

Authority: North York Community Council Item 36.72,
as adopted by City of Toronto Council on August 25, 26 and 27, 2010
Enacted by Council: August 27, 2010

CITY OF TORONTO

BY-LAW No. 1029-2010

To amend former City of North York Zoning By-law No. 7625, as amended, with respect to lands municipally known as 724 Sheppard Avenue West.

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; 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*;

The Council of the City of Toronto HEREBY ENACTS as follows:

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

64.20(18) RM5(18)

DEFINITIONS

- a. For the purposes of this Exception, an "Apartment House Dwelling" shall mean a building containing more than four (4) dwelling units, each unit having access from an internal corridor system and/or directly from the outside or any combination thereof.
- b. For the purposes of this Exception, "Established Grade" shall be defined as 187m Canadian Geodetic Datum.
- c. For the purposes of this Exception, a "Live-Work Unit" shall mean a dwelling unit on the ground floor containing commercial uses permitted in this Exception that:
 - i. Are conducted by a member or members of the household who reside in the dwelling unit as their principal residence; and
 - ii. Has direct pedestrian access from Sheppard Avenue West.

PERMITTED USES

- d. The only permitted uses shall be:

RESIDENTIAL:

Apartment House Dwellings
Live-Work Units

NON-RESIDENTIAL:

Artist Studio
Business and Professional Office
Retail Store
Service Shop
Personal Service Shop

All non-residential uses shall be restricted to the ground floor.

EXCEPTION REGULATIONS

Dwelling Units

- e. A maximum of 22 residential dwelling units are permitted as follows:
- i. A maximum of 18 Apartment House Dwelling units is permitted.
 - ii. A maximum of 4 Live-Work Units is permitted.

Lot Coverage

- f. The provisions of Section 20.2.2 (Lot Coverage) shall not apply.

Yard Setbacks

- g. The minimum yard setbacks for buildings and structures above Established Grade shall be as shown on Schedule RM5(18).
- h. Notwithstanding (g) above, open balconies located on the second floor shall be permitted to project 4.0m into the rear yard setback. Stairs, stair enclosures, window sills, lighting features, ornamental elements and landscape features are shall also be permitted to project beyond the setbacks shown on Schedule RM5(18).

Gross Floor Area

- i. A maximum gross floor area of 2,450m² shall be permitted provided that of this gross floor area, a minimum of 200m² shall be for non-residential uses or Live/Work Units.

Building Height

- j. The building height shall not exceed the maximum height in metres above Established Grade as shown on Schedule RM5(18).
- k. One storey access stairs, stair enclosures, enclosures for mechanical rooms, parapets, fences, gates, railings and doors, shall be permitted to exceed the height limit shown on Schedule RM5(18).
- l. Notwithstanding (j) and (k) above, the height of any portion of a building or structure above established grade shall not exceed the horizontal distance between the building and the north lot line of the property.

Landscaping

- m. The provisions of Section 15.8 (Landscaping) shall not apply.
- n. A minimum 1.5m wide raised landscape planter shall be provided on the north edge of the balcony on the second floor.

Parking

- o. A minimum of 23 parking spaces shall be provided on site including three spaces reserved for residential visitor parking.
- p. A maximum of 50% of the residential visitor parking may be used for satisfying non-residential parking requirements to a maximum of 2 spaces.
- q. The provisions of Section 6(A)(8)(c) and (d) (Parking Regulations for RM zones other than RM2 Zones) shall not apply.

Loading

- r. The provisions of Section 6(A)16 shall not apply.

Future Severance

- s. Notwithstanding any severance, partition or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands as if no severance, partition or division had occurred.
- 3.** Within the lands shown on Schedule 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and

- (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
4. Section 64.20 of By-law No. 7625 is amended by adding Schedule RM5(18) attached to this By-law.

ENACTED AND PASSED this 27th day of August, A.D. 2010.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)



