

Authority: Scarborough Community Council Item 20.33,
as adopted by City of Toronto Council on November 27, 28 and 29, 2012

CITY OF TORONTO

BY-LAW No. 241-2013

**To amend Sullivan Community Zoning By-law No. 10717, as amended, of the former City
of Scarborough, with respect to the lands municipally known as
3220 Sheppard Avenue East.**

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 pursuant to Section 37 of the *Planning Act*, the Council of a municipality may in a
By-law under Section 34 of the *Planning Act*, authorize increases in the height or density of
development beyond those otherwise permitted by the by-law in return for the provision of such
facilities or matters as are set out in the by-law; and

Whereas Subsection 37(3) of the *Planning Act* provides that where an owner of land elects to
provide facilities, services or matters in return for an increase in height or density of
development, the municipality may require the owner to enter into one or more agreements with
the municipality dealing with the facilities, services or matters; and

Whereas the owner of the lands hereinafter referred to has elected to provide the facilities,
services and matters, as hereinafter set forth; and

Whereas the increases in the height or density permitted hereunder, beyond those otherwise
permitted in the aforesaid lands by By-law No. 10717, as amended, are to be permitted in return
for the provision of the facilities, services and matters set out in this Bylaw and are to be secured
by one or more agreements between the owner of such lands and the City of Toronto (hereinafter
referred to as the "City"); and

Whereas Council has required the owner of the aforesaid lands to enter into one or more
agreements dealing with certain facilities, services and matters in return for the increases in
height and density in connection with the aforesaid lands as permitted in 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 enacts:

- 1. SCHEDULE 'A'** of the Sullivan Community Zoning By-law No. 10717 is amended by
deleting the current zoning provision for the lands known as 3220 Sheppard Avenue East
and replacing them with the following provisions as shown on Schedule '1' attached
hereto and forming part of this by-law:

CR-128-129-130-131-134-135-136-137-212-307-312-313-314-316-321-322-336-406-
450-451-476-477

2. **SCHEDULE 'B', PERFORMANCE STANDARD CHART**, is amended by adding the following performance standards:

MISCELLANEOUS

137. **CLAUSE VI - PROVISIONS FOR ALL ZONES**, Sub-Clause 15, **Lands Not Covered by Buildings** shall not apply.

INTENSITY OF USE

212. (i) **Gross Floor Area** means the area of all floors, including mezzanine floors, but excludes required indoor **amenity space; bicycle parking space;** parking structures including ramps and **driveways;** loading areas; **utility rooms;** rooftop mechanical penthouse; elevator shafts; stairwells; garbage and recycling material shafts; and below grade **floor area,** including basements.
- (ii) Maximum **Gross Floor Area** 5.4 times the area of the lot or parcel.
- (iii) Maximum 230 **dwelling units**.

BUILDING SETBACKS

336. Building **setbacks** shall be provided as follows:

- (i) Minimum building **setback** of 5.5 metres from the east property line to the first through sixth **storeys** above grade. Balconies may project a maximum of 2.0 metres into this **setback** and shall not be considered part of the **main wall**.
- (ii) Minimum building **setback** of 12.5 metres from the east property line to the seventh through twentieth **storeys** above grade. Balconies may project a maximum of 2.0 metres into this **setback** and shall not be considered part of the **main wall**.
- A seventh floor roof terrace may project a maximum of 7.0 metres and shall not be considered part of the **main wall**.
- (iii) Minimum building **setback** of 5.0 metres from the west property line.
- (iv) Minimum building **setback** of 3.0 metres from the Sheppard Avenue East **street** line.
- (v) Maximum building **setback** of 4.5 metres for the first through fourth **storeys** above grade.
- (vi) Minimum building **setbacks** shall not apply to underground structures

HEIGHT

406. Minimum **height** of 10.5 metres and a maximum **height** of 66.0 metres, excluding **basements** and rooftop mechanical penthouses.

BICYCLE PARKING

477. (i) **Bicycle parking spaces** shall be provided at a rate of:
- (a) 0.6 long term **bicycle parking spaces** for each **dwelling unit**; and
 - (b) 0.15 short term **bicycle parking spaces** for each **dwelling unit**.
- (ii) **Meaning of Long-Term Bicycle Parking Spaces and Short-Term Bicycle Parking Spaces:**
- (a) Long-Term **bicycle parking spaces** are **bicycle parking spaces** for use by the occupants or tenants of a building; and
 - (b) Short-Term **bicycle parking spaces** are **bicycle parking spaces** for use by visitors to a building.
- (iii) Long-Term **bicycle parking spaces** must be located in a secure, weather protected and enclosed bicycle parking area.
- (iv) A **bicycle parking space** must be located on the same lot as the use for which it is required.
- (v) **Bicycle parking spaces** for a **dwelling unit** shall not be located:
- (a) in a **dwelling unit**;
 - (b) on a balcony;
 - (c) in a storage locker; or
 - (d) in an area used for **ancillary** commercial space.

3. **SCHEDULE 'C', EXCEPTIONS LIST**, is amended by adding the following **EXCEPTIONS** to the lands as shown outlined on Schedule '2' to this By-law.

37. On those lands identified as Exception 37 on Schedule "C", the following provisions shall apply:
- (a) Only the following uses shall be permitted:
 - **Apartment Building**
 - **Townhouse Dwellings**
 - **Personal Service Shops**
 - Restaurants
 - Retail Stores

- (b) **Townhouse Dwellings** shall mean a row of three or more **dwelling units** provided as part of an **apartment building** that are vertically separated and each **dwelling unit** shall have external access to the building at grade.
- (c) **Personal Service Shops**, Restaurants and Retail stores shall only be permitted on the ground floor of an **apartment building**.

38. On those lands identified as Exception 38 on Schedule "C", the following provisions shall apply:

Pursuant to Section 37 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, and subject to compliance with the provisions of this By-law, the increase in height and density of development on the lands is permitted in return for the provision by the Owner of the following facilities, services and matters to the City at the Owner's expense:

- (1) Prior to the issuance of the first above grade building permit, the Owner shall:
 - (i) make a cash payment to the City of \$200,000.00, together with any increases to reflect increases in the Statistics Canada Non-Residential Construction Price Index for Toronto from the date of the Section 37 agreement, towards capital improvements to the Agincourt District Branch of the Toronto Public Library (minimum \$150,000.00) and the provision of branded street name signage for the Bridlewood Community or towards other capital facilities as may be determined by the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor.
- (2) The Owner of the lands shall enter into one or more agreements with the City pursuant to Section 37 of the Planning Act, R.S.O. 1990, c.P. 13, as amended which are registered on title to the lands by the City to secure the matters provided for in 1(i) above.

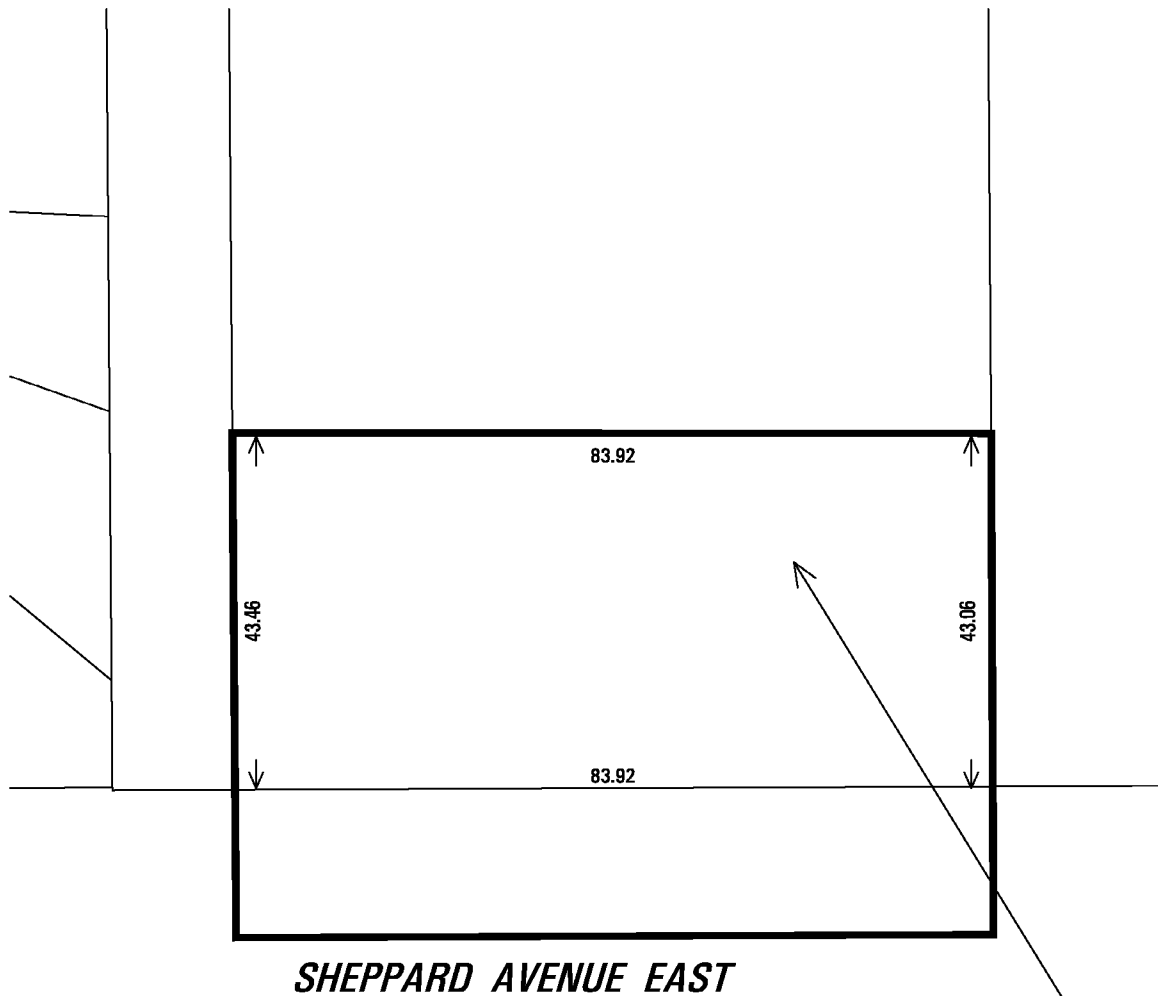
Enacted and passed on February 21, 2013.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Schedule '1'



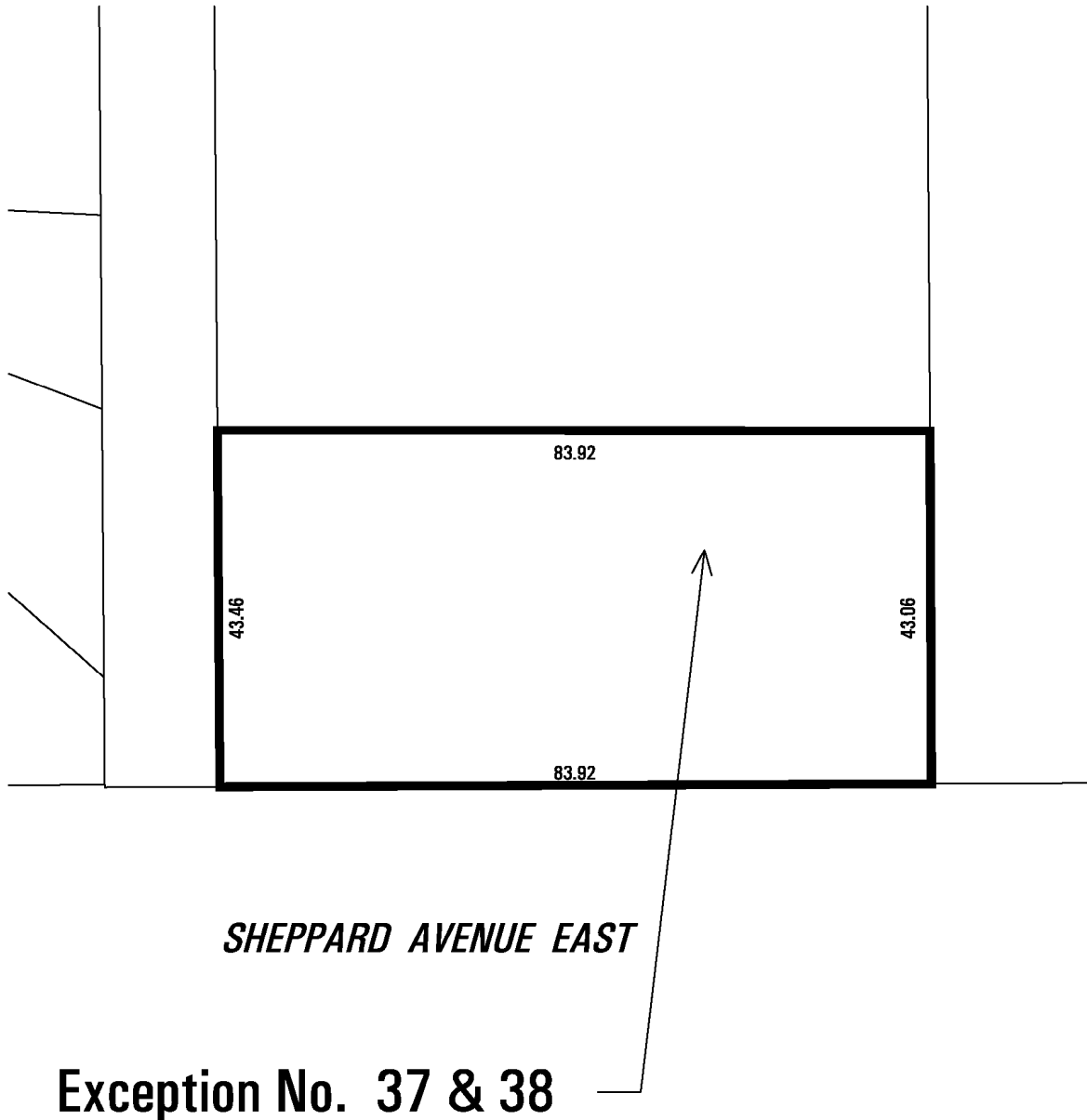
**CR-128-129-130-131-134-135-136-137-212-307-312
-313-314-316-321-322-336-406-450-451-476-477**

Toronto City Planning
Division
Zoning By-Law Amendment

3220 Sheppard Avenue East
File # 11 325998 02

 **Area Affected By This By-Law**

Sullivan Community Bylaw
Not to Scale
01/31/2013


Schedule '2'City Planning
Division**Zoning By-Law Amendment****3220 Sheppard Avenue East****File # 11 325998 02****Area Affected By This By-Law**Sullivan Community Bylaw
Not to Scale
10/8/2012