

Authority: North York Community Council Item NY16.38, as adopted by City of Toronto Council on October 5, 6 and 7, 2016

## **CITY OF TORONTO**

### **BY-LAW No. 937-2016**

**To amend former City of North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known in 2015 as 740 and 748 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 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. 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 (224) RM6 (224)**

#### **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, "floor area, gross" 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 mechanical rooms, bicycle parking areas and elevator shafts above grade and exclude the following areas below grade: car parking and access areas, bicycle parking areas, storage areas for lockers, elevator shafts, elevator lobby, mechanical and electrical rooms and stairwells.
- (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 187.83 metres.

#### **PERMITTED USES:**

- (d) The only permitted uses shall be an apartment house dwelling and uses accessory thereto including private recreational amenity areas.
- (e) The following commercial uses on the ground floor only: art gallery, artist studio,

day nursery, financial institution, professional office, personal service shop, professional medical office, restaurant, retail store, service shop and take-out restaurant.

### **EXCEPTION REGULATIONS**

#### **Dwelling Units:**

- (f) A maximum of 82 residential dwelling units shall be permitted.

#### **Lot Coverage:**

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

#### **Yard Setbacks:**

- (h) The minimum yard setbacks for buildings and structures above established grade shall be shown on Schedule RM6(224).
- (i) Notwithstanding (h) above, the minimum yard setbacks for parking structures and structures associated thereto below established grade shall be 0.0 metres for all property lines.
- (j) Notwithstanding paragraph (h) and in addition to the projections permitted by Section 6(9) (Permitted Projection into Minimum Yard Setbacks), each of the following structures shall be permitted to project into the setbacks shown on Schedule RM6(224):
- (i) an architectural roof overhang feature may project horizontally a maximum of 2.0 metres from the wall(s) to which it is attached;
  - (ii) a balcony may project horizontally a maximum of 1.5 metres from the wall(s) to which it is attached;
  - (iii) a canopy may project horizontally a maximum of 2.0 metres from the wall(s) to which it is attached;
  - (iv) an exterior stairway; and
  - (v) a patio.

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

- (k) The provisions of Section 15.6 (Minimum Distance of Apartment House Dwellings From R and RM2 Zones) and 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 6,500 square metres shall be permitted, of which a minimum of 195 square metres shall be for commercial uses listed in (e) above.

**Building Height:**

- (m) The building height shall not exceed 9 storeys and 29.0 metres above established grade.
- (n) Notwithstanding (m) above, one-storey mechanical rooms shall be permitted to exceed this height limit up to a maximum height of 3.3 metres.
- (o) Notwithstanding (m) above, the height of any portion of a building or structure above established grade, including balcony railings, but excluding mechanical penthouses and mechanical rooms, shall not exceed the horizontal distance between the building and the north lot line of the property.

**Landscaping:**

- (p) The provisions of Section 15.8 (Landscaping) shall not apply.
- (q) A minimum 1.7 metre wide landscape strip shall be provided along the north lot line.
- (r) A 1.8-metre tall wood board-on-board fence is required along the north lot line.
- (s) A retaining wall may be permitted within the landscape strip.

**Recreational Amenity Area:**

- (t) A minimum of 1.5 square metres per unit of indoor amenity space shall be provided.
- (u) A minimum of 2.3 square metres per unit of outdoor amenity space shall be provided.

**Parking:**

- (v) Parking for residential uses within the site shall be provided in accordance with the following:
  - (A) A minimum of 0.7 parking spaces per bachelor dwelling unit;
  - (B) A minimum of 0.8 parking spaces per 1 bedroom dwelling unit;
  - (C) A minimum of 0.9 parking spaces per 2 bedroom dwelling unit;

- (D) A minimum of 1.1 parking spaces per 3 bedroom dwelling unit; and
- (E) A minimum of 0.15 parking spaces per dwelling unit shall be for the use of residential visitors.
- (w) Despite the provisions of Section 6A(2), no parking spaces are required for the first 200 square metres of gross floor area for non-residential uses located on the ground floor.
- (x) The provisions of Section 6A(8)(c) and (d) (Parking Regulations for RM Zones Other Than RM2 Zones) shall not apply.

**Bicycle Parking:**

- (y) Short term bicycle parking spaces shall be provided at a rate of 0.15/unit, long term bicycle parking spaces shall be provided at a rate of 0.6/unit and 0.13 bicycle spaces shall be provided for every 100 square metres of commercial gross floor area.

**Loading:**

- (z) The provisions of Section 6A(16)(c)(i) and Section 6A(16)(d)(iv) shall not apply.

**DIVISION OF LANDS**

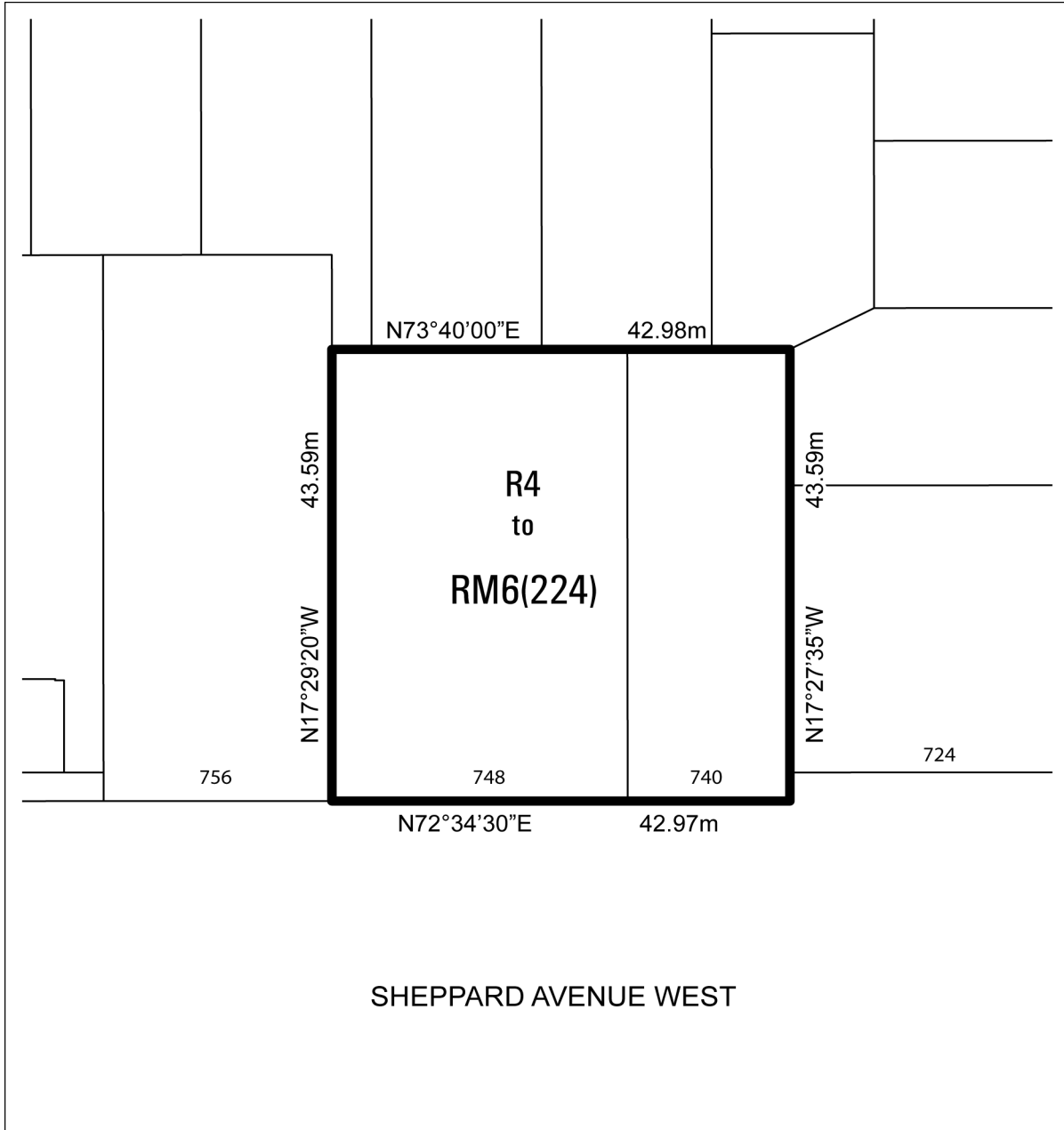
- (aa) Notwithstanding any severance, partition or division of the lands shown on Schedule 1, the regulations of this exception shall continue to apply to the whole of the said lands as if no severance, partition or division had occurred.
- 3.** Within the lands shown on Schedule 1 attached to this By-law, 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.

Enacted and passed on October 7, 2016.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)



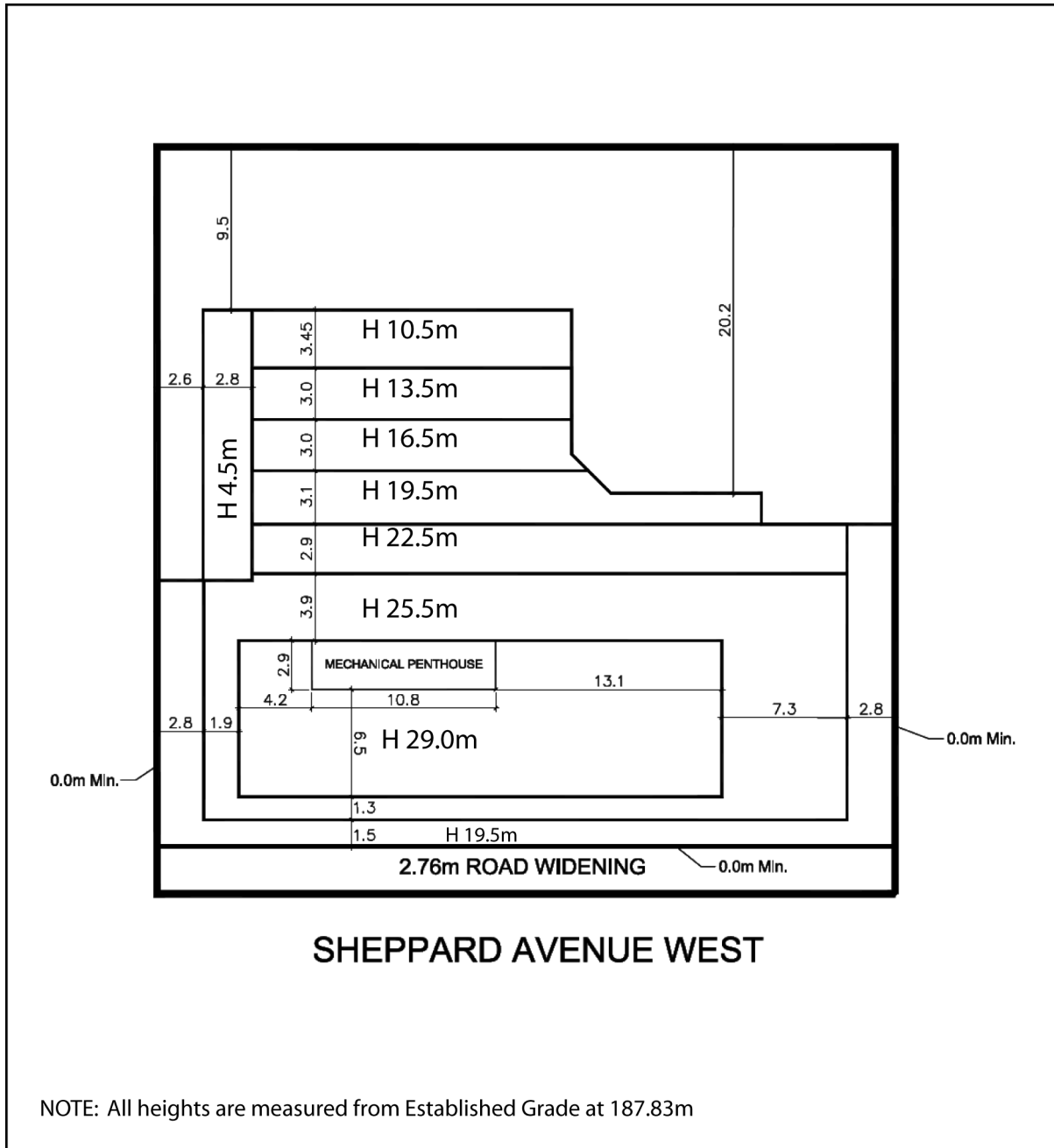
Schedule 1

Part of Lot 6, R.P. 3062, City of Toronto  
Krcmar Surveyors Limited, 2011

File # 12 235950 NNY 10 0Z

Date: 08/10/2016  
Approved by: D.S.

↑  
Not to Scale



Schedule RM6(224)

From Applicant's Drawing

File # 12 235950 NNY 10 OZ

Date: 01/18/2016  
Approved by: D.S.

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Not to Scale