



## STAFF REPORT ACTION REQUIRED

### 2933 Sheppard Ave East Zoning Amendment Application - Preliminary Report

<b>Date:</b>	May 31, 2013
<b>To:</b>	Scarborough Community Council
<b>From:</b>	Director, Community Planning, Scarborough District
<b>Wards:</b>	Ward 40 – Scarborough-Agincourt
<b>Reference Number:</b>	13 131300 ESC 40 OZ

#### SUMMARY

This application proposes to develop the subject 0.36 hectare (0.9 acre) parcel of land at 2933 Sheppard Avenue East with a new 178 unit, 18 storey residential condominium with 393 square metres (7,230 square feet) of retail space at grade.

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.

The application should proceed through the normal planning review process including the scheduling of a community consultation meeting and the preparation of a final report once all the required information is submitted and issues raised during the review have been satisfactorily addressed.

#### RECOMMENDATIONS

**The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting for the lands at 2933 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 under the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

In 1984, Council refused applications to amend the Official Plan and Zoning By-law for the subject property and the abutting property to the west, which sought permission for a restaurant, office and retail uses to be contained within a two and four storey building. The applicant's appeal to the Ontario Municipal Board was dismissed.

In 1989, applications were submitted to amend the Official Plan and Zoning By-law to change the permitted uses on site from residential to office. The proposed six-storey 6,573 square metre (70,750 square foot) office building contained no retail or restaurant uses. In 1991, Council deferred these applications pending Council's decision regarding financing of the Sheppard Subway. The applicant subsequently appealed the matter to the Ontario Municipal Board. The OMB ordered the approval of the application in 1993, with conditions. These conditions were to be secured through a Section 37 agreement and included \$47,000 to be contributed to streetscape improvements on Sheppard Avenue East and to Wishing Well Woods Park, and that the owner consent to participate in a funding mechanism for services along Sheppard Avenue East at this location.

In 1995, applications were submitted to amend the Official Plan and Zoning By-law to permit an eight-storey, 67 unit residential condominium building. In 1996, Council approved a modified plan for a 54 unit eight storey residential apartment building. The City also negotiated the retention of the previous Section 37 commitments, which remain in the Zoning By-law.

### **Pre-Application Consultation**

A number of pre-application consultation meetings were held with the applicant to discuss concept plans, and more recently on June 28, 2012 to define complete application submission requirements.

Concept plans for the proposal were presented to the City's Design Review Panel on January 23, 2012, in advance of a rezoning application being filed. The following is a link to the minutes of that meeting.

[http://www.toronto.ca/planning/2012/agendas/pdf/drp\\_minutes\\_23jan12.pdf](http://www.toronto.ca/planning/2012/agendas/pdf/drp_minutes_23jan12.pdf)

The applicant's current proposal has responded to the preliminary feedback provided by the Design Review Panel. Changes have been proposed with respect to driveway location and loading, courtyard location and size, the provision of more underground parking, building form and articulation improvements both at grade and on the shaft, and the tower portion of the building has been moved to the east to respect the potential for the development of tall building on the property to the west.

## **ISSUE BACKGROUND**

### **Proposal**

This application proposes to develop the subject 0.36 hectare (0.9 acre) parcel of land at 2933 Sheppard Avenue East with a new 18 storey, 178 unit residential condominium with 393 square metres (7230 square feet) of retail space at grade.

A total of 173 parking spaces are provided, 170 of which are in a four level underground garage, while three surface parking spaces are located at grade to the rear of the building. Typical unit sizes range from 47 to 61 square metres for one bedroom units, to 88 square metres for three-bedroom units.

The building design is proposed to be a tower on podium form, which incorporates a five storey podium base located parallel to Sheppard Avenue with a ground floor area of 1,389 square metres. The rear of the building podium is proposed to be set back 45 m from the south property line, in order to maintain a 45 degree angular plane to the residential area to the south. A further 22 m step back to the tower occurs at the top of the podium, where the final three storeys contain only 4 units per floor. The proposed tower element features a floor plate with a maximum area of 645 square metres, below the recommended maximum of 743 square metres in the Tall Building Guidelines.

The proposed total gross floor area is 15, 135 square metres, or 4.1 times the area of the lot.

### **Site and Surrounding Area**

This 0.36 hectare (0.9 acre) site is currently vacant, and has been vacant for a number of years. There are a number of mature trees on site, and the site slopes gently from north to south.

Surrounding uses are as follows:

North: On the north side of Sheppard Avenue East is an existing 16 storey apartment building. Just to the east of the 16 storey apartments building, is a new 20 storey rental apartment building which is nearing completion zoned Apartment (A).

East: Immediately to the east are two single detached dwellings fronting on Sheppard Avenue East, and two single detached dwellings on Commons Drive zoned Single-Family Residential (S).

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South: to the south are single detached dwellings on Esquire Circle zoned Single-Family Residential (S).

West: Immediately to the west is a newly developed 3 storey office building, with a Shoppers Drug Mart as the main tenant on the first two floors and office above. The parking lot for this development abuts the subject site on the west property line. The parcel is zoned Highway Commercial (HC).

## **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**

The subject lands are designated as Mixed Use Areas within the Toronto Official Plan. The Mixed Use Areas designation permits a broad range of residential, commercial and institutional uses. The policies of this land use designation include the following development criteria which direct that new development:

1. 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;
2. limit shadow impacts on adjacent Neighbourhoods; and
3. frame the edges of streets with good proportion and maintain sunlight and comfortable wind conditions for pedestrians.

The criteria also require significant multi-unit residential developments to provide indoor and outdoor recreation space for building residents.

The official plan also contains policies related to height and/or density incentives and permits zoning by-laws, under Section 37 of the Planning Act, to be passed to permit more height and/or density for a use than is otherwise permitted by the zoning by-law for that use in return for the provision of community benefits to be set out in the zoning by-law.

Sheppard Avenue and Victoria Park Avenue at this location are both shown as an Avenue on Map 2 of the Toronto 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.

Map 4 – Higher Order Transit Corridors – designates Sheppard Avenue East as a Transit Corridor for potential expansion. Map 5 – Surface Transit Priority Network – identifies both Victoria Park Avenue and Sheppard Avenue East to be “Transit Priority Segments”. The introductory text of Section 2.2 of the Official Plan stipulates that future growth within the City should be channelled towards areas which are well served by transit, the existing road network, and which have a number of properties with redevelopment potential. Section 2.2.3 of the Official Plan stipulates that Avenue studies will contain a vision and an implementation plan to show how the use of the road allowance can be optimized and transit service enhanced.

Staff will be reviewing the proposal in the context of the relevant sections of the Official Plan.

## **Zoning**

The subject site is currently zoned Apartment Residential (A) under the Sullivan Community Zoning By-law 10717.

The Apartment Residential zoning permits apartment buildings, day nurseries, group homes, and private home daycares.

The current zoning restricts development on the site to one unit for every 42 square metres of lot area, or 87 units, and 23 metres in height.

The site is also subject to a site specific exception in the Sullivan By-law, which outlines a previous Section 37 agreement negotiated in the 1990's. The exception has three components. Prior to the issuance of a building permit, a cash contribution is to be made to the City for improvements to Wishing Well Park. Streetscape improvements are required on the south side of Sheppard Avenue between Victoria Park Avenue and Commons Drive. Finally, the extension of existing storm and sanitary sewers within the Sheppard Avenue Boulevard from their existing location at the intersection of Victoria Park is required. All of these are to occur before the issuance of the first building permit.

City Council enacted Zoning Bylaw No. 569-2013 at its meeting on May 9, 2013. As this application was deemed complete prior to May 9, the subject lands are excluded from the new Zoning By-law and as such, City Planning is processing the application under the former City of Scarborough Sullivan Community Zoning Bylaw No. 10717.

### **Site Plan Control**

The lands are located within a Site Plan Control Area. A site plan application has been submitted and is being circulated to appropriate city divisions for review and comment.

### **Sheppard East LRT**

The Toronto Light Rail Transit (LRT) Plan is part of the regional transit plan (The Big Move) for the Greater Toronto Area which is overseen by Metrolinx. The Sheppard East LRT is part of this plan and it has been endorsed by both Metrolinx and City Council. The LRT line is proposed to extend from Don Mills Station to Conlins Road and is proposed to be completed by 2021. An LRT Stop is proposed at Victoria Park Avenue, just east of the site.

### **Reasons for the Application**

The purpose of the rezoning application is to permit increases in the number of apartment units, and building height and gross floor area permitted, to modify provisions related to setbacks, and to add provisions related to coverage and permitted uses.

The rezoning will also need to establish other site specific performance standards to facilitate the proposed development.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Functional Servicing and Storm Water Management Report
- Site Servicing Plan Incorporating Public Utilities Plan
- Pedestrian Level Wind Study
- Avenue Segment Review Study including Planning Rationale
- Sun/Shadow Study
- Transportation Impact Study incorporating Loading and Parking Study

A Notification of Incomplete Application issued on April 10, 2013 identifies the outstanding material required for a complete application submission as follows:

- Archaeological Assessment

The Archaeological Assessment was received, and the application was deemed complete as of May 6, 2013.

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## **Issues to be Resolved**

### **Avenue Study**

The Sheppard Avenue frontage of the site is located within an Avenue overlay on the Urban Structure Map in the City's Official Plan. To date, no Avenue study has been prepared for this portion of Sheppard Avenue. .

An Avenue Segment Study has been submitted as part of the rezoning application. The study includes all of the properties on the north and south sides of Sheppard Avenue on the east side of Victoria Park Avenue, including all four corner properties at Pharmacy Avenue and Sheppard Avenue East. In addition, the study examines the Victoria Square Plaza located at the northwest corner of Sheppard Avenue East and Victoria Park Avenue together with additional properties located on the east side of Victoria Park Avenue north and south of Sheppard Avenue.

The Avenue Segment study has been circulated to appropriate City divisions for review and comment.

### **Built Form and Urban Design**

The application will be reviewed for conformance to the built form policies of the Official Plan, and the review of the Avenue Segment study. The review will consider, but not be limited to such matters as:

- Determination of the appropriateness of a tall building for this site. A significant aspect of the review of this application will be the determination of whether this site is most appropriate for a tall building or a mid rise building;
- The appropriateness of the proposed land use and density, built form, massing, building heights and design, relative to both the Mid-Rise and Tall Building Guidelines; and
- Conformity with the Mixed Use Areas policies of the Official Plan, including the requirement that development result in a height, built form and massing which provides for a transition to areas of different development intensity and scale.

### **Section 37 of the Planning Act**

The Toronto Official Plan contains provisions pertaining to public benefits in exchange for increased height and density for new development pursuant to Section 37 of the Planning Act. Section 37 of the Planning Act may be used to secure the community benefits, provided the proposal is recommended for approval, having first met the test of good planning.

Exception No. 29 in the Sullivan Community By-law pertains to the subject lands. This exception outlines a number of Section 37 benefits that were secured during the previously mentioned 1993 approval, and negotiated to be retained during the 1995 approval.

The Section 37 provisions will be need to be re-evaluated and enhanced based on the revised proposal.

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

The applicant has submitted a Transportation Impact Study, which includes a parking rationale.

Determination of the appropriate parking supply and any impacts associated with the proposed parking, loading spaces, and access arrangements, all need to be addressed. The development will be reviewed to assess impacts on area traffic.

### **Tree Removal, Replacement and Preservation**

The applicant has submitted an arborist report and tree preservation plan indicating the location and condition of the trees on the site. The report is being reviewed by Urban Forestry.

Opportunities to preserve and replace trees will be explored through the evaluation of this application. Particular care will be given to preserve existing mature trees near property lines or on adjacent neighbouring properties.

### **Storm Water Management / Site Servicing**

Particularly in light of the prescribed Section 37 contribution respecting servicing in the earlier approval, the proposed development will be reviewed to ensure that appropriate storm water management and site servicing can be provided. The applicant has submitted a Functional Servicing and Stormwater Management Report which is being reviewed by staff.

### **Sun/Shade**

A sun/shade study has been submitted for review by the City. Staff will be reviewing the proposal to determine the nature of shadow effects on nearby residential and commercial areas and at various times of the day in different seasons.

### **Pedestrian Level Wind Study**

It is important that any tall building be sensitive to pedestrian comfort conditions. New development should be consistent with the Tall Building Guidelines, and be massed to fit harmoniously into its surroundings and minimize the impact on neighbouring buildings and open space by minimizing uncomfortable wind conditions on these areas. A Pedestrian Level Wind study has been submitted as part of the applications.

### **Landscaping and Outdoor Amenities**

Detailed landscaping plans have been provided outlining proposed private landscaping and a 217 square metre courtyard amenity area in the middle of the structure. The adequacy of the landscaping, and private courtyard amenity area, including overlook and separation distance between some inward facing units, will be assessed.



**Green Development Standard**

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**

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

**CONTACT**

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**SIGNATURE**

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Raymond David, Director  
Community Planning, Scarborough District

**ATTACHMENTS**

Attachment 1: Site Plan

Attachment 2A: Elevations - East

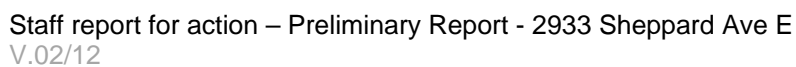
Attachment 2B: Elevations – North and South

Attachment 2C: Elevations - West

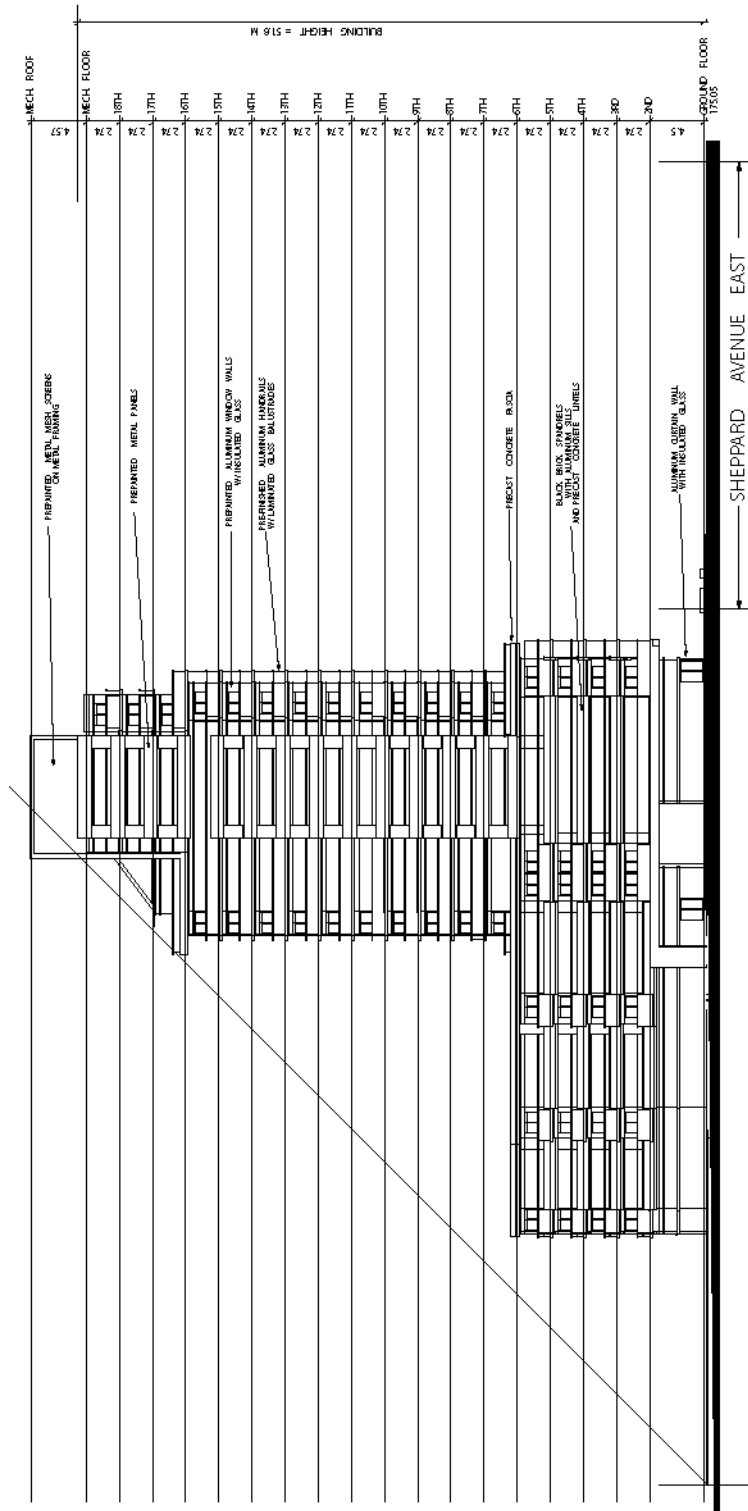
Attachment 3: Zoning

Attachment 4: Application Data Sheet

## SHEPPARD AVENUE EAST



# Attachment 2A: Elevations - East



2933 Sheppard Avenue East

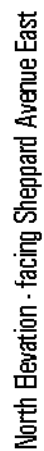
Elevation - East

Applicant's Submitted Drawing

Not to Scale  
04/05/13

File # 13 131300 ESC 40 OZ and 13 131294 ESC 40 SA

2933 Sheppard Avenue East



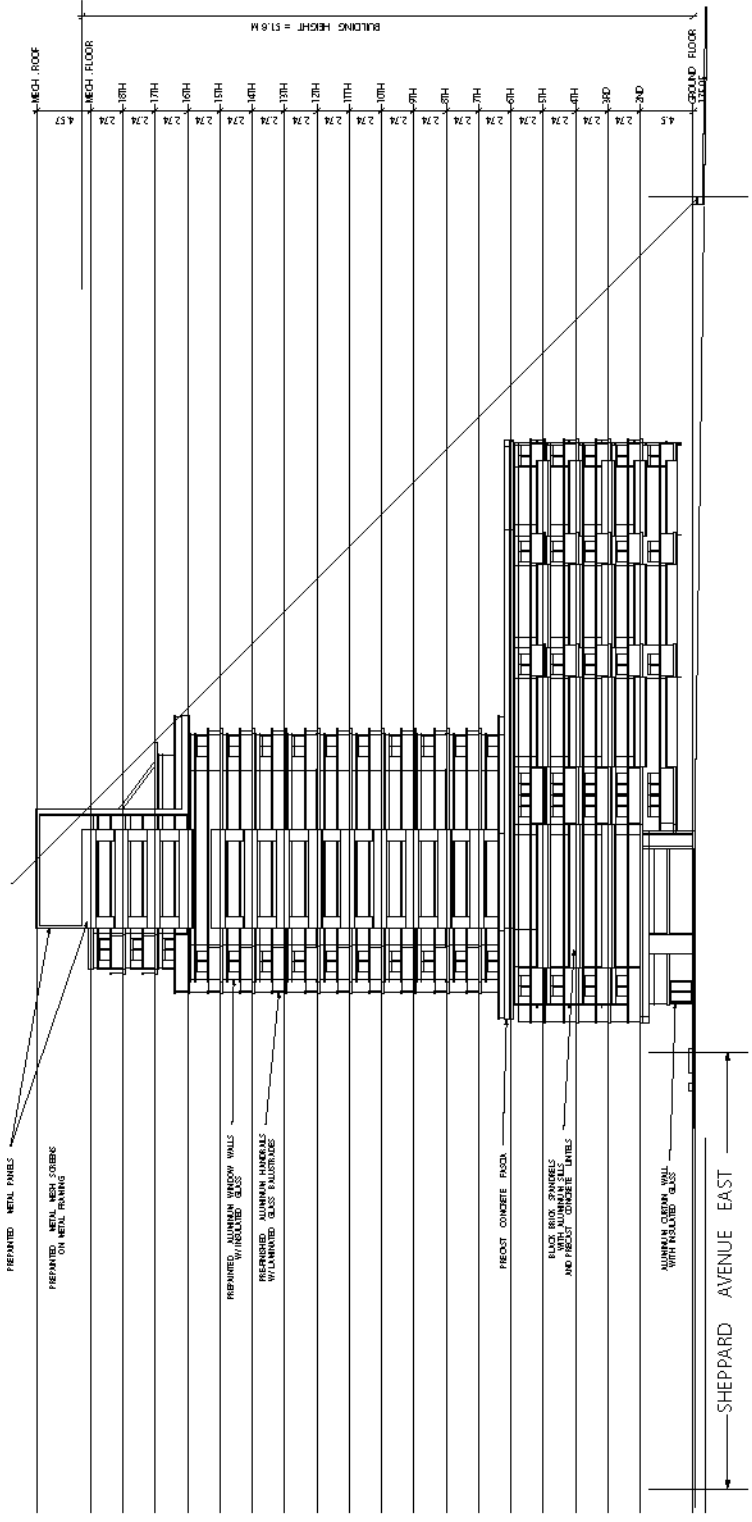
## Elevations

Applicant's Submitted Drawing

Not to Scale  
04/05/13

File # 13 131300 ESC 40 0Z and 13 131294 ESC 40 SA

Attachment 2C: Elevations - West



2933 Sheppard Avenue East

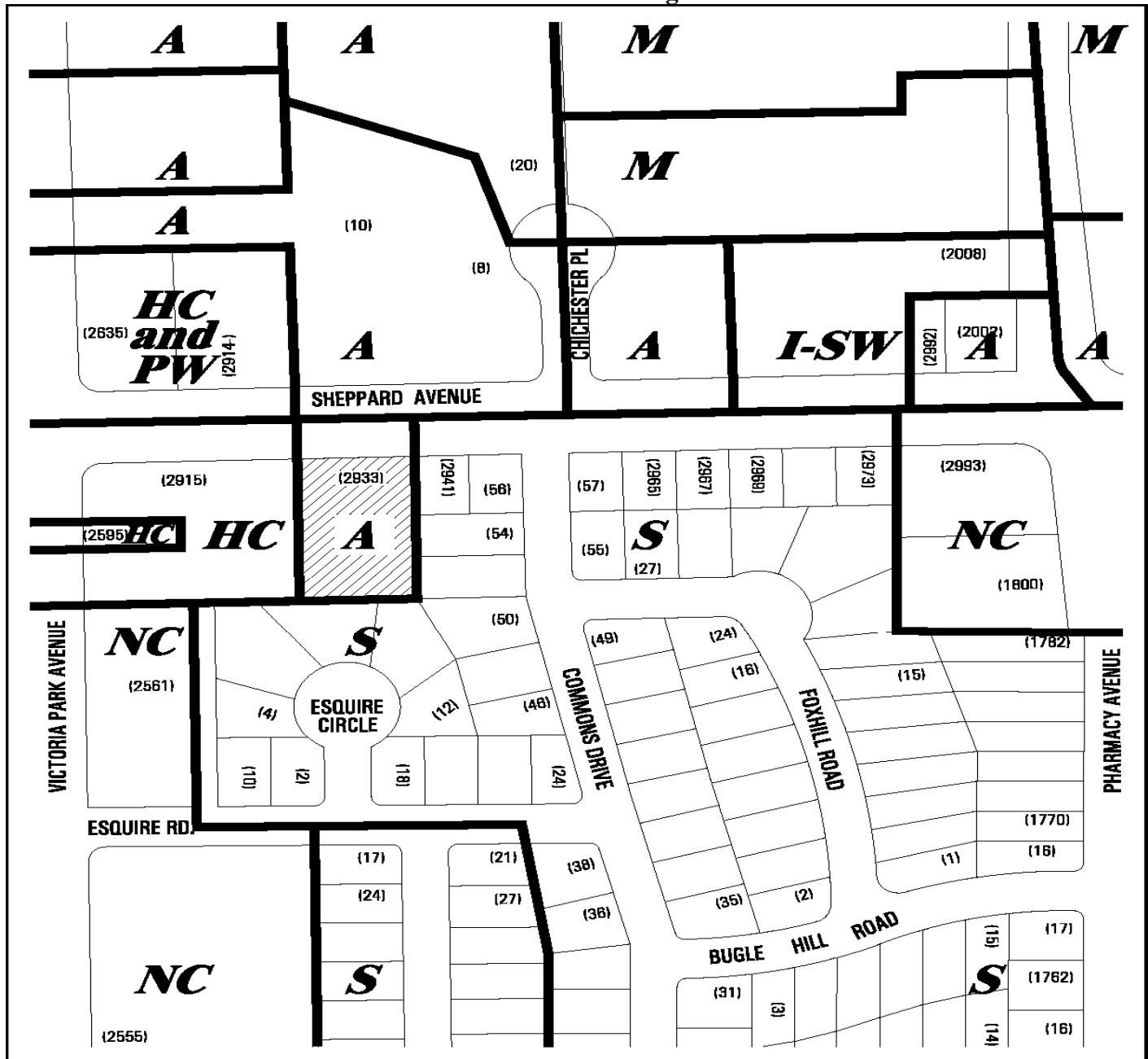
Elevation - West

Applicant's Submitted Drawing

Not to Scale  
04/05/13

File # 13 131300 ESC 40 OZ and 13 131294 ESC 40 SA

# Attachment 3: Zoning



**Zoning** Sullivan & L'Amoreaux Communities

2933 Sheppard Avenue East

File # 13 131300 ESC 40 OZ and 13 131294 ESC 40 SA



Location of Application

**S**  
**M**  
**A**

Single-Family Residential  
Multiple-Family Residential  
Apartment Residential

**I-SW**  
**PW**

Institutional - Social Welfare  
Place(s) of Worship

**NC**  
**HC**

Neighbourhood Commercial  
Highway Commercial



Not to Scale  
04/05/13

## Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	13 131300 ESC 40 OZ
Details	Rezoning, Standard	Application Date:	March 11, 2013

Municipal Address:	2933 SHEPPARD AVE E
Location Description:	CON 2 PT LOT 35 **GRID E4003
Project Description:	Zoning bylaw amendment for a proposed mixed use 18 storey, 178 unit residential condominium with 393 m2 of ground floor retail space. Application submitted in conjunction with Site Plan application 13 131294 ESC 40 SA.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
EVANS PLANNING			CANADA HAIXIN INTERNATIONAL GROUP INC

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	A - Apartment	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	3650.51	Height:	Storeys:	18
Frontage (m):	50.37		Metres:	51.8
Depth (m):	72.39			
Total Ground Floor Area (sq. m):	1389			<b>Total</b>
Total Residential GFA (sq. m):	14742		Parking Spaces:	173
Total Non-Residential GFA (sq. m):	393		Loading Docks	1
Total GFA (sq. m):	15135			
Lot Coverage Ratio (%):	38			
Floor Space Index:	4.1			

### DWELLING UNITS

### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo		<b>Above Grade</b>	<b>Below Grade</b>
Rooms:	0	Residential GFA (sq. m):	14742	0
Bachelor:	0	Retail GFA (sq. m):	393	0
1 Bedroom:	101	Office GFA (sq. m):	0	0
2 Bedroom:	71	Industrial GFA (sq. m):	0	0
3 + Bedroom:	6	Institutional/Other GFA (sq. m):	0	0
Total Units:	178			

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>John Lyon, Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 396-7018</b>

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