

Authority: Ontario Municipal Board Order issued on November 28, 2014 in Board File No. PL140172

## **CITY OF TORONTO**

### **BY-LAW No. 338-2015(OMB)**

**To amend former City of North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known as 719 Sheppard Avenue West.**

Whereas the Ontario Municipal Board, pursuant to its Order issued November 28, 2014 in Board File No. PL140172 upon hearing the appeal of the owner, under Section 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended; deems it advisable to amend former City of North York Zoning By-law No. 7625;

The Ontario Municipal Board Orders:

1. Schedules "B" and "C" of By-law No. 7625 of the former City of North York are amended in accordance with Schedule 1 of this By-law.
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 (227) RM6 (227) (H)**

#### **DEFINITIONS:**

- (a) For the purposes of this exception, "Apartment House Dwelling" shall include, in addition to dwelling units having access only from an internal corridor system, ground level dwelling units having access directly from the outside or from an internal corridor system, or any combination thereof.
- (b) For the purposes of this exception, "Gross Floor Area" shall mean the total area of all of the floors in a building above or below grade measured from the outside walls but shall exclude the following areas below grade: car parking areas, storage areas for lockers, elevator shafts, elevator lobby, mechanical and electrical rooms and stairwells, and shall also exclude the mechanical penthouse above grade.
- (c) For the purposes of this exception, "Established Grade" shall mean the elevation as fixed by the municipality at the centre line of the street at the midpoint of the lot line abutting Sheppard Avenue West, being the geodetic elevation of 187.35 metres.
- (d) For the purposes of this exception, "Live/Work Unit" is defined as a dwelling unit that may contain non-residential uses as listed in (f) below, permitted in this exception, located on the ground floor that:
  - (i) Are conducted only by a member or members of the household who reside in the dwelling unit as their principal residence; and
  - (ii) Has direct pedestrian access to a public sidewalk.

- (e) For the purpose of this exception, "Motor Vehicle Sharing" refers to a practice whereby a number of people share the use of one or more vehicles owned by an entity, so authorized by the owner of the site.

**PERMITTED USES:**

- (f) The only permitted uses shall be:

**RESIDENTIAL:**

An Apartment House Dwelling and uses accessory thereto including private recreational amenity areas  
Live/Work Units

**NON-RESIDENTIAL:**

Artist Studio  
Office Use  
Custom workshops making articles or products to be sold at retail on the premises  
Service Shop  
Personal Service Shop

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

**EXCEPTION REGULATIONS**

**Dwelling Units:**

- (g) A maximum of 91 residential dwelling units shall be permitted.

**Lot Coverage:**

- (h) The provisions of Section 20-A.2.2 (Lot Coverage) shall not apply.

**Yard Setbacks:**

- (i) The minimum yard setbacks for buildings and structures above Established Grade shall be shown on Schedule RM6(227).
- (j) Notwithstanding (i) above, the minimum yard setbacks for parking structures and structures associated thereto below Established Grade shall be 0.0 m for all property lines.

**Distance between Buildings and/or Portions of Buildings forming Courts:**

- (k) The provisions of Section 20A.2.4.1 (Distance between Buildings and/or Portions of Buildings forming Courts) shall not apply.

**Gross Floor Area:**

- (l) A maximum Gross Floor Area of 6,785 square metres shall be permitted, provided that of this total Gross Floor Area, a minimum of 400 square metres shall be for Live/Work Units at grade with direct pedestrian access to Sheppard Avenue West or Harlock Boulevard.

**Building Height:**

- (m) The building height shall not exceed 9 storeys and 28.0 metres above Established Grade, excluding the mechanical penthouse.
- (n) Notwithstanding (m) 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 south lot line of the property.

**Landscaping:**

- (o) The provisions of Section 15.8 (Landscaping) shall not apply.
- (p) A minimum 2.0 metres wide landscape strip shall be provided along the south property line containing a 1.8 metre tall wood board-on-board fence and vegetation.

**Recreational Amenity Area:**

- (q) A minimum of 160 square metres of indoor amenity space shall be provided.
- (r) A minimum of 126 square metres of outdoor amenity space shall be provided.

**Parking:**

- (s) A minimum of 101 parking spaces shall be provided, including 14 parking spaces for visitors and 4 accessible parking spaces and 1 parking space dedicated to Motor Vehicle Sharing.

**Loading:**

- (t) Notwithstanding Section 6A(16)(c) and 6A(16)(d), 1 loading space shall be required with minimum dimensions of 11.0 metres long, 3.6 metres wide and a vertical clearance of 4.2 metres, with access provided by means of an unobstructed driveway with a minimum width of 6.0 metres, and a maximum slope of a driveway leading to the loading space shall be 10 percent.

**Requirements for Accessory Buildings:**

- (u) An accessory building or structure for bicycle parking is permitted 0 metres from the south lot line.

**HOLDING PROVISIONS**

- (v) An "H" shall be appended to the zone symbol "RM6(227)" as shown on Schedule RM6(227).
  - (w) Prior to the removal of the "H", the lands shown on Schedule RM6(227) shall only be used for uses existing as of the date of passing of this By-law.
  - (x) The "H" shall be lifted from the lands shown on Schedule RM6(227) at such a time as the sanitary servicing solution is acceptable, to the satisfaction of the Executive Director of Engineering and Construction Services, North District.
  - (y) Following the lifting of the "H", the uses permitted in the RM6(227) zone shall be permitted as shown on Schedule RM6(227).
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.

PURSUANT TO THE ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD  
ISSUED ON NOVEMBER 28, 2014 UNDER BOARD FILE NO. PL140172.



