

CITY OF TORONTO

BY-LAW No. 492-2000(OMB)

To amend the General Zoning By-law (former City of North York) with respect to the lands known municipally as 43 Sheppard Avenue East.

WHEREAS the Ontario Municipal Board by way of Disposition issued on September 28, 1998 and Order issued on August 20, 1999, determined to amend the General Zoning By-law for the City of Toronto (former City of North York);

THEREFORE:

1. Schedules “B” and “C” of By-law No. 7625 are amended in accordance with Schedule 1 of this by-law.

2. Section 64.23 of By-law No. 7625 is amended by adding the following subsection:

64.23(87) C1(87)

DEFINITIONS

- (a) For the purpose of this exception, “Apartment House Dwelling” shall mean a building containing more than four (4) dwelling units, each unit having access either from an internal corridor system or direct access at grade, or a combination thereof.
- (b) For the purpose of this exception, Sheppard Avenue East shall be used in determining “established grade”.
- (c) For the purpose of this exception, “Gross Floor Area” shall mean the total area of all the floors, measured between the outside of the exterior walls of the building at the level of each floor, including all areas used as balconies measured to the outside edges of the balcony floors, but excluding:
 - (i) any part of the building used for Mechanical Floor Area;
 - (ii) any area used for motor vehicle access or parking, including that contained in an above-grade parking structure provided the structure does not exceed three storeys in height above grade and provided that its roof deck is fully landscaped and made directly accessible to adjacent redevelopment projects;

- (iii) the floor area of unenclosed residential balconies;
 - (iv) the floor area of the indoor private Recreational Amenity Area up to a maximum of 1.5 square metres per dwelling unit provided the use is not a commercial for profit enterprise; and
 - (v) the floor area of a Day Nursery.
- (d) For the purposes of this exception, “Mechanical Floor Area” shall mean the floor area within a building that is used exclusively for the accommodation of mechanical equipment necessary to physically operate the building such as heating, ventilation, air conditioning, electrical (including electronics), plumbing, fire protection and elevator equipment.

PERMITTED USES

- (e) The only permitted uses shall be:

Residential Uses

Apartment House Dwellings and uses accessory thereto including accessory private Recreational Amenity Areas; Multiple Attached Dwellings; or any combination thereof;

Non-Residential Uses

Business and Professional Offices; Financial Institutions; Hotel; Day Nursery; Professional Medical Offices; Communications and Broadcasting; Commercial Gallery; College; University; Commercial Recreation; Retail Stores; Service Shops; Personal Service Shops; Restaurants; Studios; Dry-cleaning and Laundry Collecting Establishments; Synthetic Dry-cleaning Establishments; Automatic Laundry Shops; Custom Workshops making articles to be sold at retail on the premises; Take-out Restaurants; Theatres; Billiard Parlours; Commercial Schools; Fitness Centres; Clubs; Outdoor Cafe in conjunction with a Restaurant; or any combination thereof.

EXCEPTION REGULATIONS

- (f) The total “Gross Floor Area” of all permitted uses shall not exceed the sum of 43,018 square metres.

(g) Recreational Amenity Area Requirements

- (i) a minimum of 1.5 square metres per dwelling unit of indoor Recreational Amenity Area shall be provided;
- (ii) a minimum of 1.5 square metres per dwelling unit of outdoor Recreational Amenity Area shall be provided; and
- (iii) a minimum common outdoor space equal to 4% of the non-residential floor area or 10% of the lot attributable to the Non-Residential uses, whichever is greater, shall be provided.

(h) Maximum Building Height

- (i) The maximum building height of all buildings and structures shall be as shown on Schedule C1(87); and
- (ii) The maximum height of all buildings or structures shall not exceed the horizontal distance between the building or structure and the Relevant Residential Property Line (RRPL), as shown on Schedule C1(87).

(i) Yard Setbacks

Minimum yard setbacks shall be as shown on Schedule C1(87); where there is no minimum yard setback indicated on Schedule C1(87), the minimum setback shall be 0 metres. Adjacent to the Sheppard Avenue frontage, the maximum front yard setback for Residential uses shall be 8 metres for a minimum of 33 percent of the lot frontage and the maximum front yard setback for Non-Residential uses shall be 8 metres for a minimum of 66 percent of the lot frontage.

(j) Lot Coverage

No maximum coverage

(k) Lot Depth

No minimum lot depth

(l) Lot Area

No minimum lot area

(m) Parking

Parking for Residential and/or Non-Residential uses shall be provided above or below grade on the lands zoned C1(87) at the following rates:

(i) Non-Residential, except for a College, University or Hotel use;

(A) a minimum of 0.9 parking spaces per 100 square metres of gross floor area; and

(B) a maximum of 1.04 parking spaces per 100 square metres of gross floor area.

(ii) Residential:

(A) a minimum of 0.9 parking spaces per dwelling unit plus 0.1 parking spaces per dwelling unit for visitor use; and

(B) a maximum for 1.3 parking spaces per dwelling unit plus 0.1 parking spaces per dwelling unit for visitor use.

(iii) Parking Space Dimension:

(A) a parking space, including an angled parking space, shall have a minimum width of 2.7 metres and a minimum length of 5.5 metres;

(B) notwithstanding (A) above, a parallel parking space shall have a minimum width of 2.7 metres and a minimum length of 6.7 metres.

(n) Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands.

- (o) A minimum 25% of the total number of residential units constructed are to be provided as follows:
 - (i) one (1) bedroom units having a maximum gross floor area of 70 m²;
or
 - (ii) two (2) bedroom units having a maximum gross floor area of 80 m²;
or
 - (iii) three (3) bedroom units having a maximum gross floor area of 120m²;
or
 - (iv) any combination of the above.
- (p) All other provisions of the C1 zone except as amended above, shall apply.

3. Section 64.23 of By-law No. 7625 is amended by adding Schedule “C1(87)” attached to this by-law.

PURSUANT TO THE DECISIONS OF THE ONTARIO MUNICIPAL BOARD ISSUED NOVEMBER 3, 1998 AND AUGUST 20, 1999 IN BOARD FILE NO. PL 957598

SCHEDULE “1” and SCHEDULE “C1(87)” (on file)