

Authority: North York Community Council Item NY17.1,
as adopted by City of Toronto Council on September 30,
and October 1, 2020

CITY OF TORONTO

Bill 795

BY-LAW -2020

To amend Zoning By-law 569-2013, as amended, with respect to lands municipally known in the year 2020 as 665, 667, 669 and 671 Sheppard Avenue West.

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

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;

Whereas pursuant to Section 39 of the Planning Act, the Council of a Municipality may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to (H) RM (f64.0; a2600) (x80), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.6.10 Exception Number RM 80 so that it reads:

Exception RM 80

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- A. On 665, 667, 669 and 671 Sheppard Avenue West, a **building, structure,** addition or enlargement is permitted in compliance with (B) through (P) below;
- B. For the purposes of this exception:
- (i) the **lot** is the land outlined by heavy lines on Diagram 1 attached to By-law [Clerks to insert]; and
 - (ii) **established grade** is 186.73 metres Canadian Geodetic Datum.
- C. In addition to the **residential building** types listed in Regulation 10.80.20.40(1), a **townhouse** is a permitted **residential building** type;
- D. A **home occupation** located in the **first storey** of a **dwelling unit** facing Sheppard Avenue West with direct pedestrian access to a public sidewalk:
- (i) may include the following uses: **artist studio**, office, **custom workshop** making articles or products to be sold at retail on the **premises, service shop** and **personal service shop**, conducted only by a member or members of the household who reside in the **dwelling unit** as their principal residence;
 - (ii) is not subject to Regulations 150.5.20.1(1)(A) and (B), (2), (4), 150.5.40.1(1), and 150.5.40.40(1); and,
 - (iii) Despite Regulations 150.5.20.1(1)(C) and (D), a **home occupation** may be an office or medical office for a chiropractor, massage therapist, or acupuncturist.
- E. Despite Clause 10.5.40.40, the **gross floor area** of all **buildings** on the **lot** may be reduced by:
- (i) parking, loading and bicycle parking below **established grade**;
 - (ii) required **loading spaces** and required **bicycle parking spaces** at or above **established grade**;
 - (iii) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
 - (iv) shower and change facilities required by this By-law for required **bicycle parking spaces**;
 - (v) indoor **amenity space**;

- (vi) elevator shafts;
 - (vii) garbage shafts;
 - (viii) mechanical penthouses; and
 - (ix) exit stairwells in the **building**.
- F. Despite Regulation 10.80.40.40(1), the permitted maximum **gross floor area** of all **buildings** on the **lot** is 5450 square metres;
- G. Despite Regulation 10.80.30.40(1), the permitted maximum **lot coverage**, as a percentage of the **lot area**, is 50 percent;
- H. Despite Regulation 10.80.40.1(2), the permitted maximum number of **dwelling units** on the **lot** is 65;
- I. Despite Regulations 10.80.40.10(1) and (3), the permitted maximum height of a **building** or **structure** is the numerical value following the symbol "HT" and the permitted maximum number of **storeys** is the numerical value following the symbol "ST" as shown on Diagram 3 attached to By-law [**Clerks to insert**];
- J. Despite Regulations 10.5.40.10(2), (3) and (4), and (I) above, the following elements may project above the permitted maximum height:
- (i) wind screens, parapets, awnings, guard rails, railings and dividers, public art, structures for open air recreation, pergolas, trellises, balustrades, eaves, screens, stairs, stair/elevator access, roof drainage, window sills, window washing equipment, chimneys, vents, terraces, lightning rods, light fixtures, architectural features and screens, **landscaping**, elements of a **green roof** and insulation and roof surface materials, planters, heating, mechanical equipment and any associated enclosure, elevator overrun, cooling and ventilating equipment and **structures** used for safety above the maximum height limit shown on Diagram 3 attached to By-law [**Clerks to insert**];
 - (ii) The maximum height of rooftop mechanical equipment and stair/elevator access is 4 metres.
- K. Despite Clauses 10.5.40.70, 10.80.40.70 and 10.80.40.80, the required minimum **building setbacks** and required separation distances between **main walls** of **buildings** are shown in metres on Diagram 3 attached to By-law [**Clerks to insert**];
- L. Despite Clause 10.5.40.60 and Regulation (K) above, the following elements may encroach into a required **building setback** or required separation distance between **main walls**:

- (i) site servicing features (including but not limited to exhaust shafts and retaining walls), art and landscape features, fences, screens, awnings, canopies, planters, ventilation shafts, stairs, guardrails, balustrades, stair enclosures and associated structures, cornices, light fixtures, ornamental elements, parapets, architectural features, patios, decks, pillars, trellises, columns, balconies, terraces and support structures, thermal insulation, eaves, window sills, bay windows, underground garage ramps and associated structures; and
 - (ii) The elements listed in L.(i) above may not encroach beyond a **lot line**.
- M. Clause 10.5.50.10, with respect to required **landscaping**, does not apply;
- N. Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided and maintained on the **lot** in accordance with the following:
- (i) 41 **parking spaces** for residents; and
 - (ii) 9 **parking spaces** for the shared use of visitors to **dwelling units** and **home occupation** uses.
- O. Regulations 230.5.1.10(7)(B) and 230.5.10.1(1) do not apply. **Bicycle parking spaces** shall be provided as follows:
- (i) A minimum of 44 "long term" **bicycle parking spaces; and,**
 - (ii) A minimum of 5 "short term" **bicycle parking spaces.**
- P. An **Apartment Building** or **Townhouse** must provide **amenity space** at a minimum rate of 4.0 square metres for each **dwelling unit**, of which at least 2.0 square metres for each **dwelling unit** is indoor **amenity space**.

Prevailing By-laws and Prevailing Sections:

- (A) Schedule 'D' Airport Hazard Map from City of North York Zoning By-law 7625.
5. None of the provisions of By-law 569-2013, as amended, apply to prevent a temporary sales office on the lands subject to this by-law, which means a **building, structure, facility, trailer** or portion thereof used exclusively for the purpose of the sale or rental of **dwelling units** to be erected on the same lands for a period not to exceed 3 years from the date of this by-law coming into full force and effect.
6. Despite any future severance, partition or division of the lands as shown on Diagram 1, the provisions of this By-law will apply as if no severance, partition or division has occurred.
7. Holding Provisions
- (A) The lands zoned with the "(H)" symbol delineated by heavy lines on Diagram 2

attached to and forming part of this By-law must not be used for any purpose other than those uses and buildings existing on the site until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol may be enacted by City Council when the following conditions have been fulfilled to the satisfaction of the City Solicitor, the Director, Community Planning, North York District, and the Chief Engineer and Executive Director, Engineering and Construction Services, and Council:

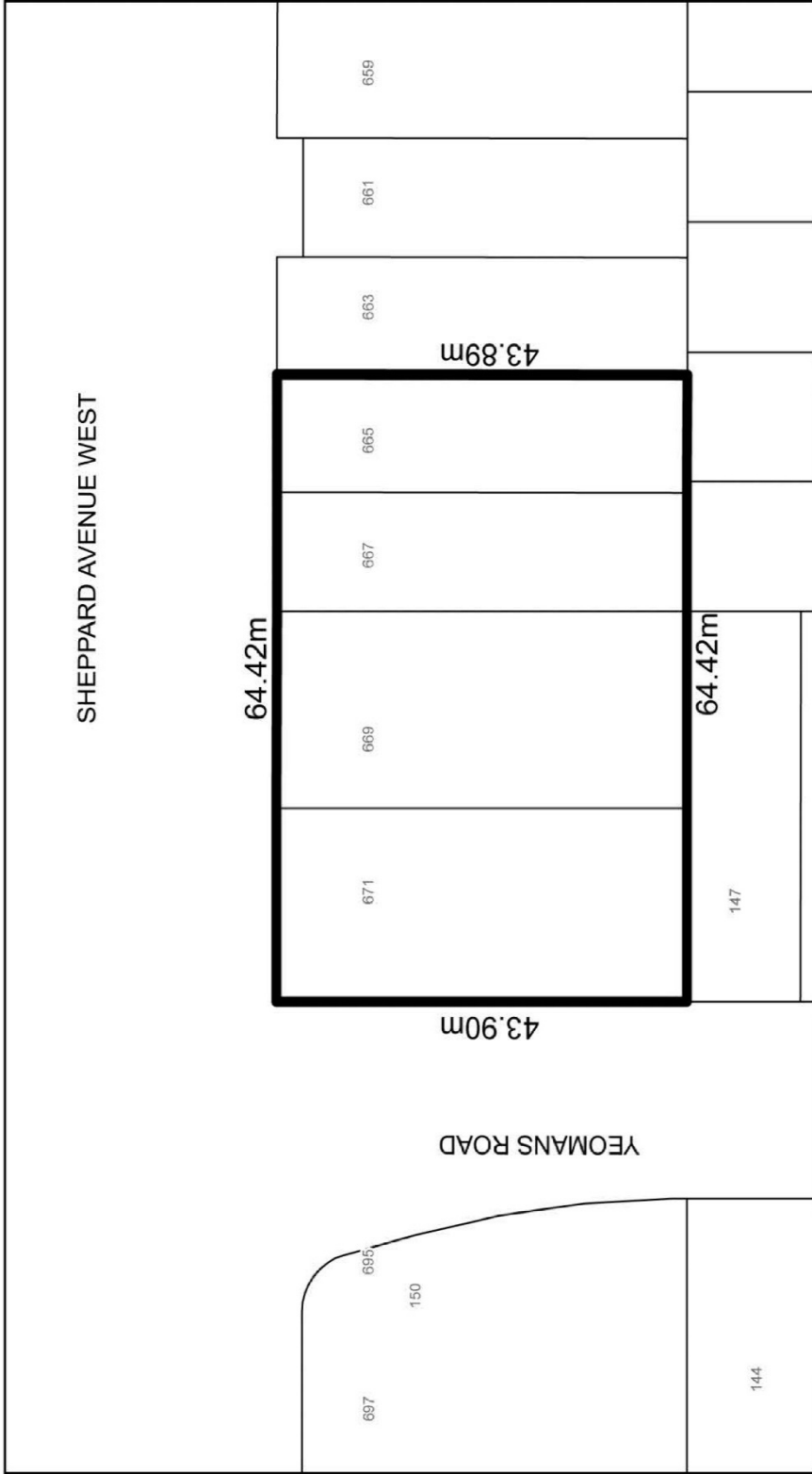
- (i) The owner submits Functional Servicing and Stormwater Management Reports acceptable to the Chief Engineer and Executive Director, Engineering and Construction Services;
- (ii) The execution and registration of a development agreement between the owner of the lands and the City, securing the financing 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;
- (iii) The receipt of all necessary approvals for the infrastructure required, as described (ii) above; and,
- (iv) The acceptable sanitary system solution is constructed and operational as determined by the Chief Engineer & Executive Director, Engineering and Construction Services, which may include the applicant obtaining MECP Environmental Compliance Approval and upgrading the existing municipal infrastructure off site.

Enacted and passed on October , 2020.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



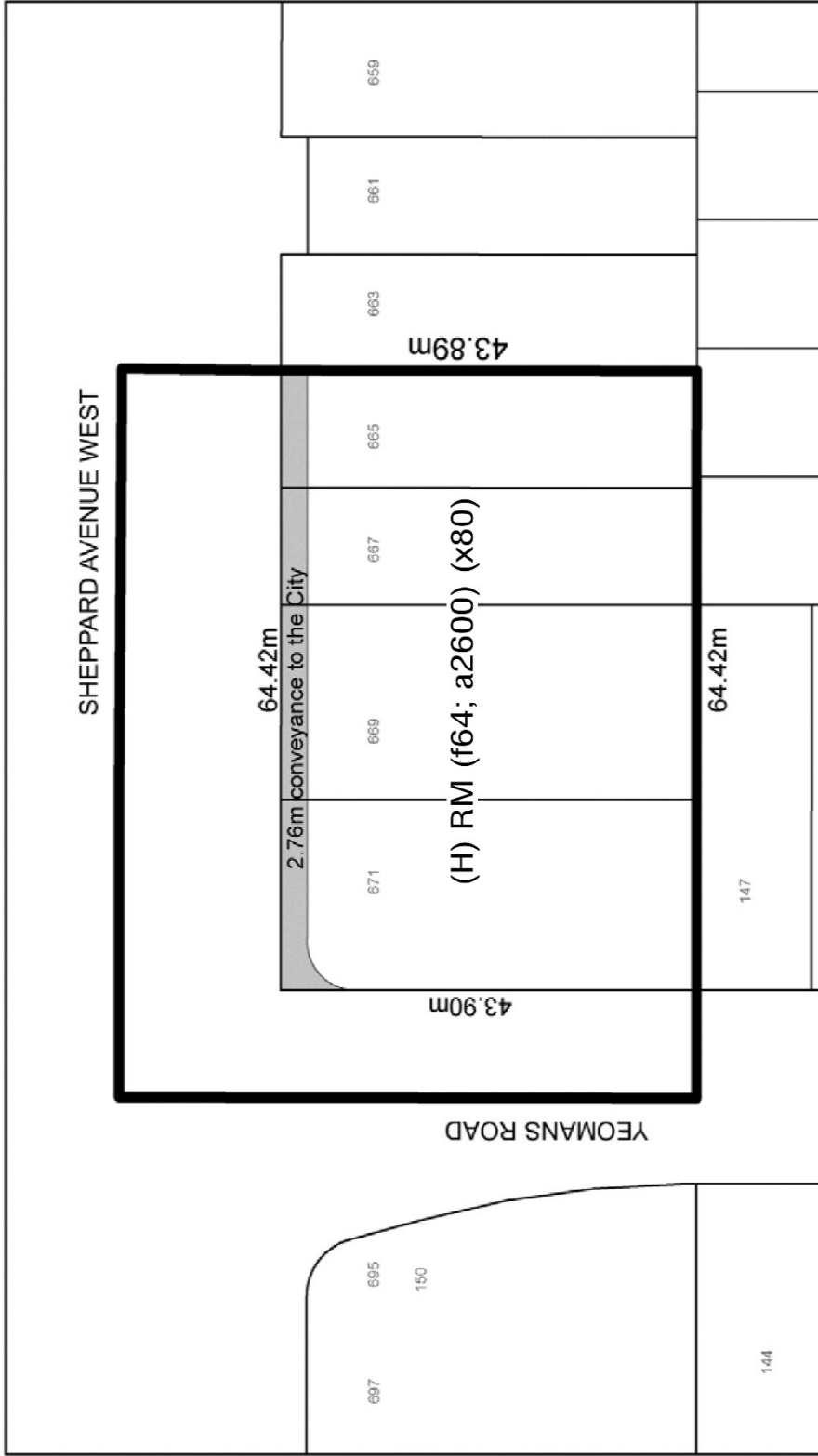
Toronto
Diagram 1

665, 667, 669, 671 Sheppard Avenue West

File # 16 219896 NNY 10 0Z



City of Toronto By-law 569-2013
Not to Scale
7/17/2020



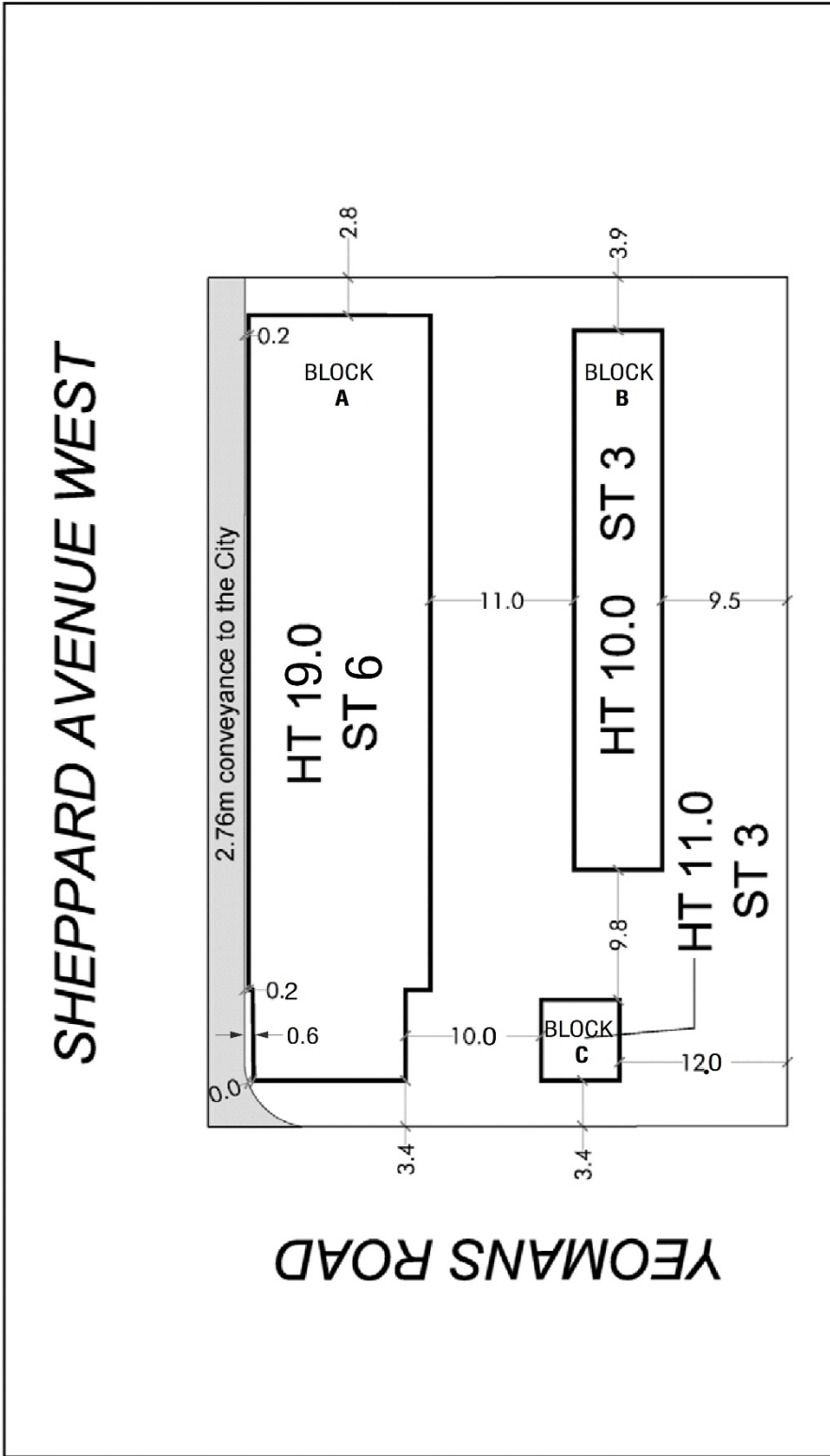
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 Diagram 2

665, 667, 669, 671 Sheppard Avenue West

File # 16 219896 NNY 10 0Z



City of Toronto By-law 5689-2013
 Not to Scale
 7/17/2020



Toronto
Diagram 3

665, 667, 669, 671 Sheppard Avenue West

File # 16 219896 NNY 10 0Z



City of Toronto By-law 569-2013
Not to Scale
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