

**CITY OF TORONTO**

**BY-LAW No. 1140-2004(OMB)**

**To adopt Amendment No. 544 of the Official Plan for the former City of North York  
with respect to lands municipally known as 929, 931, 933, 935, 937 and  
939 Sheppard Avenue West.**

WHEREAS the Ontario Municipal Board pursuant to its Decision/Order No. 0841 issued on April 30, 2004, as amended by Decision/Order No. 1179 issued on July 13, 2004, upon hearing the appeal of 1465334 Ontario Inc., under Section 17(11) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend the Official Plan of the former City of North York;

THEREFORE the Official Plan of the former City of North York is amended by the Ontario Municipal Board as follows:

1. Amendment 544 to the Official Plan of the City of North, consisting of the attached text is hereby adopted.
2. This By-law shall come into force and take effect on the date of the issuance of the Ontario Municipal Board's Order thereto.

PURSUANT TO DECISION/ORDER NO. 0841 OF THE ONTARIO MUNICIPAL BOARD ISSUED ON APRIL 30, 2004, AS AMENDED BY DECISION/ORDER NO. 1179 ISSUED ON JULY 13, 2004, AND AS AMENDED BY DECISION/ORDER NO. 1600 ISSUED ON OCTOBER 5, 2004 IN BOARD FILE NO. PL030567.

**PREFACE AND EXPLANATORY NOTES****TO AMENDMENT NO. 544****TO THE OFFICIAL PLAN OF THE FORMER CITY OF NORTH YORK****PART ONE – PREAMBLE****LOCATION AND DESCRIPTION**

This amendment concerns a 4600 m<sup>2</sup> site on the south side of Sheppard Avenue west of Bathurst Street, municipally known as 929, 931, 933, 935, 937 and 939 Sheppard Avenue West.

**EFFECT OF THE AMENDMENT**

The subject site is designated Sheppard West Commercial (SW-COM) by the Sheppard West/Dublin Secondary Plan with a total maximum density of 2.0 FSI. Height of the building shall not exceed the horizontal distance separating the building from the nearest property line that coincides with the boundaries of the Secondary Plan area. This amendment has the effect of increasing the maximum density permitted to 2.8 times the lot area.

**PUBLIC HEARINGS**

A public meeting to consider the application was held by North York Community Council after written notice of such meeting had been sent to all persons assessed in respect of land and to all tenant within 120 metres of the subject lands. This application was considered by North York Community Council on October 26, 2002.

The Ontario Municipal Board held a hearing and approved the Official Plan Amendment in its Decision/Order issued on April 30, 2004, and in its amending Decision/Order issued on July 13, 2004, in Board Case No. PL030567.

**AMENDMENT NO. 544****TO THE OFFICIAL PLAN OF THE  
FORMER CITY OF NORTH YORK****PART TWO – THE AMENDMENTP**

The following text constitutes Amendment No. 545 to the Official Plan of the former City of North York.

**ITEM 1****Clause 1**

Part D.14 - The Sheppard/Dublin Secondary Plan is amended by adding the following to Section 4.0:

“4.2.0 Lands located on the south side of Sheppard Avenue, west of Wilson Heights Boulevard; Lots 3, 4 and 5, Registered Plan 3457; and municipally known as 929, 931, 933, 935, 937 and 939 Sheppard Avenue West.

Notwithstanding the Sheppard West commercial (sw-com) designation on this site, City Council may pass by-laws respecting such lands permitting a density of 2.8 F.S.I. for a 9 storey mixed use building provided the Owner, at its expense and in accordance with and subject to the Agreement pursuant to section 37 of the *Planning Act* referred to in the by-law adopting this Official Plan amendment provides funds for the following facilities, services and or matters on terms satisfactory to the City:

- (1) \$100,000 for capital improvements to parks and/or community facilities in Ward 10.”