

CITY OF TORONTO

BY-LAW No. 535-2010(OMB)

To amend the former City of North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known as 569 Sheppard Avenue West and 4383 Bathurst Street.

WHEREAS the Ontario Municipal Board pursuant to its Decision/Order No. 0003 issued on January 6, 2005, upon hearing the appeal of Microbjo Properties Inc., Newrey Holdings Ltd., Damis Holdings Ltd., Sabel Holdings Ltd. and Fredzag Holdings Ltd., 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 are amended in accordance with Schedule "1" of this by-law.
2. Section 64.20-A of By-law No. 7625 is amended by adding the following subsection:

64.20-A(115) RM6(115)

PERMITTED USES

- (a) In addition to the uses permitted in the RM6 zone the following uses are also permitted, on the first floor only:

automatic laundry shops,
banks,
billiard parlours,
bowling alleys,
business and professional offices,
commercial recreation,
commercial schools,
dry-cleaning and laundry collecting establishments,
fitness centres,
personal service shops,
retail stores,
service shops, and
studios.

EXCEPTION REGULATIONS

- (b) The yard setbacks shall be as set out on Schedule "RM6(115)".
- (c) The minimum distance between buildings and/or portions of buildings shall be as set out on Schedule "RM6(115)".
- (d) The gross floor area shall not exceed 28,600 m².

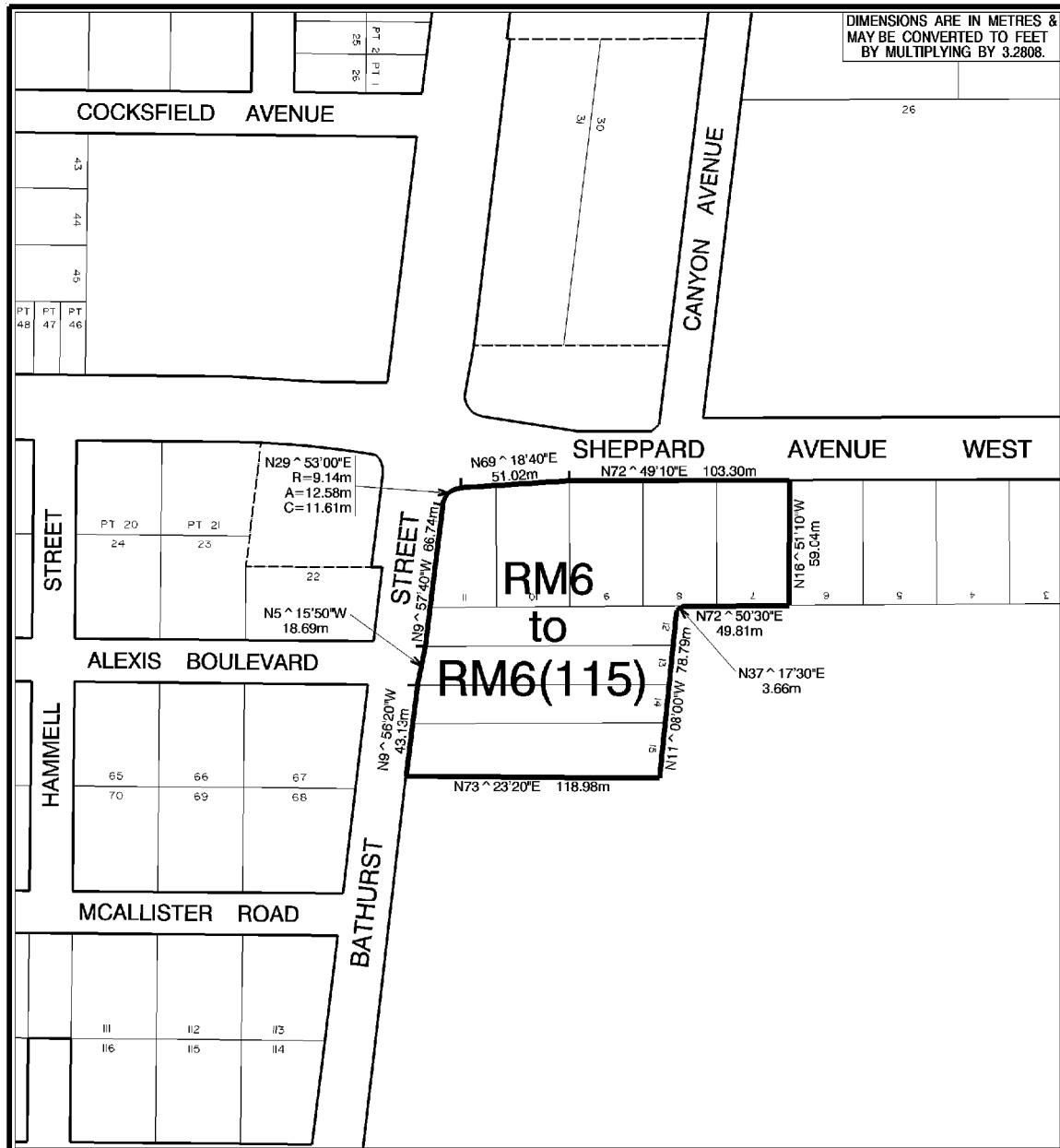
- (e) The maximum number of dwelling units shall be 286.
- (f) The maximum *Building height* shall be 13 storeys. *Building height* is defined as set out in section 2.10 of By-law No. 7625.
- (g) Parking
 - A) A minimum of 1.5 parking spaces per dwelling unit shall be provided for Building C on Schedule "RM6(115)" of which 0.25 shall be for the use of visitors to Building C.
 - B) A minimum of 324 parking spaces shall be provided for the Buildings A and B on Schedule "RM6(115)" plus 42 parking spaces for the use of visitors to Building A and B.
 - C) A minimum of 3 parking spaces shall be provided for the non-residential uses in Building C on Schedule "RM6(115)".
- (h) Section 6A(16)(d)(iv) referring to access to loading spaces shall not apply.

SECTION 37 AGREEMENT

- (i) The owner of the lands set out in Schedule "RM6(115)" shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to secure the facilities, services and matters referred to below, which agreement or agreements shall be registered against the title of the lands to which this By-law applies in the manner and to the extent specified in such agreements. The owner of the subject lands, at the owner's expense and in accordance with, and subject to the agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto, in order to permit an increase in gross floor area and number of units authorized under subsections (j) and (k):
 - A) Maintain the 286 existing rental units in the two existing apartment buildings as rental for a minimum period of 15 years calculated from the date the Zoning By-law Amendment comes into effect, and make no application for demolition or for the purpose of condominium registration during the 15 year period;
 - B) Make a contribution of \$111,738.96 to undertake those improvements to the existing rental apartment buildings as described in further detail in the Section 37 Agreement; and
 - C) Not make an application for a rent increase above the Provincial Rent Increase Guideline for the above-noted capital expenditures or portions thereof for the amount of \$111,738.96.

- (j) Additional gross floor area of 19,068 m² above the gross floor area specified in subclause (d) shall be permitted resulting in a total gross floor area of 47,668 m² on the overall site zoned "RM6(115)".
 - (k) An additional 167 dwelling units above the number of units specified in subclause (e) shall be permitted resulting in a total dwelling unit count of 453 on the overall site zoned "RM6(115)".
 - (l) The provisions of this exception shall apply collectively to the lands zoned "RM6(115)" notwithstanding their future severance, partition or division for any purpose.
 - (m) Building permit issuance for the proposed development shall be dependant upon the satisfaction of the provisions of Sub-clause (i) of this Zoning By-law Amendment and of the provisions of the Section 37 Agreement relating to the building permit issuance.
3. Section 64.20-A of By-law No. 7625 is amended by adding Schedule "RM6(115)", attached to this by-law.

PURSUANT TO DECISION/ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED ON MAY 5, 2010 IN BOARD CASE FILE NO. PL040139.



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

(Sgd.) _____

CLERK

(Sgd.) _____

MAYOR

Location: Lots 7,8,9, 14 and 15 and Part of Lots 10,11,12 and 13, R.P. 3428, City of Toronto

File: UDOZ-0017

Prepared by: A.A.

Approved by: K.W.

Date: APRIL 16, 2002

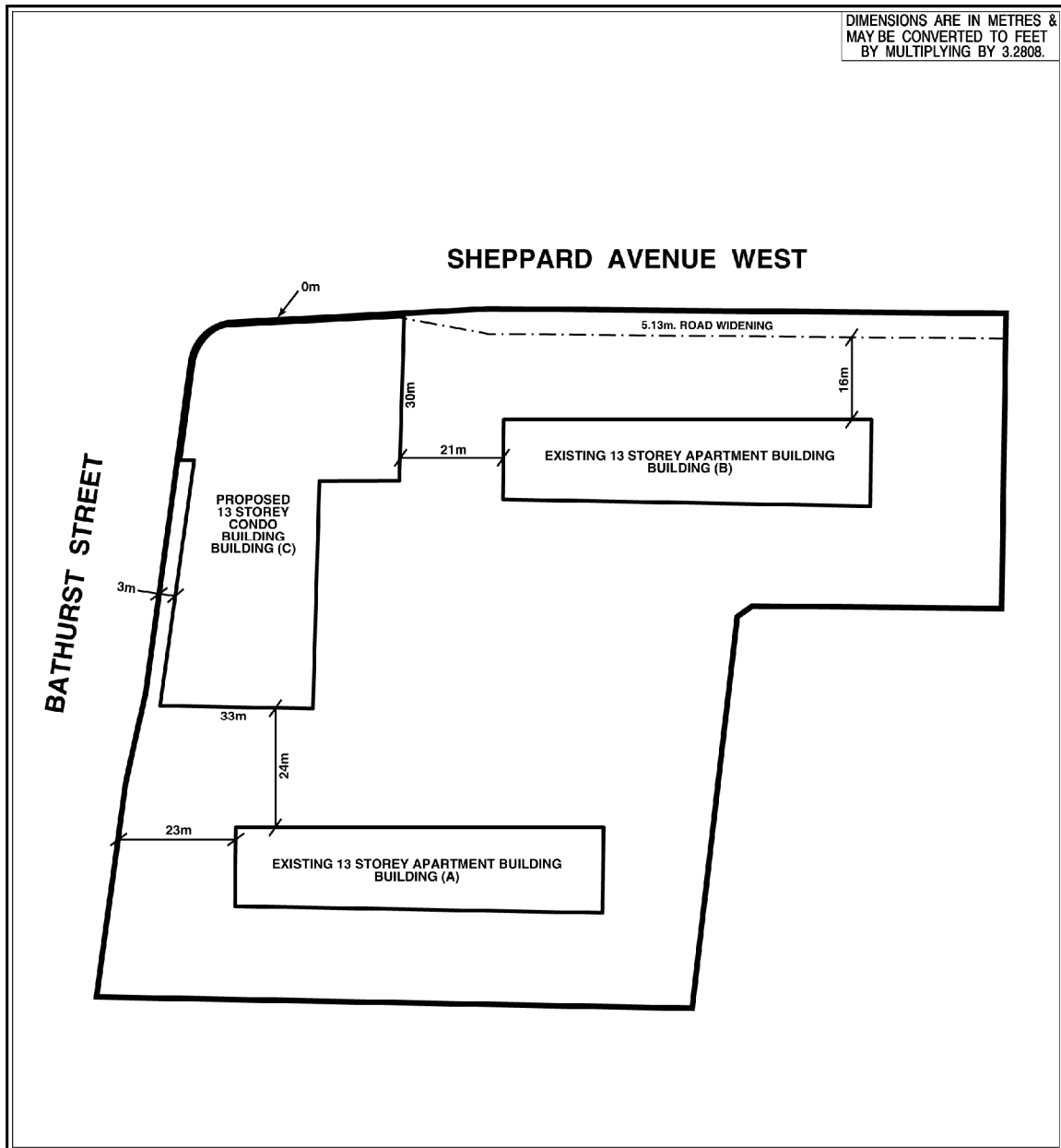
Filename: RM6(115)

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.



SUBJECT
PROPERTY





This is Schedule "RM6(115)" to By-Law _____
passed the _____ day of _____, 20 ____

(Sgd.)

CLERK

(Sgd.)

MAYOR



Location: Lots 7,8,9, 14 and 15 and Part of Lots 10,11,12 and 13, R.P 3428, City of Toronto

File No. UDOZ-00-17

Prepared by: A.A.

Approved by: K.W.

Date: April 22, 2002

Filename: RM6(115).ai

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.