

Authority: North York Community Council Item NY6.3,
adopted as amended, by City of Toronto Council on June
18 and 19, 2019

CITY OF TORONTO

Bill 916

BY-LAW -2019

To amend former City of North York Zoning By-law 7625, as amended, with respect to the lands municipally known as, 110 and 112 Sheppard Avenue West.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act; and

Whereas authority is given to Council by Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of Holding (H) symbol with conditions in the zoning by-law;

The Council of the City of Toronto enacts:

1. Schedules "B" and "C" of By-law 7625 of the former City of North York are amended in accordance with Schedule "1" attached to this By-law.
2. Section 64.20-A of By-law 7625 of the former City of North York is amended by adding the following subsection:

64.20-A (258) RM6 (258) (H)

DEFINITIONS:

- (a) For the purposes of this exception, "Gross Floor Area" shall mean the total area of all of the floors in a building above or below grade measured from the exterior of the main wall of each floor level reduced by the area in the building used for:
 - (i) Parking, loading, and bicycle parking below-ground;
 - (ii) Required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
 - (iii) Storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
 - (iv) Indoor amenity space;
 - (v) Elevator shafts;
 - (vi) Garbage shafts;

- (vii) Mechanical penthouse; and
 - (viii) Exit stairwells in the building.
- (b) For the purposes of this exception, "Established Grade" shall mean the Canadian Geodetic Datum elevation of 186.32 metres.

PERMITTED USES

- (c) The only permitted uses shall be:

RESIDENTIAL:

An apartment house dwelling and uses accessory thereto including private recreational amenity areas

NON-RESIDENTIAL:

Restaurants, retail stores, personal service shops, service shops, business and professional offices, and take-out restaurants.

All non-residential uses shall be restricted to the ground floor level.

EXCEPTION REGULATIONS

Dwelling Units

- (d) A maximum of 30 dwelling units shall be permitted.

Lot Area

- (e) The minimum lot area shall be 940 square metres.

Lot Frontage

- (f) The minimum lot frontage shall be 30 metres.

Lot Coverage

- (g) The maximum lot coverage shall be 75 percent.

Yard Setbacks

- (h) Front Yard Setback

The minimum front yard setback shall be 0 metres. Any portion of the building with dwelling units located in the first storey of the building shall be setback a minimum of 2.0 metres.

(i) Side Yard Setbacks

The minimum side yard setbacks for the first six storeys shall be 0 metres. The seventh storey shall be setback a minimum of 3.0 metres from the side lot lines.

- (j) Notwithstanding (h) and (i) above, the minimum yard setbacks for parking structures and structures associated thereto below Established Grade shall be 0 metres for all property lines.

Gross Floor Area

- (k) A maximum gross floor area of 2,731 square metres shall be permitted, of which a maximum of 110 square metres shall be non-residential uses listed in (c) above.

Building Height

- (l) The provision of 20-A.2.6 shall not apply.
- (m) The building height shall not exceed 7-storeys above Established Grade.
- (n) Notwithstanding (m) above, no part of the building, with the exception of the rooftop stair enclosure, and balcony railings, shall penetrate a 45 degree angular plane projected along the entire required rear yard setback, starting at a height of 10.5 metres above the average elevation of the ground 7.5 metres from the rear lot line.
- (o) The rooftop stair enclosure shall have a maximum height of 2.75 metres.

Landscaping

- (p) A minimum 2.0 metre wide strip of land used for soft landscaping shall be provided along the north (rear) property line. The landscape strip may also contain one exhaust shaft associated with the underground garage.

Recreation Amenity Area

- (q) A minimum of 60 square metres of indoor amenity space shall be provided.
- (r) A minimum of 400 square metres of outdoor amenity space shall be provided for a 7-storey building and a minimum of 2.0 square metres of outdoor amenity space for each unit shall be provided for a building with less than 7-storeys.

Parking

- (s) Parking for residential uses within the site shall be provided in accordance with the following minimum requirements:

Bachelor Units:	0.6 spaces per unit
Bachelor Units greater than 45 square metres:	1.0 space per unit
1 Bedroom and 1 Bedroom plus den Units:	0.7 spaces per unit
2 Bedroom and 2 Bedroom plus den Units:	0.9 spaces per unit
3+ Bedroom Units:	1.0 space per unit
Visitor Parking:	0.1 spaces per unit

- (t) Parking for residential uses within the site shall not exceed the following maximum requirements:

Bachelor Units:	0.9 spaces per unit
Bachelor Units greater than 45 square metres:	1.3 spaces per unit
1 Bedroom and 1 Bedroom plus den Units:	1.0 space per unit
2 Bedroom and 2 Bedroom plus den Units:	1.3 spaces per unit
3+ Bedroom Units:	1.5 spaces per unit

OTHER REGULATIONS

- (u) The provisions of 6A(8)(b)(c), 6A(16), 15.6, and 15.8(a) shall not apply.
- (v) Notwithstanding any conveyance, severance, partition, or division of the lot, as shown on Schedule "1", the provisions of this by-law shall apply to the whole of the lot as if no conveyance, severance, partition or division occurred.

HOLDING PROVISIONS

- (w) An "H" shall be appended to the zone symbol "RM6(258)".
- (x) Prior to the removal of the "H", the lands shown on Schedule 1 shall only be used for the uses existing as of the date of passing of this By-law or a sales centre for the sale of the residential units to be located on the lands shown on Schedule 1.
- (y) the "H" shall be lifted from the lands shown on Schedule 1 at such a time as:
- (i) The owner submit Functional Servicing and Stormwater Management Reports acceptable to the Chief Engineer and Executive Director, Engineering and Construction Services;
 - (ii) The execution and registration of a development agreement between the owner of the lands and the City, securing the financing and construction of any improvements that may be required to the City's sanitary sewer, storm sewer and water supply systems to accommodate the proposed development; and

- (iii) The receipt of all necessary approvals for the infrastructure required, as described (ii) above.
- 3. Within the lands shown on Schedule "1" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

Enacted and passed on June , 2019

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

Seal of the City

