

Authority: North York Community Council Item
NY12.11, as adopted by City of Toronto Council on April
17, 18 and 19, 2024

CITY OF TORONTO

Bill 370

BY-LAW -2024

To amend the City of Toronto Zoning By-law 569-2013, in respect of lands municipally known in 2023 as 461 Sheppard Avenue East.

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas Council has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act, as amended; and

Whereas pursuant to Section 39 of the Planning Act, as amended, the council of a municipality may, in a By-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law;

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.1 and applying the following zone label to these lands: CR 3.0 (c1.0; r3.0) SS2 (x984) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Areas Overlay Map in Article 995.10.1 and applying no value.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Article 995.20.1 and applying the following height and storey label to these lands: HT 10, ST 2, as shown on Diagram 3 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Article 995.30.1 and applying no value.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map in Article 995.40.1 and applying no value.

8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number (984) so that it reads:

(984) Exception CR 984

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-law and Prevailing Sections.

Site Specific Provisions:

- (A) On lands municipally known as 461 Sheppard Avenue East, if the requirements of By-law [Clerks to insert By-law number] are complied with, a **building** or **structure**, may be constructed, used or enlarged in compliance with (B) to (S) below;
- (B) Despite Regulation 40.5.40.10(1) and (2), the height of a **building** or **structure** is measured between the Canadian Geodetic Datum elevation of 181.20 metres and the highest point of the **building** or **structure**;
- (C) Despite Regulation 40.10.40.1(1), residential use portions of the **building** are permitted to be located on the same **storey** as non-residential use portions of the **building** such as but not limited to;
- (i) Residential lobby access; and
- (ii) Related residential uses such as a mail room, management office, amenity area, waste room and storage;
- (D) Despite Regulation 40.10.40.1(6), an entrance for a commercial use may be located a minimum of 10.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (E) Despite Regulation 40.10.40.10(2), the permitted maximum height of a **building** or **structure** is shown in metres after the letters "HT" as shown on Diagram 4 of By-law [Clerks to insert By-law number];
- (F) Despite Regulation 40.10.40.10(7), the permitted maximum number of **storeys** in a **building** shall be as shown in **storeys** after the letters "ST" as shown on Diagram 4 of By-law [Clerks to insert By-law number];
- (G) Despite Regulations 40.5.40.10(3) to (8) and (E) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 4 of By-law [Clerks to insert By-law number]:
- (i) equipment used for the functional operation of the **building** including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator

- shafts, chimneys, vents, window washing equipment, and elevator overruns by a maximum of 6.0 metres;
- (ii) Terraces and balcony guards, elements of a **green roof**, planters, railings, parapets, and ornamental architectural features by a maximum of 3.0 metres;
- (H) Despite Regulation 40.10.40.40(1), the permitted maximum **gross floor area** of the **building** is 29,700 square metres, of which a minimum of 350 square metres of non-residential **gross floor area** is required;
- (I) Despite Regulation 40.10.40.70(2), the required minimum **building setbacks** are as shown in metres on Diagram 4 of By-law **[Clerks to insert By-law number]**;
- (J) Despite Clause 40.10.40.60 and (I) above, the following elements may encroach into the required minimum **building setbacks** as outlined in Diagram 4 as follows:
- (i) Balconies, by a maximum of 2 metres;
- (ii) Despite (J)(i) above, balconies may only project into the 3-metre tower setback at the north and east sides of the **building** by a maximum of 1.5 metres;
- (iii) Despite (J)(i) above, no balcony projections shall be located closer than 1.0 metre to an outermost exterior corner intersection of **main walls** of a **building** on floors 8 to 44;
- (iv) Terraces, and balustrades, by a maximum of 2 metres;
- (v) Light fixtures, eaves, canopies, ornamental elements, planters, cornices, parapets, architectural features, roof drainage to a maximum of 1.5 metres; and
- (vi) Landscape features, stairs, wheelchair ramps, ventilation shafts, to a maximum of 2 metres;
- (K) The provision of **dwelling units** is subject to the following:
- (i) a minimum of 15 percent of the total number of **dwelling units** must be 2-bedroom units; and
- (ii) a minimum of 10 percent of the total number of **dwelling units** must be 3-bedroom units;

City of Toronto By-law -2024

-
- (L) Despite Regulation 40.10.50.10(3), no **soft landscaping** strip is required abutting a **lot** in the Residential Zone category;
 - (M) Despite Regulation 40.10.90.10(1)(C), a **loading space** may be located in the **rear yard** that abuts a **lot** in the Residential Zone category;
 - (N) Despite Regulation 200.5.1.10(2)(A)(iv), a maximum of 15 percent of the total **parking spaces** provided may have a minimum width of 2.6 metres, despite being obstructed on one or both sides;
 - (O) Despite Regulation 230.5.1.10(4), a **bicycle parking space**, regardless of orientation, shall have a minimum width of 0.45 metres;
 - (P) Despite Regulation 230.5.1.10(9), "long-term" **bicycle parking spaces** may be located on any level of the **building**;
 - (Q) Despite Regulation 230.5.1.10(10), "long-term" and "short-term" **bicycle parking spaces** may be provided as **stacked bicycle parking spaces**;
 - (R) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, a minimum of 14 visitor **parking spaces** are required;
 - (S) Despite Regulation 200.5.10.1(1) and (R) above, "car-share **parking spaces**" may replace **parking spaces** otherwise required for visitors;
 - (i) for the purpose of this exception, "car-share" means the practice whereby a number of people share the use of one or more motor **vehicles** and such "car-share" motor **vehicles** are made available to at least the occupants of the **building** for short-term rental, including hourly rental; and
 - (ii) for the purpose of this exception, "car-share **parking space**" means a **parking space** exclusively reserved and signed for a **vehicle** used only for "car-share" purposes.

Prevailing By-laws and Prevailing Sections: (None Apply)

- 9. None of the requirements of City-wide Zoning By-law 569-2013 apply to prevent the installation of maintenance access holes and sampling ports for both the storm and sanitary service connections, in accordance with the City of Toronto Sewers By-law Chapter 681.
- 10. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

11. Temporary Use(s):

- (A) None of the provisions of By-law 569-2013, as amended, or this By-law apply to prevent the erection and use of a sales centre or office for the sale and leasing of dwelling units on the lands to which this By-law applies for a period of 3 years from the date this By-law comes into full force and effect, after which this temporary use permission expires.

Enacted and passed on April , 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

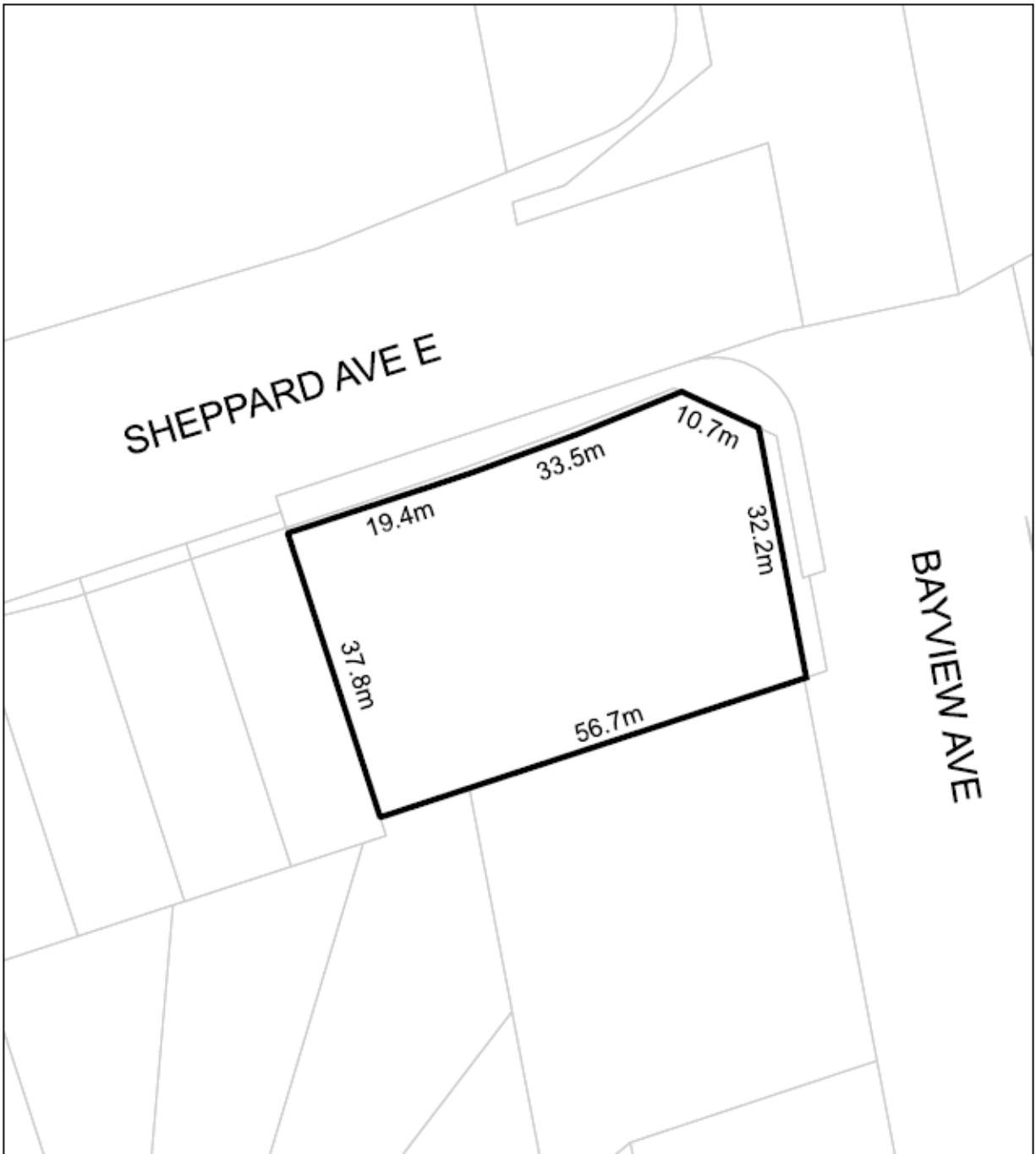


Diagram 2

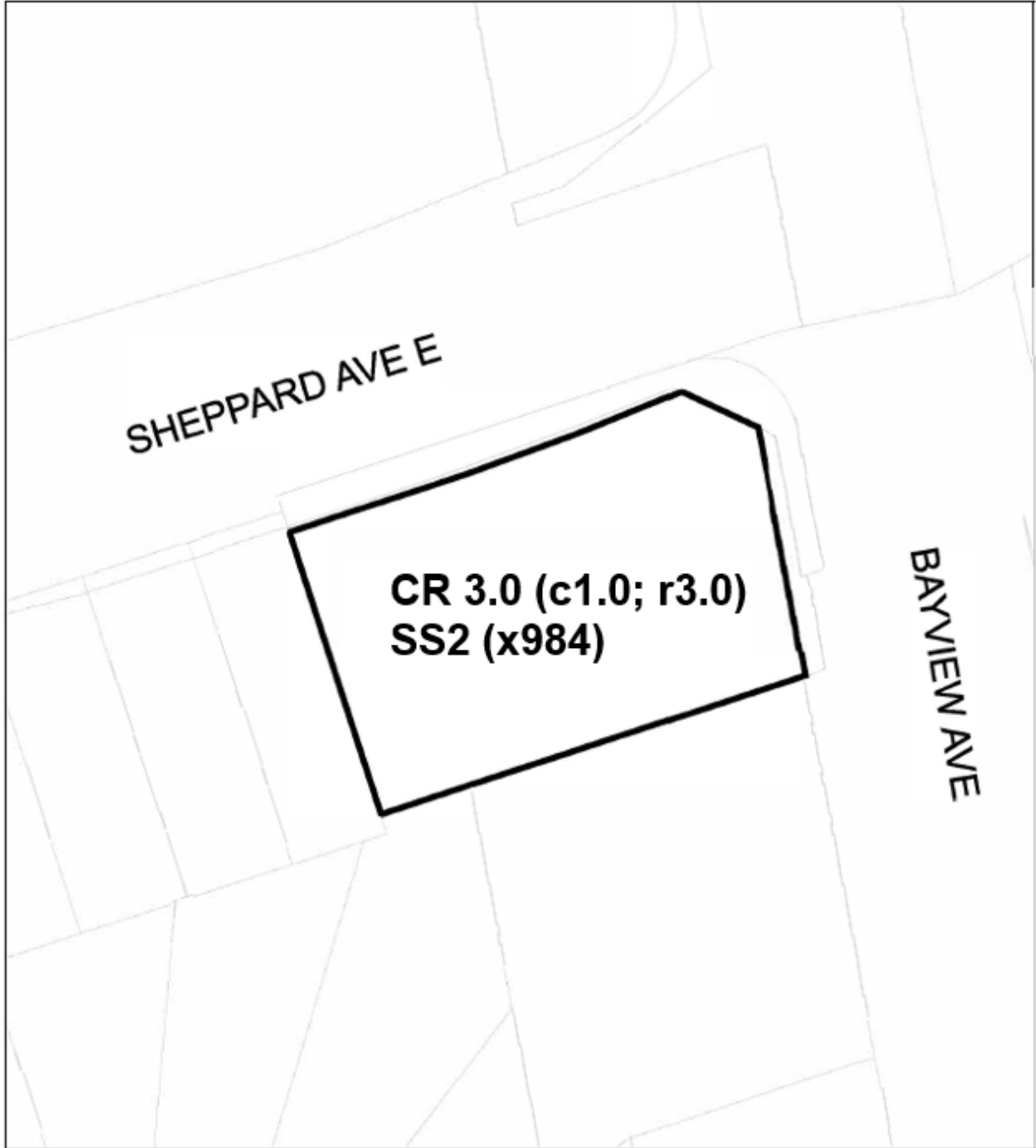
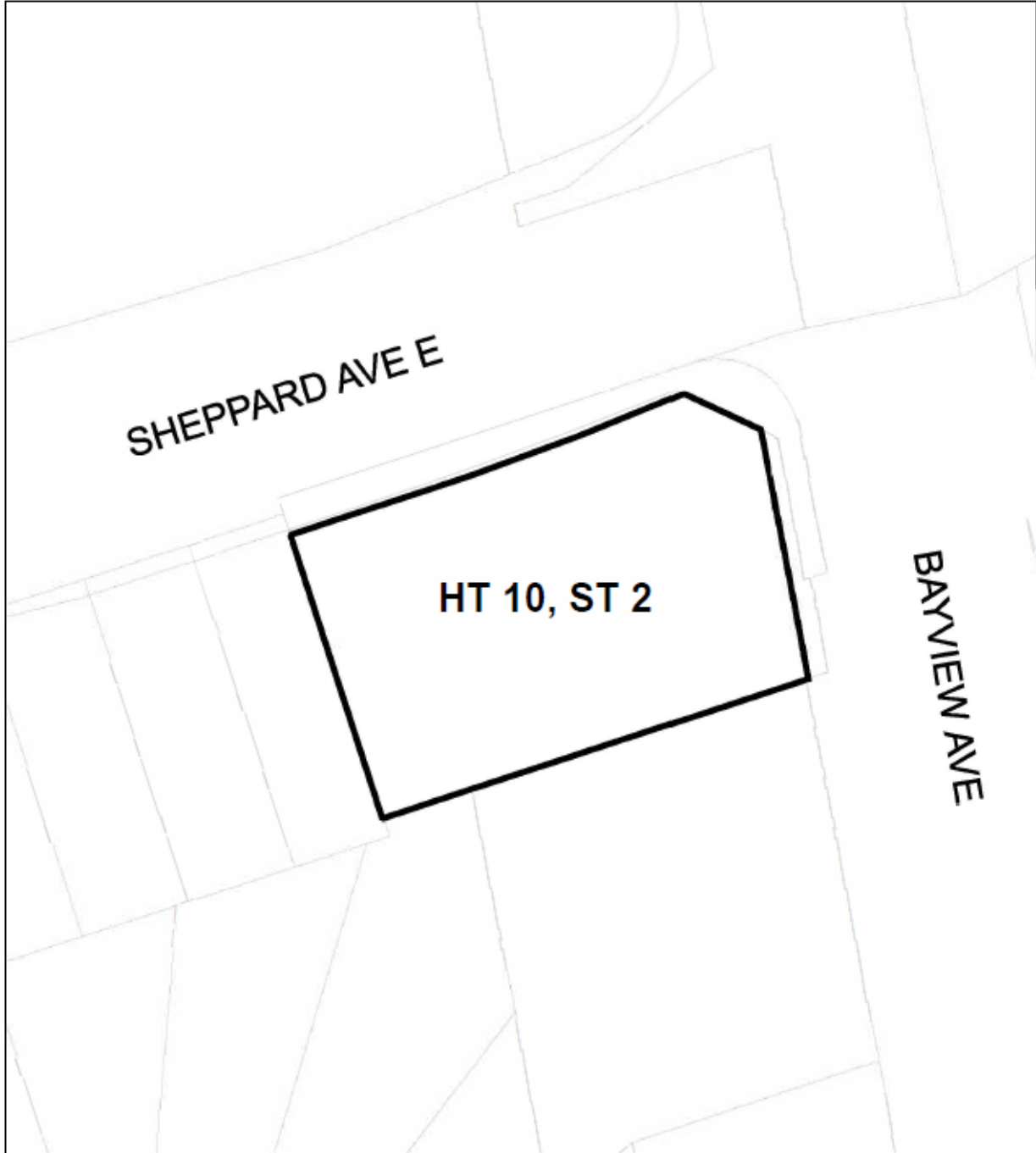


Diagram 3



 **TORONTO**
Diagram 3

461 Sheppard Avenue East

File # 23 230561 NNY 18 OZ



Diagram 4

