

**758 - 764 Sheppard Avenue West  
Official Plan and Zoning By-law Amendment Application  
Final Report**

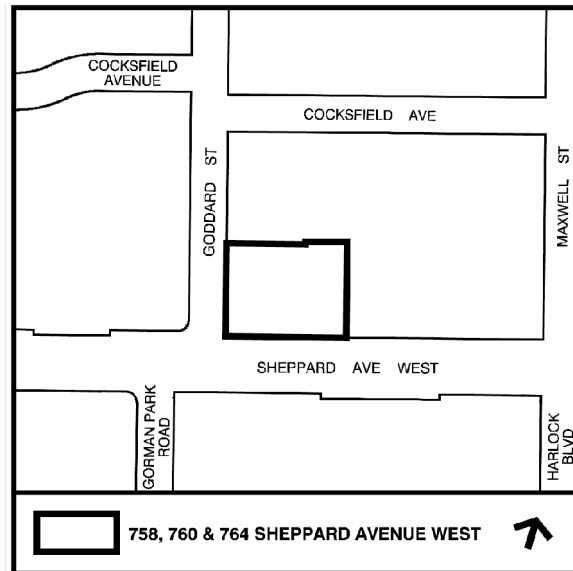
<b>Date:</b>	February 28, 2011
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 10 – York Centre
<b>Reference Number:</b>	10 109851 NNY 10 OZ

**SUMMARY**

This application proposes to amend the Sheppard West/Dublin Secondary Plan, the former City of North York Zoning By-law 7625 and the City of Toronto Zoning By-law 1156-2010 to permit the construction of a 9-storey, 11,725 m<sup>2</sup> mixed use building with commercial uses at grade and 115 dwelling units above at 758, 760 and 764 Sheppard Avenue West. There would be 38 surface parking spaces and 98 underground parking spaces for a total of 136 spaces.

The redevelopment proposal is in keeping with the objectives of the Secondary Plan to encourage a diversity of office, commercial, institutional and residential uses along Sheppard Avenue West while protecting the abutting lower density residential uses.

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-laws.



## **RECOMMENDATIONS**

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

1. City Council amend the Official Plan for the lands at 758, 760 and 764 Sheppard Avenue West substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6.
2. City Council amend former City of North York Zoning By-law 7625 for the lands at 758, 760 and 764 Sheppard Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.
3. City Council amend City of Toronto Zoning By-law 1156-2010 for the lands at 758, 760 and 764 Sheppard Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendments as may be required.
5. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into a Section 37 Agreement with the City to the satisfaction of the City Solicitor to provide or fund the following facilities, services or matters:
  - a) Prior to the issuance of any above-grade building permit, a cash contribution of \$118,000 to be dedicated to landscaping a remnant City-owned parcel created by the realignment of the Sheppard Avenue West and Yeomans Road; and
  - b) Any monies surplus to the landscaping of the remnant parcel described in a) above to be used by the City to enhance the streetscape within the public rights-of-way along Sheppard Avenue West between Wilson Heights Boulevard and Bathurst Street or capital improvements in Earl Bales Park.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant is proposing a 9-storey (27.0m in height) mixed-use building with 250m<sup>2</sup> of ground floor commercial space and 115 condominium apartment units above. A total gross floor area of 11,725m<sup>2</sup> is proposed resulting in a density of 3.5 times the area of the lot. One hundred and thirty-six parking spaces would be provided, 98 of which would be located below grade. The applicant has advised the development will result in two

condominium corporations; one each for the residential and non-residential components. The site statistics are presented on the Application Data Sheet included as Attachment No. 5.

### **Site and Surrounding Area**

The site is located on the northeast corner of the intersection of Sheppard Avenue West and Goddard Street. The land assembly has an overall area of approximately 3,400m<sup>2</sup> and a frontage of approximately 66 metres on Sheppard Avenue West and 53 metres on Goddard Street. The site currently contains a place of worship located at 764 Sheppard Avenue West and two detached residential dwellings at 758 and 760 Sheppard Avenue West.

Land uses surrounding the subject site are as follows:

North: Single detached dwellings;

South: A mix of single detached dwellings, mid-rise mixed-use developments and commercial uses;

East: A mix of single detached dwellings, mid-rise mixed-use developments and commercial uses; and

West: Single detached dwellings and mid-rise mixed use developments.

### **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 by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

### **Official Plan**

Map 2 of the Official Plan identifies this portion of Sheppard Avenue West as *Avenues*. *Avenues* are corridors along major streets intended for incremental re-urbanization 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 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 should frame streets and provide an attractive, comfortable and safe pedestrian environment to take advantage of nearby transit services.

The Official Plan provides for the use of Section 37 of the *Planning Act* to secure the provisions of community benefits in return for an increase in height and/or density of a development. The City may require the owner to enter into an agreement to secure these matters.

The site is located within the Sheppard West/Dublin Secondary Plan. The objectives of this Secondary Plan are similar to those of the *Avenues* by encouraging growth along this transit corridor. The site is designated *Mixed Use Area 'B'*. 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 30 metres. Given the frontage of the development lands and the mix of uses being proposed, the maximum density permitted is 2.0 times the area of the lot.

The maximum height provided for by the Secondary Plan is five 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*. The minimum rear yard setback requirement is 9.5m.

### **Zoning By-law 7625 of the former City of North York**

The subject lands are zoned “R4” (One-family Detached Fourth Density Zone) in the former City of North York Zoning By-law 7625. This zone permits single detached dwellings and accessory uses. A limited number of institutional and recreational uses as well as home occupations are also permitted in this zone.

### **Zoning By-law 1156-2010 of the City of Toronto**

The subject lands are zoned RD (f15.0; a550) (x5) under the new City of Toronto Zoning By-law 1156-2010. This is the Residential Detached Zone (RD) which permits detached houses as well as a limited set of other uses suited to a residential setting.

### **Site Plan Control**

An application for Site Plan Control Approval was received by the City of Toronto on January 6, 2011.

### **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 amendment to the Secondary Plan is required as the applicant is proposing a 9-storey mixed use building with a density of 3.5 times the area of the lot.

The former City of North York Zoning By-law 7625 permits only single detached dwellings and accessory structures. The City of Toronto Zoning By-law permits detached houses as well as a limited set of other uses suited to residential areas. An amendment to both Zoning By-laws 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.

### **Community Consultation**

A community consultation meeting was held on June 7, 2010 at the Irving W. Chapley Community Centre. The meeting was attended by approximately 20 members of the community.

The following issues were raised:

- The proposed vehicular access on Goddard Street would exacerbate existing traffic problems on this local road and the poor level of service at the intersection of Goddard Street and Sheppard Avenue West;
- The proposed development would result in additional problems with short term parking on local streets; and
- The proposed increase in height and density are inappropriate for Sheppard Avenue West and could result in overview and privacy impacts.

### **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

## **COMMENTS**

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

The proposal is consistent with the PPS. It accommodates a range of residential and employment uses and efficiently uses land within a designated growth area that is well served by municipal infrastructure.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It promotes intensification along an identified intensification corridor which is well served by public transit. The transit supportive nature of the development and mix of uses should reduce dependency on vehicular trips.

## **Land Use**

The City of Toronto Official Plan directs future growth in the City to areas that are well served by public transit. Specifically, residential growth is intended to be directed to major arterial corridors identified by the *Avenues* overlay on Map 2. In addition to falling within an *Avenues* segment, the subject site is located within an existing Secondary Plan area that promotes residential intensification along a major arterial road well served by public transit. In general, the *Mixed Use Areas* designation permits a broad range of residential and commercial uses intended to absorb much of the future residential growth in the city. This designation is further refined by the Secondary Plan which promotes a mix of uses and comprehensive redevelopment by granting additional density to development parcels which provide commercial uses at grade and have a frontage greater than 30 metres on Sheppard Avenue West.

The proposed mid-rise, mixed use condominium building is an appropriate use for lands designated *Mixed Use Area "B"* in the Sheppard West/Dublin Secondary Plan. The proposed building is similar in form, scale and intensity to other developments in the Secondary Plan Area approved through site specific Official Plan amendments and implementing zoning and can proceed prior to the completion of an *Avenue* study. The proposal would take advantage of existing municipal infrastructure and the commercial uses at grade would provide a lively pedestrian amenity with an improved streetscape. The proposed development would promote additional ridership on public transit. The subject site is immediately adjacent to stops for the Sheppard Avenue West #84 bus that makes connections in either direction to the Downsview and Sheppard/Yonge subway stations. The proposed development therefore conforms to the land use provisions of the Official Plan and the site is appropriate for residential intensification.

## **Density, Height and Massing**

The Sheppard West/Dublin Secondary Plan includes policies intended to protect abutting lands designated *Neighbourhoods* from the increased level of development along the corridor. These policies form the framework that guides the review of any development proposed within the Secondary Plan area, particularly those which request an amendment to the Plan for additional heights or densities.

The applicant is proposing a building with a height of 9 storeys and a density of 3.5 times the area of the lot. The proposal meets the buffering and transitioning provisions of the Secondary Plan while providing an active and articulated street frontage along Sheppard Avenue West as described below.

All previous buildings approved in this Secondary Plan area have a density of approximately 3.0 times the lot area. The higher density of the current proposal is a result of the subject lands being a corner lot. If a similar building were proposed on an interior lot, with the appropriate 5.5 metre building setbacks provided from each side lot line, the resulting density would be approximately 3.0 times the lot area. The current proposal is setback 5.5 metres from the east side lot line and 0.0 metres from the Goddard Street lot line, resulting in a density of 3.5 times the lot area.

The building is proposed to be setback approximately 21 metres from the rear property line and would provide the minimum prescribed 1.5m landscape strip across the rear property line. The building would also fall beneath the 45 degree angular plane required by the Secondary Plan. This angular plane orients the higher and denser parts of the building towards Sheppard Avenue West and away from the lower scale residential neighbourhood to the north, providing a transition in built form. This results in acceptable conditions of overlook, views and privacy between the two uses.

The proposal supports the objectives of the Official Plan to achieve an aesthetically pleasing streetscape in the following manner:

- The building is located along the Sheppard Avenue West property line with minimal setbacks to provide a continuous façade along Sheppard Avenue West, incorporating architectural elements that are of a pedestrian scale;
- The provision of street trees will enhance the pedestrian experience; and
- The provision of entrances to ground floor commercial units directly from Sheppard Avenue West will encourage pedestrian activity on the street.

This height and density is appropriate and is being recommended by staff.

### **Sun and Shadow**

The applicant's architect prepared a shadow analysis of the proposal and found that the shadowing of the project on the adjacent properties would be minimal. In particular, siting the building as close to Sheppard Avenue West as possible minimizes shadow impacts on the properties to the north. City Planning accepts these findings.

### **Traffic Impact, Access and Parking**

The applicant submitted a Traffic Impact Study prepared by Read, Voorhees & Associates Ltd. This work identified that traffic generated by the proposed development would have only a minor impact on the existing transportation network and sufficient parking would be provided.

Vehicular access to the site would be provided by a full movement access from Goddard Street at the rear of the development site. The building would provide one loading area and a total of 136 parking spaces on the site. Thirty-eight of those spaces would be at-grade behind the building with 16 of those surface spaces being reserved for residents and the remaining 22 spaces being for residential visitors and the non-residential component. An additional 98 spaces would be located below grade for residential occupant use.

The proposed parking supply for the residential use is based on the new Zoning By-law requirements and is based on the number of bedrooms in a unit. The new by-law parking requirement for the proposed 250m<sup>2</sup> of non-residential use (retail) is 1.5 spaces/100m<sup>2</sup> of floor area and is 3.0 spaces/100m<sup>2</sup> of floor area for medical offices. For the purposes of this development, the higher rate was used.

The applicant has proposed a shared parking arrangement between the residential visitor parking spaces and the required parking for non-residential uses on site. A maximum of 5 parking spaces are to be shared. The concept of shared parking is based on the premise that residential visitor parking demand peaks at different times than the parking demand for office uses/commercial uses.

The proposed traffic generation and parking/loading configurations are satisfactory to Transportation Services staff.

### **Bicycle Parking**

A total of 90 bicycle parking spaces are required for the development. The applicant proposes to provide 20 at-grade bicycle parking spaces for commercial and residential visitors to the development. A further 70 bicycle parking spaces would be provided in the underground parking lot for residents. An adequate supply of bicycle parking is being provided.

### **Servicing**

The applicant has provided a Functional Servicing and Stormwater Management Report and a Sanitary Sewer Capacity analysis by Masongsong Associates Engineering Limited. These reports conclude there are no servicing issues with respect to the proposed development. These findings have been accepted by Technical Services staff.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. The lands which are the subject of this application are in an area with 0.8 to 1.56 hectares of local parkland per 1,000 people. The site is in the middle quintile of local parkland provision levels, as per Map 8B/C of the Official Plan. The site is in a parkland priority area, as per Alternative Parkland Dedication Rate By-law 1420-2007.

The owner proposes to construct a 9-storey, 115 unit residential condominium building with 250m<sup>2</sup> of ground floor non-residential space. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1420-2007, the residential parkland dedication would be 1,533m<sup>2</sup> or 45% of the site area. Therefore a cap of 10% applies resulting in a parkland dedication requirement of 340m<sup>2</sup>. The non-residential use is subject to a 2% parkland dedication of 1.5m<sup>2</sup>.

The applicant proposes to satisfy the parkland dedication requirement through cash-in-lieu. Parks, Forestry and Recreation staff concur as the required parkland dedication of 342m<sup>2</sup> is too small to create a park. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit. This parkland payment is required under Section 42 of the *Planning Act*, and is required as a condition of the building permit process.



## **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The current application was submitted prior to the Toronto Green Standard being in effect. However, the January 6, 2011 application for Site Plan Control Approval is subject to the Toronto Green Standard Tier 1 requirements.

## **Section 37**

Community benefits are typically acquired through the application of Section 37 policies which have been incorporated into the Official Plan. The City's opportunity to utilize Section 37 is through an implementing Zoning By-law permitting a height and/or density increase for a specific development.

There are opportunities for landscape enhancements, particularly tree planting, within the public rights-of-way of Sheppard Avenue West beyond, but in close proximity to, the site. Through the processing of an application for a mixed use building at the southwest corner of Sheppard Avenue West and Yeomans Road, Yeomans Road will be realigned with Bryant Street at Sheppard Avenue West. The realignment will create a remnant parcel of land within the City right-of-way that has the potential to accommodate landscaping. Staff are recommending that Section 37 monies collected for this development be dedicated to landscaping of this remnant parcel of land. The community benefits recommended to be secured in the Section 37 Agreement are:

- a) Prior to the issuance of any above-grade building permit, a cash contribution of \$118,000 to be dedicated to landscaping a remnant City-owned parcel created by the realignment of the Sheppard Avenue West and Yeomans Road; and
- b) Any monies surplus to the landscaping of the remnant parcel described in a) above to be used by the City to enhance the streetscape within the public rights-of-way along Sheppard Avenue West between Wilson Heights Boulevard and Bathurst Street or capital improvements in Earl Bales Park.

## **Development Charges**

It is estimated the development charges for this project will be approximately \$1.5 million. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

## **CONTACT**

Cathie Ferguson, Senior Planner  
Tel. No. (416) 395-7117  
Fax No. (416) 395-7155  
E-mail: cfergus@toronto.ca

## **SIGNATURE**

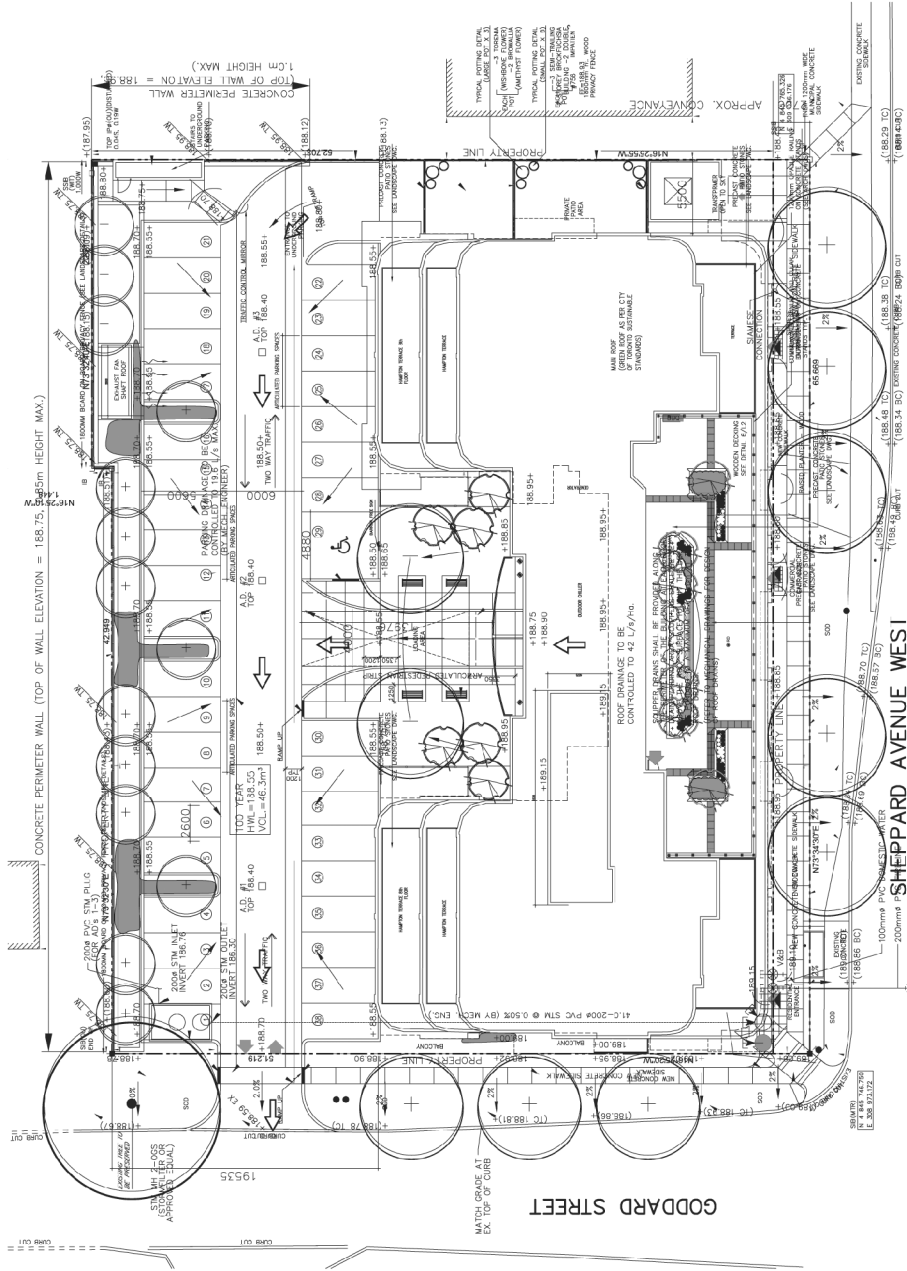
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Allen Appleby, Director  
Community Planning, North York District

## **ATTACHMENTS**

- Attachment 1: Site Plan
- Attachment 2a: North and South Elevations
- Attachment 2b: East and West Elevations
- Attachment 3a: Zoning (former City of North York Zoning By-law 7625)
- Attachment 3b: Zoning (City of Toronto Zoning By-law 1156-2010)
- Attachment 4: Official Plan
- Attachment 5: Application Data Sheet
- Attachment 6: Draft Official Plan Amendment
- Attachment 7: Draft Zoning By-law Amendment (former City of North York Zoning By-law 7625)
- Attachment 8: Draft Zoning By-law Amendment (City of Toronto Zoning By-law 1156-2010)

# Attachment 1: Site Plan

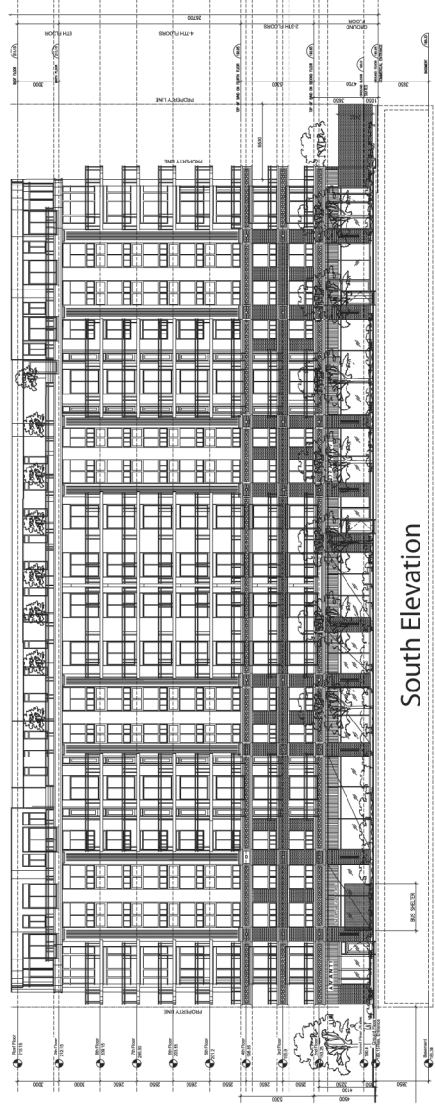
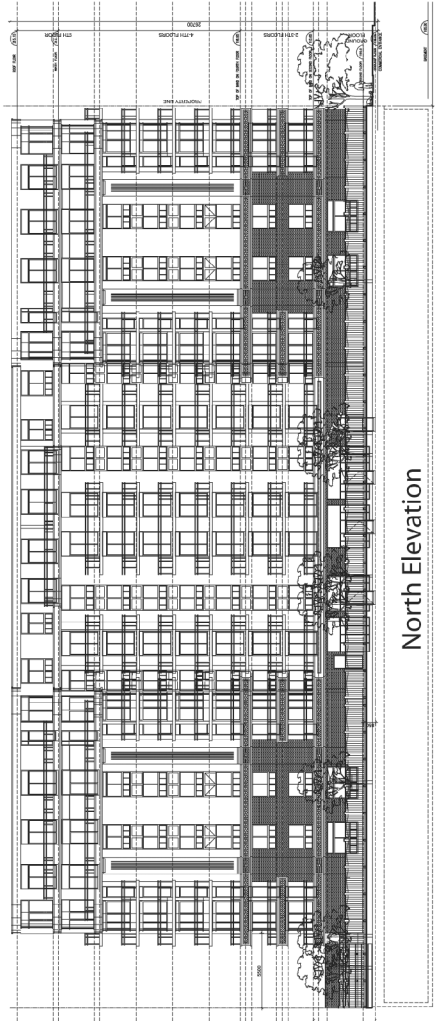


**Site Plan**  
 Applicant's Submitted Drawing  
 Not to Scale  
 01/19/2011

**758, 760 & 764 Sheppard Avenue West**

File # 10\_109851

Attachment 2a: North and South Elevations



**Elevations**

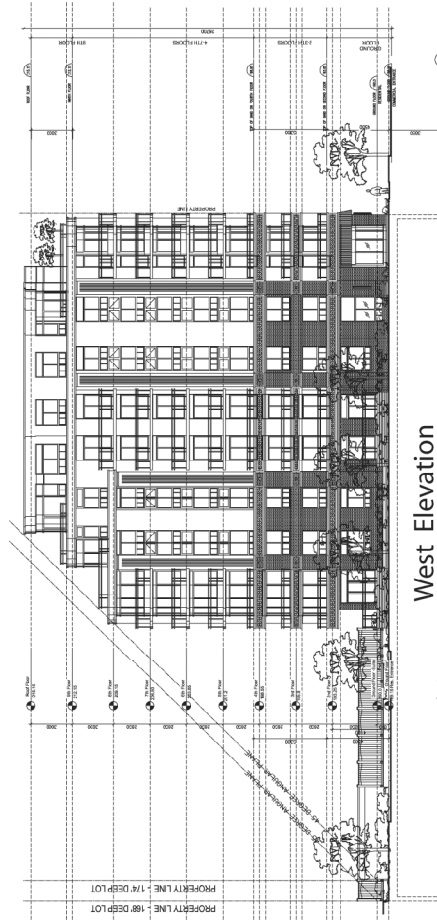
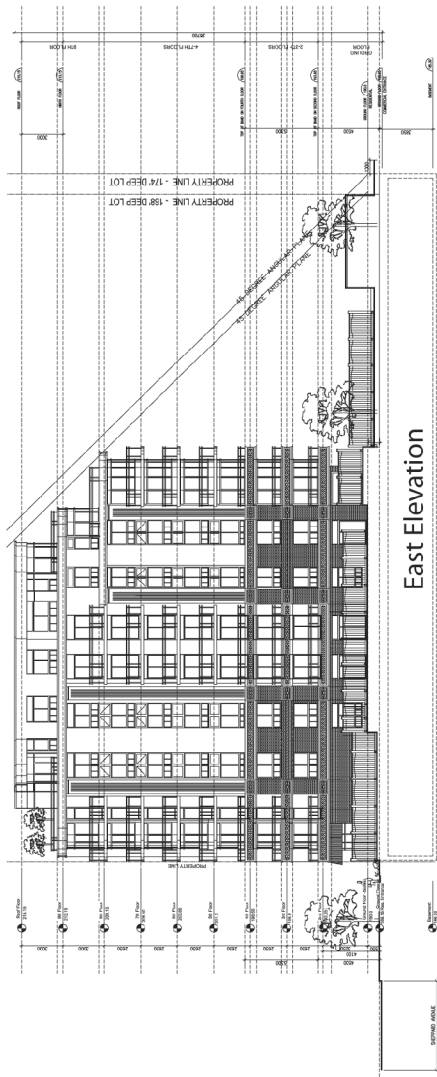
Applicant's Submitted Drawing

Not to Scale  
19/01/2011

**758, 760 + 764 Sheppard Avenue West**

File # 10\_109851

# Attachment 2b: East and West Elevations



## Elevations

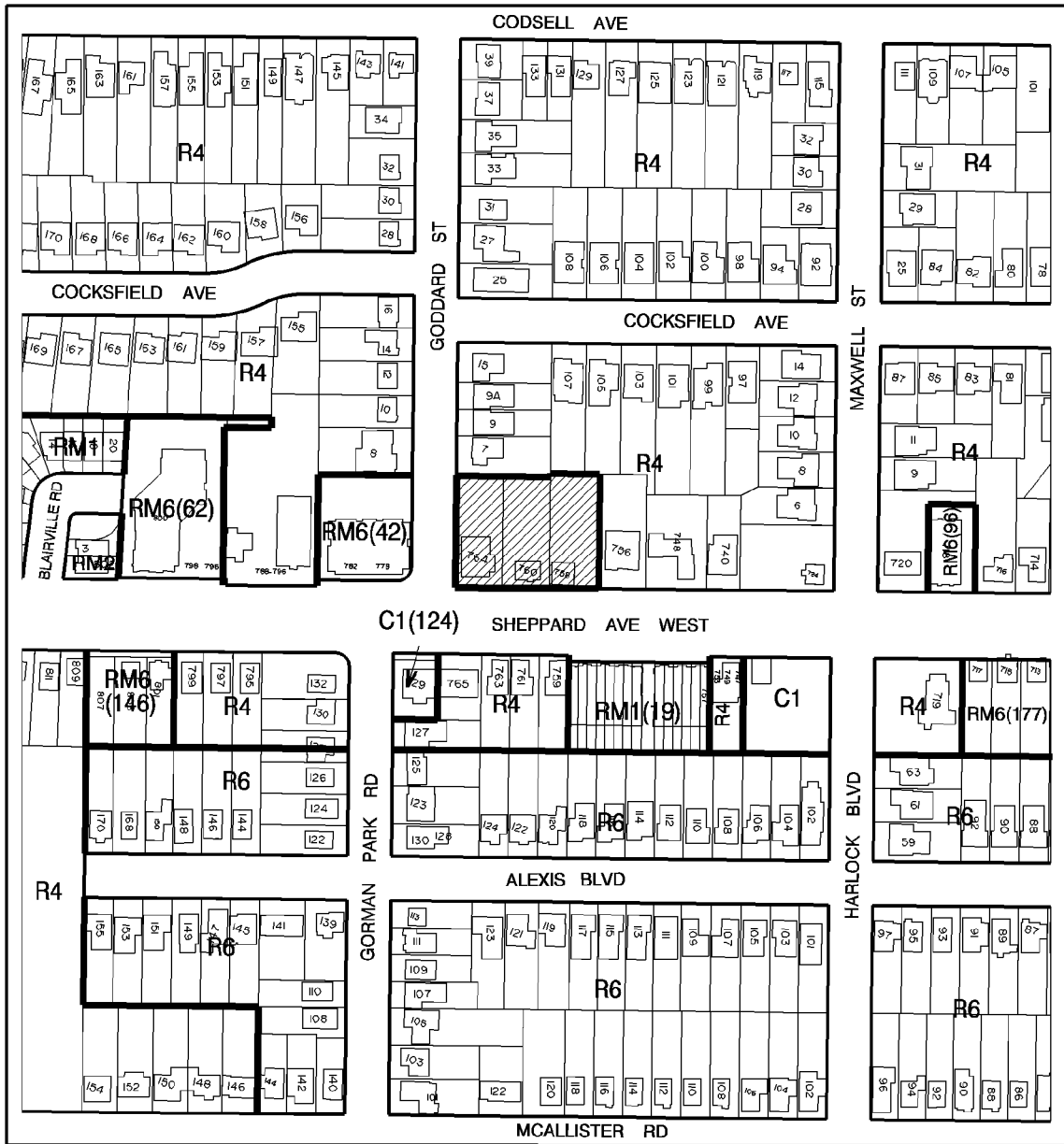
Applicant's Submitted Drawing

Not to Scale  
19/01/2011

758, 760 + 764 Sheppard Avenue West

File # 10\_109851

Attachment 3a: Zoning (former City of North York Zoning By-law 7625)



758, 760 & 764 Sheppard Avenue West

File # 10\_109851

- R4 One Family Detached Dwelling Fourth Density Zone
- R6 One Family Detached Dwelling Sixth Density Zone
- RM1 Multiple-Family Dwellings First Density Zone
- RM2 Multiple-Family Dwellings Second Density Zone
- RM6 Multiple-Family Dwellings Sixth Density Zone

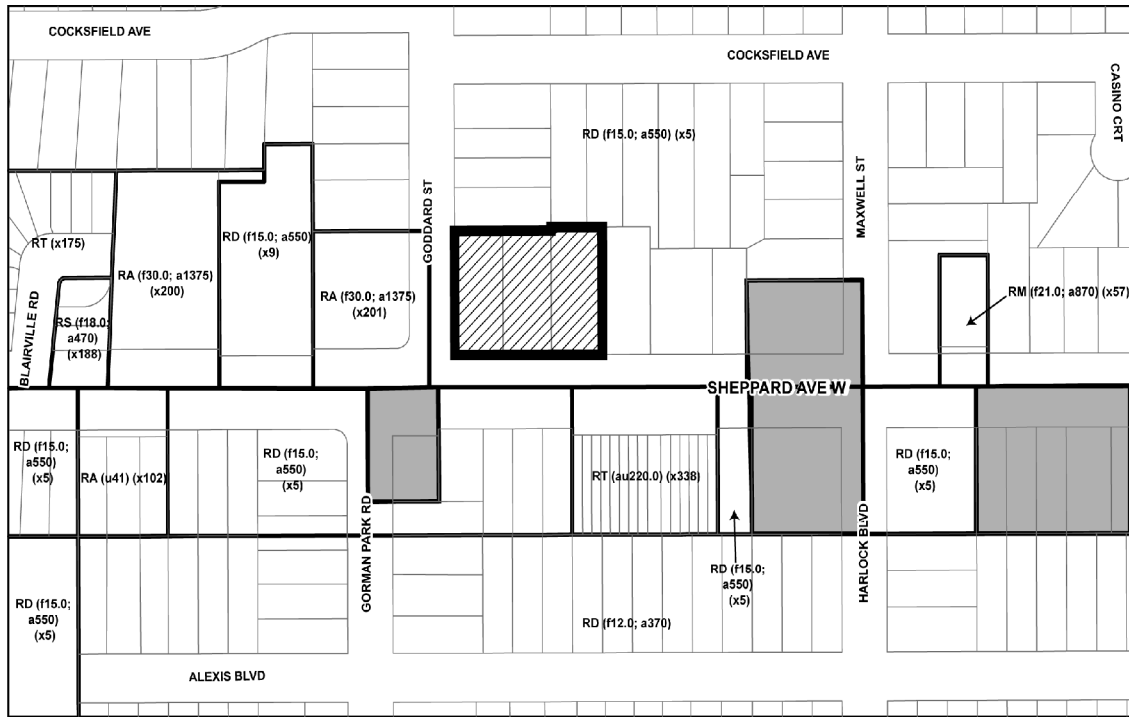
C1 General Commercial Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale  
Zoning By-law 7625  
Extracted 03/23/2010

## Attachment 3b: Zoning (City of Toronto Zoning By-law 1156-2010)



**Toronto** City Planning  
**Zoning By-law 1156-2010**

**758-764 Sheppard Ave West**

File # 10 109851 NNY OZ

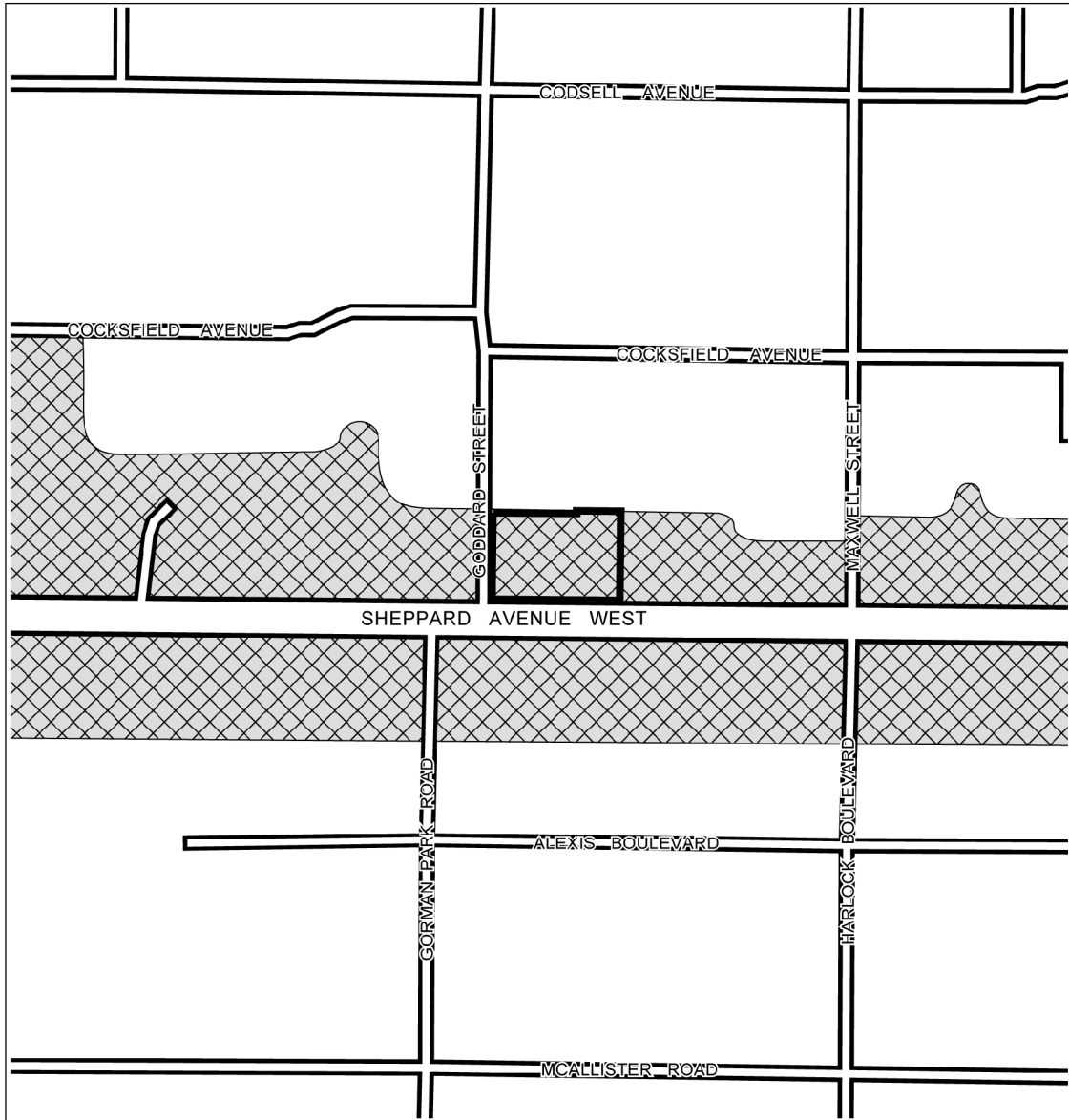
- Subject Site
- Not Part of Zoning By-law 1156-2010
- RD Residential Detached Zone
- RS Residential Semi-Detached Zone
- RT Residential Townhouse Zone

- RM Residential Multiple Zone
- RA Residential Apartment Zone

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

Not to Scale  
 Extracted 01/05/2011

## Attachment 4: Official Plan



**TORONTO** City Planning  
**Official Plan**

**758, 760 & 764 Sheppard Avenue West**

File # 10\_109851

- Site Location
- Neighbourhoods
- Mixed Use Areas

Not to Scale  
 03/23/2010



## Attachment 5: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	10 109851 NNY 10 OZ
Details	OPA & Rezoning, Standard	Application Date:	January 26, 2010

Municipal Address: 758, 760 & 764 SHEPPARD AVENUE WEST  
 Location Description: PLAN 3062 LOT 8 \*\*GRID N1003  
 Project Description: Proposed mixed use condominium building

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
2148425 ONTARIO LIMITED		Kregg Fordyce Architect	2148425 ONTARIO LIMITED

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	R4	Historical Status:
Height Limit (m):	8.8	Site Plan Control Area:

### PROJECT INFORMATION

Site Area (sq. m):	3397.88	Height:	Storeys:	9
Frontage (m):	65.67		Metres:	26.7
Depth (m):	52.74			
Total Ground Floor Area (sq. m):	1245			<b>Total</b>
Total Residential GFA (sq. m):	11475		Parking Spaces:	136
Total Non-Residential GFA (sq. m):	250		Loading Docks	1
Total GFA (sq. m):	11725			
Lot Coverage Ratio (%):	36.6			
Floor Space Index:	3.45			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	7
2 Bedroom:	102
3 + Bedroom:	6
Total Units:	115

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	11475	0
Retail GFA (sq. m):	250	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0