

758 – 764 Sheppard Avenue West – Official Plan and Zoning Amendment Application – Supplemental Staff Report

Date:	April 5, 2011
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward No. 10– York Centre
Reference Number:	File No. 10 109851 NNY 10 OZ

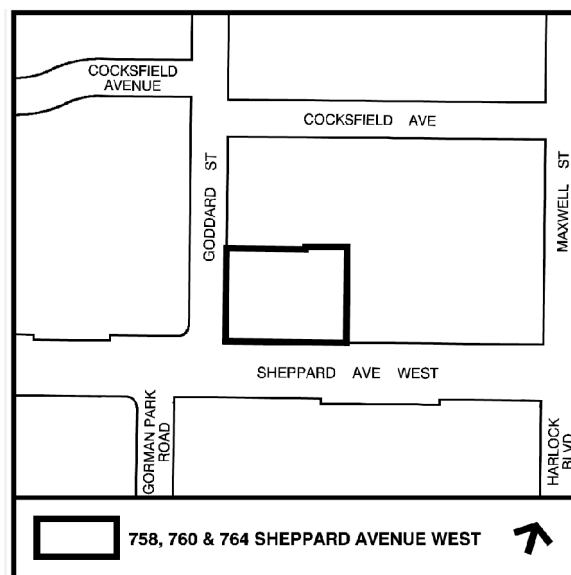
SUMMARY

At its meeting of March 22, 2011, North York Community Council considered the February 28, 2011 Final Report from the Director, Community Planning, North York District, on the application to amend the Sheppard West/Dublin Secondary Plan, former City of North York Zoning By-law 7625 and City of Toronto Zoning By-law 1156-2010 to permit the construction of a 9-storey, 11,725m² mixed use building with commercial uses at grade and 118 dwelling units above. The Final Report recommended approval of these amendments. North York Community Council deferred consideration of the Final Report to its meeting of April 21, 2011, directing staff to report back with additional information on several matters. This report responds to that direction.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Attachment No. 7 (Draft Zoning By-law amendment to former City of North York Zoning By-law 7625) of the February 28, 2011 Final Report from the Director, Community Planning, North York District, be amended to prohibit telemarketing/call centre operations by amending Section 2.b, PERMITTED USES, so that it reads as follows:



- b. The only permitted uses shall be:
- (i) An Apartment House Dwelling and uses accessory thereto;
 - (ii) The following non-residential uses on the ground floor only: retail store, service shop, personal service shop, business office, professional office and professional medical office. Telemarketing/call centre operations are prohibited.
2. Attachment No. 8 (Draft Zoning By-law amendment to City of Toronto Zoning By-law No. 1156-2010) of the February 28, 2011 Final Report from the Director, Community Planning, North York District, be amended to prohibit telemarketing/call centre operations by amending Section 6(G) to include the following:
- (iii) Telemarketing/call centre operations are not permitted.
3. Delete Recommendation 5 of the February 28, 2011 Final Report from the Director, Community Planning, North York District, and replace it with the following:
- 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 \$218,000.00 to be dedicated to capital improvements in Earl Bales Park.
4. City Council adopt Recommendations 1 to 4 of the February 28, 2011 Final Report from the Director, Community Planning, North York District.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A February 28, 2011 Final Report from the Director, Community Planning, North York District, recommended adoption of amendments to the Sheppard West/Dublin Secondary Plan, former City of North York Zoning By-law 7625 and City of Toronto Zoning By-law 1156-2010 to permit the construction of a 9-storey, 11,725m² mixed use building with commercial uses at grade and 118 dwelling units above at 758-764 Sheppard Avenue West. At its meeting of March 22, 2011 North York Community Council deferred consideration of this report to its meeting of April 21, 2011 directing staff to report back on a number of matters. This decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.NY5.31>

COMMENTS

North York Community Council Motions

This section provides responses to North York Community Council's March 22, 2011 direction that the Director, Community Planning, North York District, in consultation with staff in the Real Estate Division, report back with additional information on several matters:

Motion #3(a) The additional density being provided over the two times (2x) coverage permitted.

Motion #3(b) The estimated value of land in the area on a per square foot of Gross Floor Area.

Motion #3(c) A revised Section 37 benefit in view of the \$118,000.00 in the report (February 28, 2011) from the Director, Community Planning, North York District.

Response

The Sheppard West/Dublin Secondary Plan anticipates the redevelopment of Sheppard Avenue West and provides the greatest heights and densities on development parcels that have a frontage over 30 metres and propose a mix of commercial and residential uses. Given the frontage of the subject lands and the mix of uses being proposed, the maximum density permitted by the Secondary Plan is 2.0 times the area of the lot. This would provide for a development of approximately 6,800m² on these lands.

The applicant proposes a development of 11,725m² resulting in a density of 3.5 times the area of the lot. The additional density being sought is approximately 4,925m² of floor area.

The Real Estate Appraisal Division has provided a land value of \$35.00 - \$38.00 per square foot of density for lands in this area.

The February 28, 2011 Final Report from the Director, Community Planning, North York District recommended a Section 37 community benefit of \$118,000 in exchange for the proposed increase in height and density. It was recommended this benefit be dedicated to landscaping a remnant City-owned parcel created by the realignment of Yeoman's Road at Sheppard Avenue West and other enhancements to the Sheppard Avenue West public realm in the Sheppard West/Dublin Secondary Plan area or capital improvements in Earl Bales Park.

The quantum of the recommended Section 37 benefit is in keeping with previously approved community benefits in the Sheppard West/Dublin Secondary Plan Area. The benefit amounts to \$1,000 per residential unit, which is equivalent to the benefits achieved from four similar developments in this area in recent years. Notwithstanding this, the applicant has agreed to provide a larger Section 37 benefit in the amount of \$218,000. This would amount to a benefit of approximately \$1,850 per unit.

During the March 22, 2011 North York Community Council Meeting, the Ward Councillor stated a desire to have all Section 37 funds dedicated to capital improvements in Earl Bales Park. Staff do not object to this dedication and are recommending the Section 37 benefit be allocated accordingly.

Motion #3(d) A map of the subject area and adjacent lands along Sheppard Avenue West detailing the existing heights of the buildings that have been approved.

Response

A map (Attachment 1) and the corresponding table below has been provided illustrating the 11 previous amendments to the Sheppard West/Dublin Secondary Plan that granted additional building height and density. Information is also provided on three current applications to amend the Secondary Plan. The map and table illustrate that approved building heights range from 6 storeys to 9 storeys with a density of 3.0 FSI being typical. Nine storey buildings were approved in three instances while two current applications for buildings of the same height are being reviewed.

Map Identifier	Address	Status	Storeys	Floor Space Index
#1	580 – 648 Sheppard Avenue West & 4400 – 4404 Bathurst Street	Approved	5 storeys	2.5FSI
#2	798 – 802 Sheppard Avenue West	Approved	6 storeys	2.0 FSI
#3	866-868 Sheppard Avenue West	Approved	6 storeys	3.0FSI
#4	886 – 896 Sheppard Avenue West	Approved	6 storeys	2.6FSI
#5	1020–1034 Sheppard Avenue West	Approved	9 storeys	3.0FSI
#6	929-939 Sheppard Avenue West	Approved	9 storeys	2.8FSI
#7	801 - 807 Sheppard Avenue West	Approved	7 storeys	2.9FSI
#8	920-922 Sheppard Avenue West	Approved	9 storeys	2.99FSI
#9	865 – 869 Sheppard Avenue West	Approved but withdrawn	6 storeys	2.5FSI
#10	872-876 Sheppard Avenue West	Approved	8 storeys	3.0FSI
#11	695-717 Sheppard Avenue West	Approved	8 storeys	3.0 FSI
X	847 – 873 Sheppard Avenue West	Proposed	9 storeys	3.0FSI
Y	758 – 764 Sheppard Avenue West	Subject Site	9 storeys	3.5 FSI
Z	4362-4380 Bathurst Street	Proposed	7 storeys	3.8FSI

All the approved buildings step down to the abutting low density *Neighbourhoods* lands, conforming to the required 1 to 1 building height to setback relationship. The proposed development maintains a similar relationship to its neighbours to the north, and the proposed building envelope does not penetrate a 45 degree angular plane from the rear lot line abutting the existing low density neighbourhood. While higher in FSI, the built form and height of the

current proposal is therefore consistent with other approvals on Sheppard Avenue West in the Secondary Plan area.

Other Matters

Number of Units

The February 28, 2011 Final Report from the Director, Community Planning, North York District, contains an error regarding the number of units in the proposal. The text of the report indicates the proposal is for 115 units, which was the initial proposal, not the current proposal for 118 units. It should be noted the Notice issued for Public Meeting under the *Planning Act* and the draft Official Plan and Zoning By-law Amendments all accurately indicated the current proposal is for 118 units.

Prohibition of Telemarketing/Call Centre

During the March 22, 2011 North York Community Council Meeting, it was evident local residents and the Ward Councillor had concerns with the on-street parking problems and traffic being generated by an existing telemarketing/call centre operating out the building at the northwest corner of Sheppard Avenue West and Goddard Street. It was suggested that the Zoning By-laws for the subject property should prohibit this use and the applicant has agreed to this. Staff have no objections and this report therefore recommends that the draft Zoning By-laws be amended accordingly.

CONTACT

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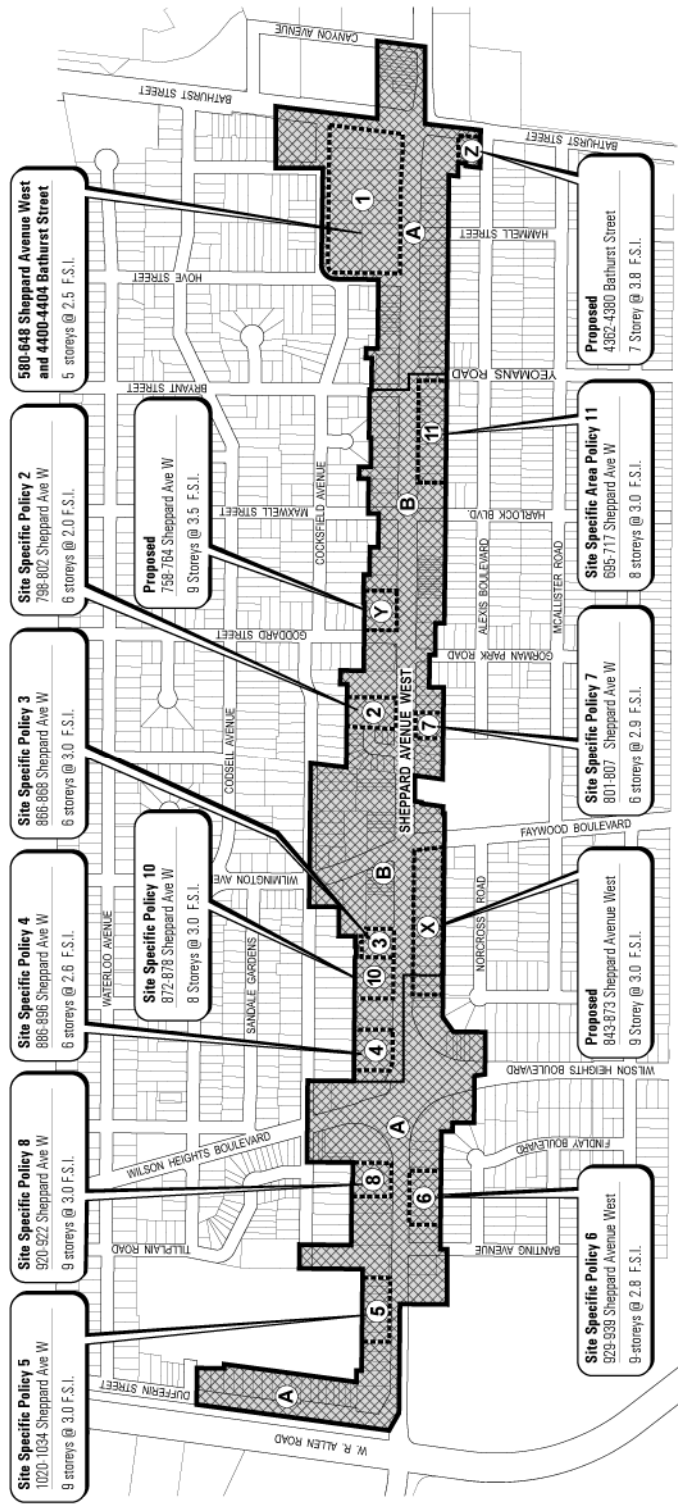
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Sheppard West/Dublin Secondary Plan Area Showing Height and Density Amendments

Attachment 1: Sheppard West/Dublin Secondary Plan Area Showing Height and Density Amendments



Map 23-1 Consolidated Land Use Map
October 2009

Sheppard West / Dublin Secondary Plan

Not to Scale
04/01/2011

File # 10_109851 NNY10 0Z