

## CITY OF TORONTO

### BY-LAW No. 1142-2004(OMB)

#### To amend former City of North York By-law No. 7625 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 22(7) of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, deems it advisable to amend Zoning By-law No. 7625 of the former City of North York;

THEREFORE Zoning By-law No. 7625 of the former City of North York is amended by the Ontario Municipal Board as follows:

1. Schedules “B” and “C” of By-law No. 7625, as amended, are hereby amended in accordance with Schedule “1” attached hereto.
2. Section 64.20-A of By-law No. 7625 of the former City of North York is amended by adding the following subsection:

**“64.20-A(137) RM6(137)**

#### DEFINITIONS

- (a) For the purposes of this exception, “building height” shall not include enclosed stairwells or rooftop trellis or canopies.

#### PERMITTED USES

- (b) The only permitted uses shall be:
  - (i) an apartment house dwelling and uses accessory thereto, and;
  - (ii) the following non-residential uses on the ground floor only: retail store, service shops, personal service shops, business offices, professional offices and professional medical offices;

#### SECTION 37

- (c) The owner of the site, at the owner’s expense and in accordance with and subject to the agreements referred in to this By-law, shall provide or fund the following facilities, services, and/or matters on terms satisfactory to the City of Toronto:
  - (i) That the applicant pay to the City the sum of \$100,000 prior to issuance of any building permit other than foundation, to be used towards park and/or community facilities within Ward 10.

- (d) The permitted gross floor area of 11,675 m<sup>2</sup> is allowed provided the owner enters into one or more agreements satisfactory to the City of Toronto, pursuant to Section 37 of the *Planning Act*, to secure the facilities, services and matters referred to in subsection (i) above, and such agreement or agreements have been registered as a first priority against the title to the site.

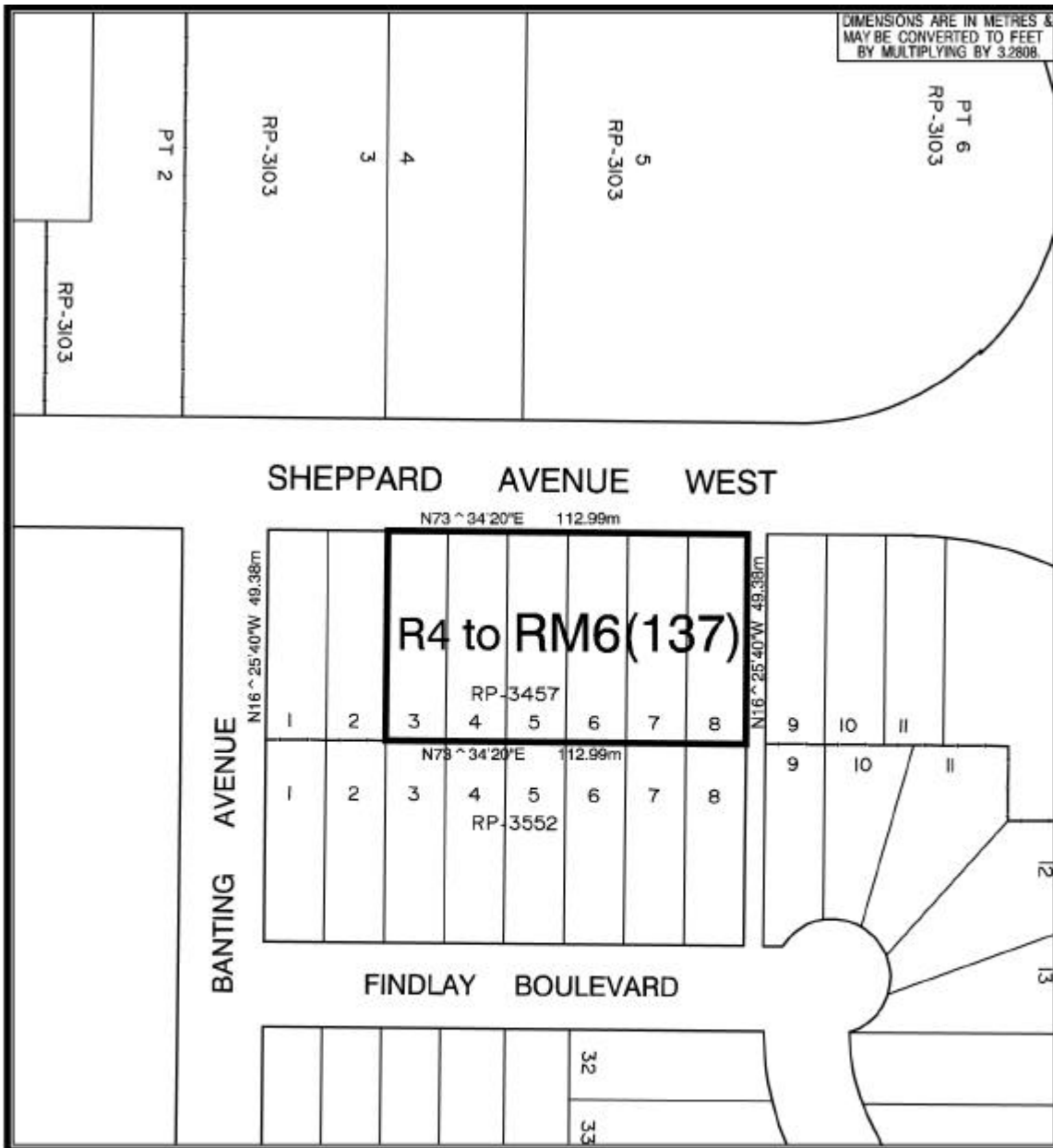
#### **EXCEPTION REGULATIONS**

- (e) A maximum gross floor area of 11,675 m<sup>2</sup> shall be permitted, of which a minimum 530 m<sup>2</sup> shall be used for permitted non-residential uses.
- (f) A maximum of 110 dwelling units shall be permitted.
- (g) The minimum yard setbacks shall be as shown on Schedule "RM6(137)". Every part of any required yard shall be open and unobstructed by any structure, from the ground to the sky, except stair enclosures providing access to parking and landscape features. Notwithstanding Section 6(9)(1), balconies and balcony roof projections may extend into the minimum yard setbacks not more than 1.5 metres.
- (h) The maximum building height shall be as shown on Schedule "RM6(137)".
- (i) The maximum height, including mechanical rooms, penthouse, tower, cupola, steeple or other roof structure, shall not exceed the horizontal distance between the building or structure, or any portion thereof and the south property line of the lot.
- (j) No parking space shall be located within 1.0 metre of any R zone.
- (k) A minimum 1.5 metre wide landscaping area shall be provided along the full extent of the southern property line.
- (l) Parking spaces shall be provided within the net site in accordance with the following:
- (i) Residential:
    - (a) a minimum of 1.05 parking spaces per dwelling unit, including 0.20 parking spaces per dwelling unit for visitor use; and
  - (ii) Non-residential:
    - (a) parking for professional medical offices shall be provided at 1 space per 24 m<sup>2</sup> of gross floor area.
    - (b) parking for other non-residential uses shall be provided at 1 space per 28 m<sup>2</sup> of retail or commercial gross floor area; and

- (m) The provisions of Section 6(13), 6A(8)(c) and (d), 6A(16)(a), Section 15.6 (Distance of Apartment House Dwellings from R and RM2 Zones), Section 15.8 (landscaping), Section 20-A.2.2 (lot coverage), Section 20-A.2.5 (gross floor area), Section 20-A.2.6, 6(13) (building height), shall not apply.
  - (n) Notwithstanding any severance or division of the lands subject to this application, the regulations of this exception shall continue to apply to the whole of the lands.”
3. Section 64.20-A of By-law No. 7625 is amended by adding Schedule “RM6(137)”, attached to this by-law.

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.

**SCHEDULE "1"**




This is Schedule " 1 " to By-Law \_\_\_\_\_  
 passed the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

(Sgd.) \_\_\_\_\_ (Sgd.) \_\_\_\_\_  
 CLERK MAYOR

Location: Lots 3, 4, 5, 6, 7 & 8, R.P. 3457, City of Toronto


File: TB CMB 2002 0018 Prepared by: A.A. Approved by: D.G. Date: JUNE 9, 2003 Filename: RM6(137)

Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District.  
 Street lines represent street dedications/ road allowances and do not represent actual as-built curb lines of streets.

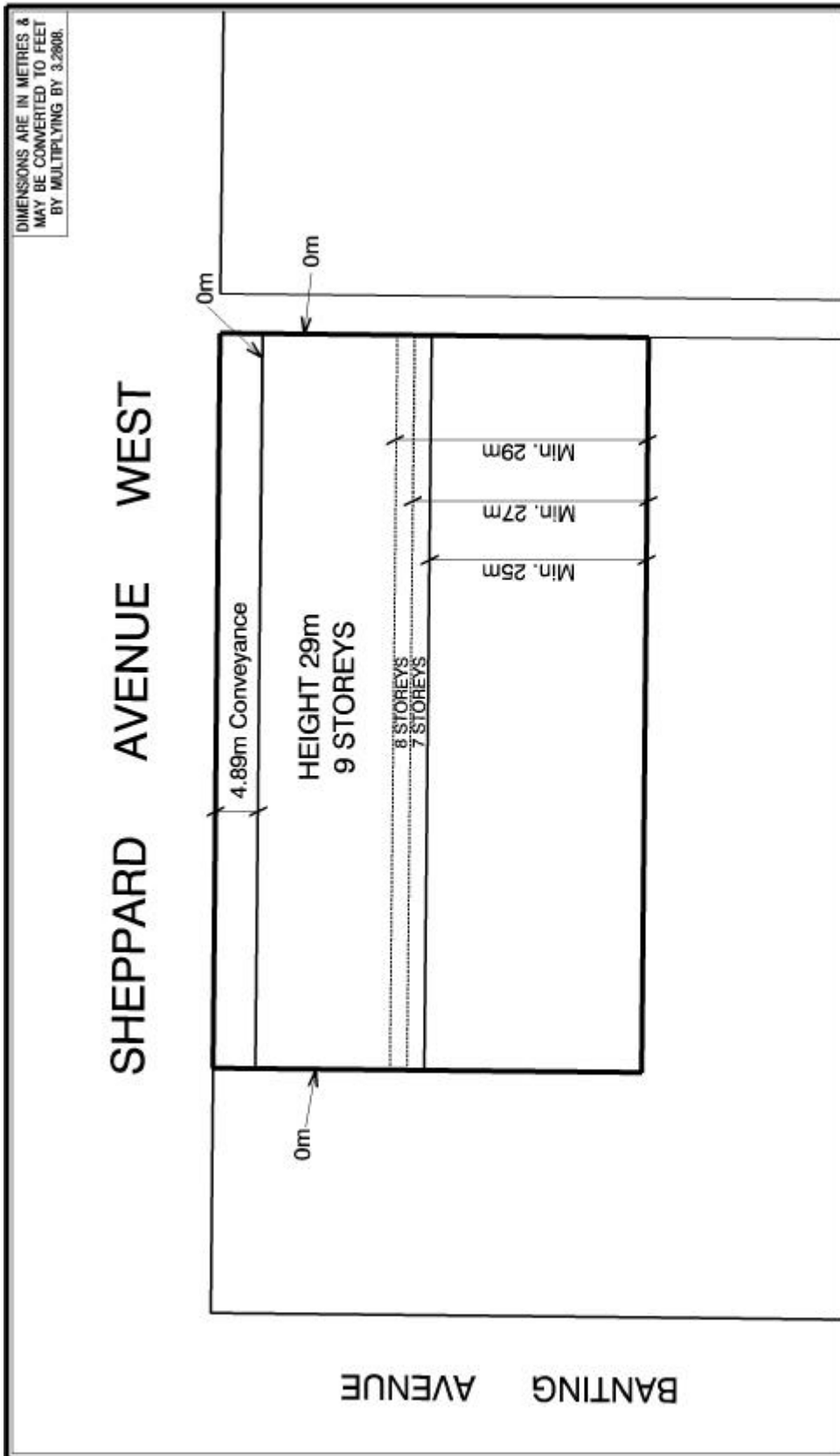


**TORONTO**  
 City Planning Division  
 North District

SUBJECT PROPERTY



SCHEDULE "RM6(137)"



DIMENSIONS ARE IN METRES & MAY BE CONVERTED TO FEET BY MULTIPLYING BY 3.2808.

<p>File No. TB CMB 2002 0018</p> <p>Prepared by: A.K.</p> <p>Approved by: C.R.</p> <p>Date: April 22, 2004</p> <p>Filename: RM6(137)</p>	<p style="text-align: center;"><b>Toronto</b> City Planning Division</p> <p style="text-align: center;">SUBJECT PROPERTY</p> <p style="text-align: center;">This is Schedule "RM6(137)" to By-Law _____, passed the _____ day of _____, 20____</p> <p style="text-align: center;">(Sgd.) _____ (Sgd.) _____</p> <p style="text-align: center;">CLERK MAYOR</p>
<p><b>Location:</b> Lots 3, 4, 5, 6, 7 &amp; 8, R.P. 3457, City of Toronto</p> <p><small>Source: Zoning, By-Law, Lot Line, Street Line and Street Name Data - City of Toronto, City Planning Division, North District. Street lines represent street dedications/road allowances and do not represent actual as-built curb lines of streets.</small></p>	