lands designated *Neighbourhoods*. This horizontal distance shall be a minimum of 9.5m.

The Sheppard West/Dublin Secondary Plan was carried forward into the new Official Plan from the former City of North York Official Plan. As discussed in the Decision History section of this report, a portion of the development site (865 – 869 Sheppard Avenue West) remains subject to the policies and land use designations of the North York Official Plan. The North York Plan designates 865 and 867 Sheppard Avenue West as Mixed Commercial Residential (MCR) and designates 869 Sheppard Avenue West as Sheppard West – Commercial (SW-COM). These designations provide height, density and transition measures for development on the subject lands similar to those provided by the Sheppard West/Dublin Secondary Plan.

## **Zoning**

The majority of the properties comprising the development site are zoned One-Family Detached Dwelling Fourth Density Zone (R4) as indicated in Attachment 4. The western most parcels (871 – 873 Sheppard Avenue West) are zoned General Commercial Zone (C1). The R4 zoning permits one-family detached dwellings and accessory buildings as well as various recreational and institutional uses. The C1 zone permits a wide array of uses including restaurants, retail stores, banks, business and professional offices as well as residential uses (apartment house dwellings and multiple attached dwellings).

## **Site Plan Control**

An application for Site Plan Control approval will be required but has not yet been filed.

## **Tree Preservation**

The application is subject to the City of Toronto Private Tree By-law and a tree inventory drawing and arborist report have been submitted.

## **Rental Housing Demolition**

The proposal involves the demolition of 12 single detached dwellings on the subject site which contain 18 rental housing units. No replacement rental housing units are proposed. A housing issues report has been submitted in support of the Official Plan and Zoning By-law Amendment application. An application under Section 111 of the *City of Toronto Act* will be required for permission to demolish any rental housing units but has not yet been filed.

## **Reasons for the Application**

The Sheppard West/Dublin Secondary Plan allows the subject lands to be developed with a mixed use building at a density of 2.0 times the area of the lot and at a building height no greater than five storeys. An application to amend the Sheppard West/Dublin Secondary Plan is required as the applicant is proposing a nine storey mixed use building with a density 3.0 times the area of the lot. The proposal also does not meet the Official Plan provisions requiring the replacement of rental housing units when demolishing 6 or more units.

An amendment to the Zoning By-law is required to permit the proposed mixed use development at the proposed height and density, as well as to establish appropriate performance standards to facilitate the proposal.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Plan of Survey and Architectural Drawings
- Landscape Drawings
- Shadow Studies
- Planning Rationale Report
- Housing Issues Report
- Community Services & Facilities Study
- Traffic Impact Study and Parking Study
- Site Servicing Assessment
- Arborist Report and Tree Preservation Plan
- Green Development Standard Checklist

A Notification of Complete Application was issued on December 9, 2009.

## Issues to be Resolved

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the Toronto Green Standard, adopted by City Council in July 2006.

On a preliminary basis, the following issues have been identified:

1. The appropriateness of the increase in height and density;
2. Built form as it relates to the Sheppard Avenue West streetscape, as the development parcel has a substantial block frontage along Sheppard Avenue West;
3. Issues relating to the relationship of the proposal with the two remaining properties between the development site and Faywood Boulevard including the possibility of incorporating these properties into the application or appropriately transitioning to the properties as a future development site;
4. Compatibility with the surrounding neighbourhood including how the proposed building scale transitions to the stable residential neighbourhoods to the rear of the site;
5. The appropriateness of the proposed vehicular access and servicing to the site;
6. The adequacy and appropriateness of proposed outdoor residential amenity space;
7. Issues related to the protection and possible replacement of existing rental housing units;
8. Issues related to the protection and retention of privately owned trees located on the single family properties to the rear of the site; and
9. The applicability of Section 37 of the *Planning Act* to secure appropriate community benefits should the application be recommended for approval.

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

## CONTACT

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E-mail: cventre@toronto.ca

## SIGNATURE

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Thomas C. Keefe, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2: East and West Elevations

Attachment 3: North and South Elevations

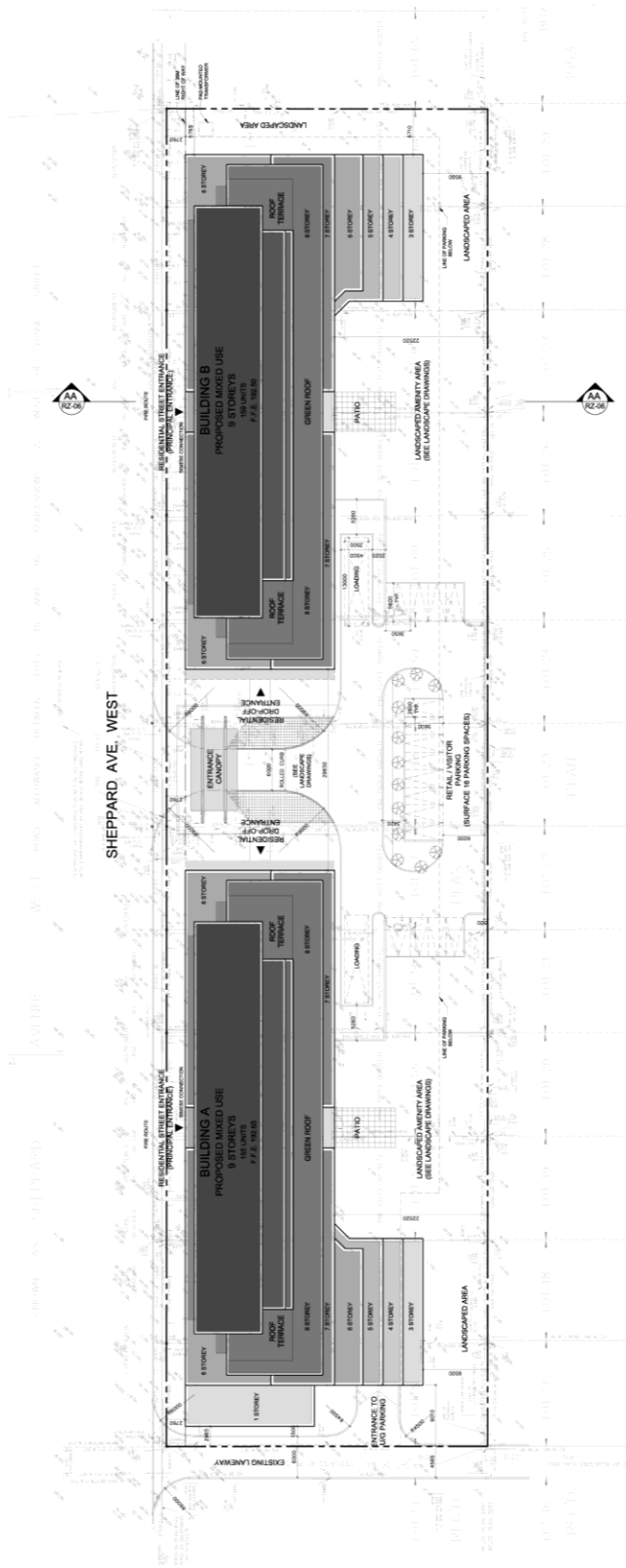
Attachment 4: Zoning

Attachment 5: Official Plan

Attachment 6: Application Data Sheet



# Attachment 1: Site Plan



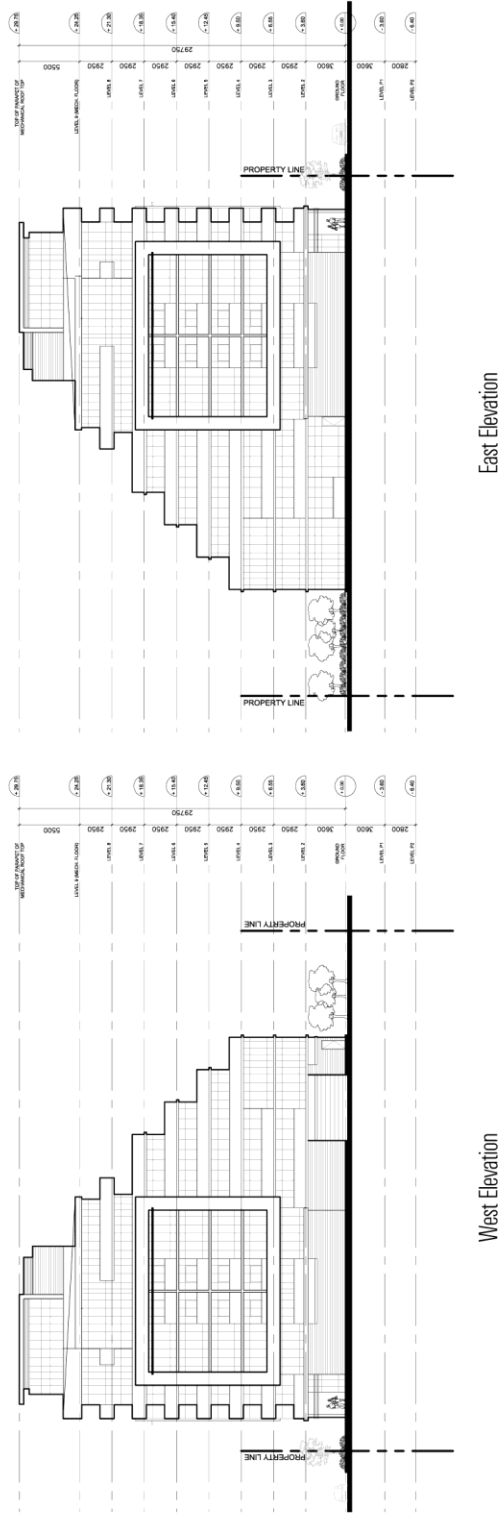
**847 - 873 Sheppard Ave. W.**

**Site Plan**  
 Applicant's Submitted Drawing

Not to Scale  
 12/08/09

File # 09\_187447

**Attachment 2: East and West Elevations**



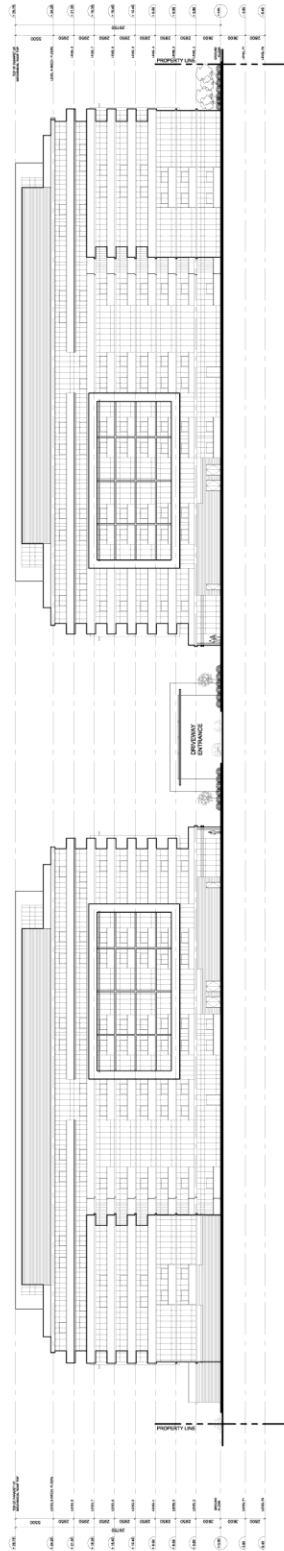
**847 - 873 Sheppard Ave. W.**

**Elevation**  
 Applicant's Submitted Drawing

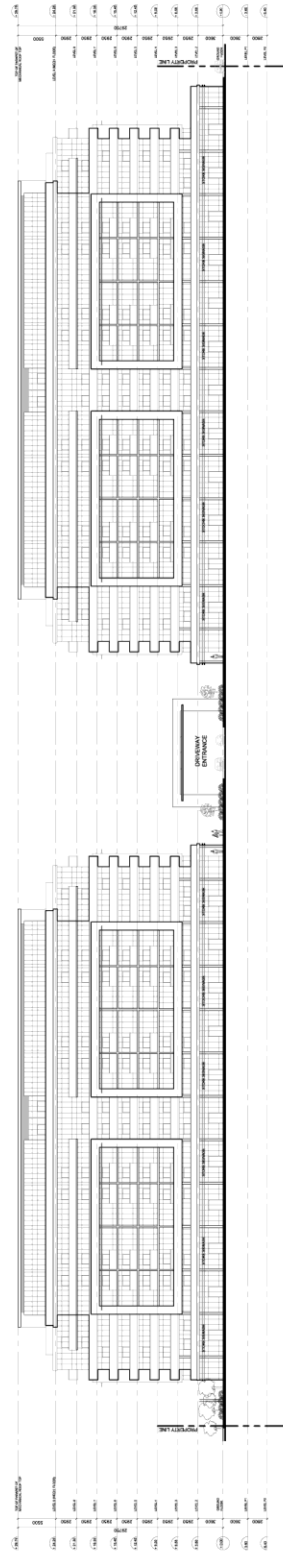
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### Attachment 3: North and South Elevations



South Elevation



North Elevation

**Elevation**

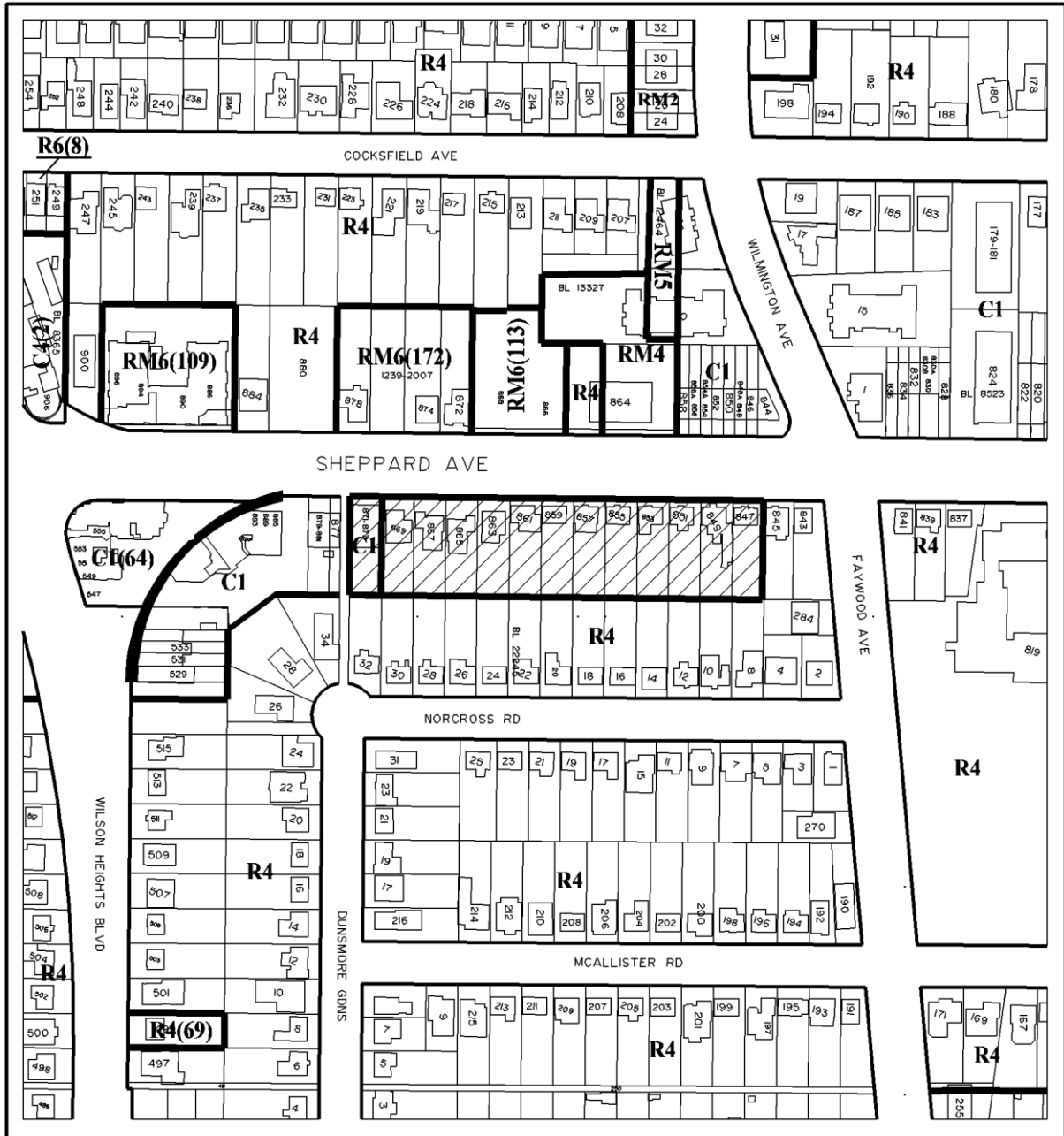
Applicant's Submitted Drawing

Not to Scale  
12/08/09 

**847 - 873 Sheppard Ave. W.**

File # 09 187447

## Attachment 4: Zoning



**847 - 873 Sheppard Ave. West**

File # 09\_187447

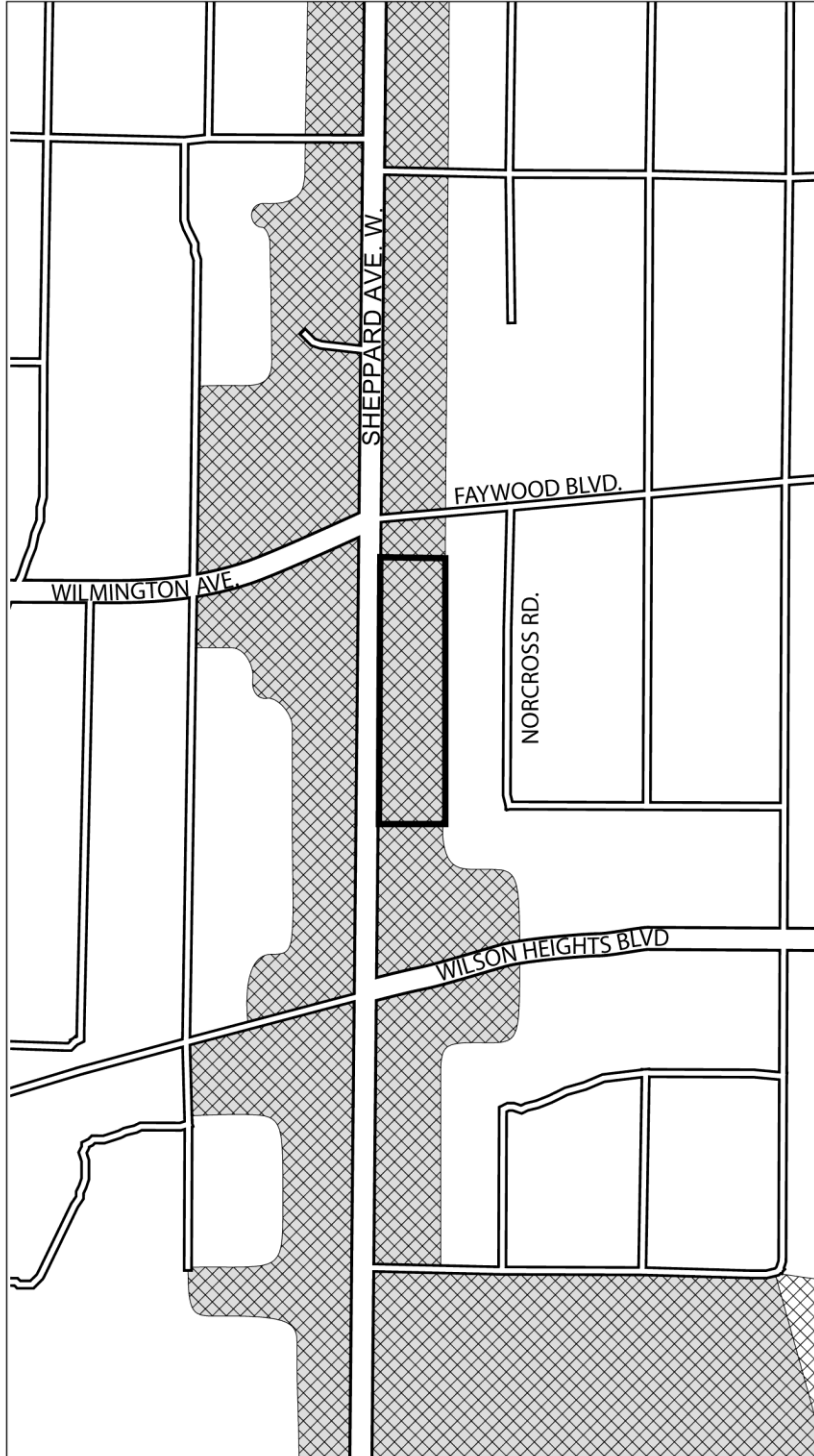
- R4 One-Family Detached Dwelling Fourth Density Zone
- R6 One-Family Detached Dwelling Sixth Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone
- RM5 Multiple-Family Dwellings Fifth Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone

- C1 General Commercial Zone
- C4 Mixed Use Commercial Zone



Not to Scale  
Zoning By-law 7625  
Extracted 12/09/2009




Attachment 5 – Official Plan



847 - 873 Sheppard Ave. W.

**Toronto** City Planning  
Official Plan

File # 09\_187447

-  Site Location
-  Neighbourhoods
-  Mixed Use Areas

↑  
Not to Scale  
12/08/2009

## Attachment 6 – Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	09 187447 NNY 10 OZ
Details	OPA & Rezoning, Standard	Application Date:	November 12, 2009

Municipal Address: 847 – 873 SHEPPARD AVE W  
 Location Description: PLAN 3457 LOT 52 TO 64 \*\*GRID N1004  
 Project Description:

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
BOUSFIELDS INC			LARKWOOD DEVELOPMENTS INC

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	C1 05_103706	Historical Status:
Height Limit (m):		Site Plan Control Area:

### PROJECT INFORMATION

Site Area (sq. m):	9321.01	Height:	Storeys:	8
Frontage (m):	195		Metres:	29.1
Depth (m):	47.3			
Total Ground Floor Area (sq. m):	3436.61			<b>Total</b>
Total Residential GFA (sq. m):	26502.06		Parking Spaces:	388
Total Non-Residential GFA (sq. m):	1463.18		Loading Docks	0
Total GFA (sq. m):	27965.24			
Lot Coverage Ratio (%):	37.1			
Floor Space Index:	3			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	0
3 + Bedroom:	0
Total Units:	314

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):		26504.37	0
Retail GFA (sq. m):		1465.21	0
Office GFA (sq. m):		0	0
Industrial GFA (sq. m):		0	0
Institutional/Other GFA (sq. m):		0	0

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