

Authority: North York Community Council  
Item NY13.3, as adopted by City of Toronto  
Council on February 26, 2020

## CITY OF TORONTO

### BY-LAW 1061-2020

**To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2020 as 700, 702, 714 and 716 Sheppard Avenue West.**

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 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; and

Whereas authority is given to Council by Section 34 and Section 36 of the Planning Act, R.S.O. 1990, c. P.13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the use of Holding (H) symbol with conditions in the zoning by-law; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the Planning Act, a by-law under Section 34 of the Planning Act, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services 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 and matters in return for an increase in the 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 and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law 569-2013 as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

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 990.10, and applying the following zone label to these lands: (H)CR 1.0 (c0.1; r1.0) SS3 (x228) 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 Section 995.10.1, and applying the following Policy Area label to these lands: PA4, as shown on Diagram 3 attached to this By-law.
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 Section 995.20.1, and applying the following height and storey label to these lands: HT 10.5, ST 3, as shown on Diagram 4 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 Section 995.30.1, and applying the following lot coverage label of 33 percent to these lands, as shown on Diagram 5 attached to this By-law.
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 Section 995.40.1, as shown on Diagram 6 attached to this By-law.
8. Zoning By-law 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 228 so that it reads:

**Exception CR 228**

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

Site Specific Provisions:

- (A) On 700, 702, 714, 716 Sheppard Avenue West, if the requirements of Section 10 and Schedule A are complied with, none of the provisions of 40.10.40.10(3) or 40.10.40.40(1), apply to prevent the erection or use of a mixed use building permitted in accordance with (B) to (P) below:
- (B) A maximum of 134 dwelling units are permitted;

- (C) Despite regulation 40.5.40.10(1) the height of a building or structure is measured from the Canadian Geodetic elevation of 187.75 metres and the highest point of the building or structure;
- (D) Despite regulation 40.10.40.10(3) the permitted maximum height is 31.0 metres and 10 storeys;
- (E) Despite regulation 40.10.30.40 the permitted maximum lot coverage 50 percent;
- (F) The height of any portion of a building or structure, including balcony railings, must not exceed the horizontal distance between that portion of the building and the northerly lot line abutting 6 Casino Court;
- (G) Despite regulation 40.10.40.40(1) the permitted maximum gross floor area is 10,450.0 square metres;
- (H) Despite Regulation 40.10.40.10(5), the required minimum height of the first storey, is measured between the floor of the first storey and the ceiling of the first storey, is 4.0 metres;
- (I) Despite Regulation 40.10.40.70(3), the required minimum building setbacks are shown on Diagram 7 of By-law 1061-2020;
- (J) Despite (I) above, the required minimum building setbacks for buildings or structures at or above ground associated with an underground parking structure is 0.5 metres;
- (K) Despite Clause 40.10.50.10, a minimum of 65.0 square metres of landscaping must be provided along the rear lot line;
- (L) A 1.8-metre tall wood board-on-board fence must be located within the rear yard, along the rear lot lines and side lot lines;
- (M) Despite Regulation 40.10.40.50(1), amenity space must be provided at a minimum rate of 2.0 square metres per dwelling unit of indoor amenity space and 4.5 square metres per dwelling unit of outdoor amenity space;
- (N) Despite Regulation 40.10.90.10(1), a loading space is permitted in a rear yard;
- (O) Despite regulation 200.5.10.1(1), no parking spaces are required for the first 200 square metres of gross floor area for non-residential uses located on the first storey;
- (P) Despite Regulation 230.5.10.1(5), bicycle parking spaces for the mixed use building must be provided and maintained on the lot in accordance with the following:

- i) a minimum of 0.07 short-term bicycle parking spaces for each dwelling unit; and
- ii) a minimum of 0.67 long-term bicycle parking spaces for each dwelling unit.

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

**9. Holding Provisions:**

Prior to the lifting of the (H) holding in whole or in part, the following applies:

- (A) The lands zoned with the "(H)" symbol delineated by heavy lines on Diagram 2 attached to and forming part of this By-law shall not be used for any purpose other than those uses and buildings as existing on the site as of December 31, 2019 until the "(H)" symbol has been removed.
- (B) An amending by-law to remove the Holding provision in 9(A) above, in whole or in part, shall be enacted by City Council when the following condition(s) has been fulfilled to the satisfaction of Council:

The Holding Provision is to be lifted at such a time as the sanitary servicing solution is acceptable, to the satisfaction of the Executive Director of Engineering and Construction Services.

**10. Section 37 Provisions**

- (A) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in height and density of the development is permitted beyond that otherwise permitted on the lands shown on Diagram 1 in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Schedule A hereof and which are secured by one or more agreements pursuant to Section 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor.
- (B) Where Schedule A of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

- (C) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule A are satisfied.

Enacted and passed on November 26, 2020.

Frances Nunziata,  
Speaker

John D. Elvidge,  
Interim City Clerk

(Seal of the City)

**SCHEDULE A**  
**Section 37 Provisions**

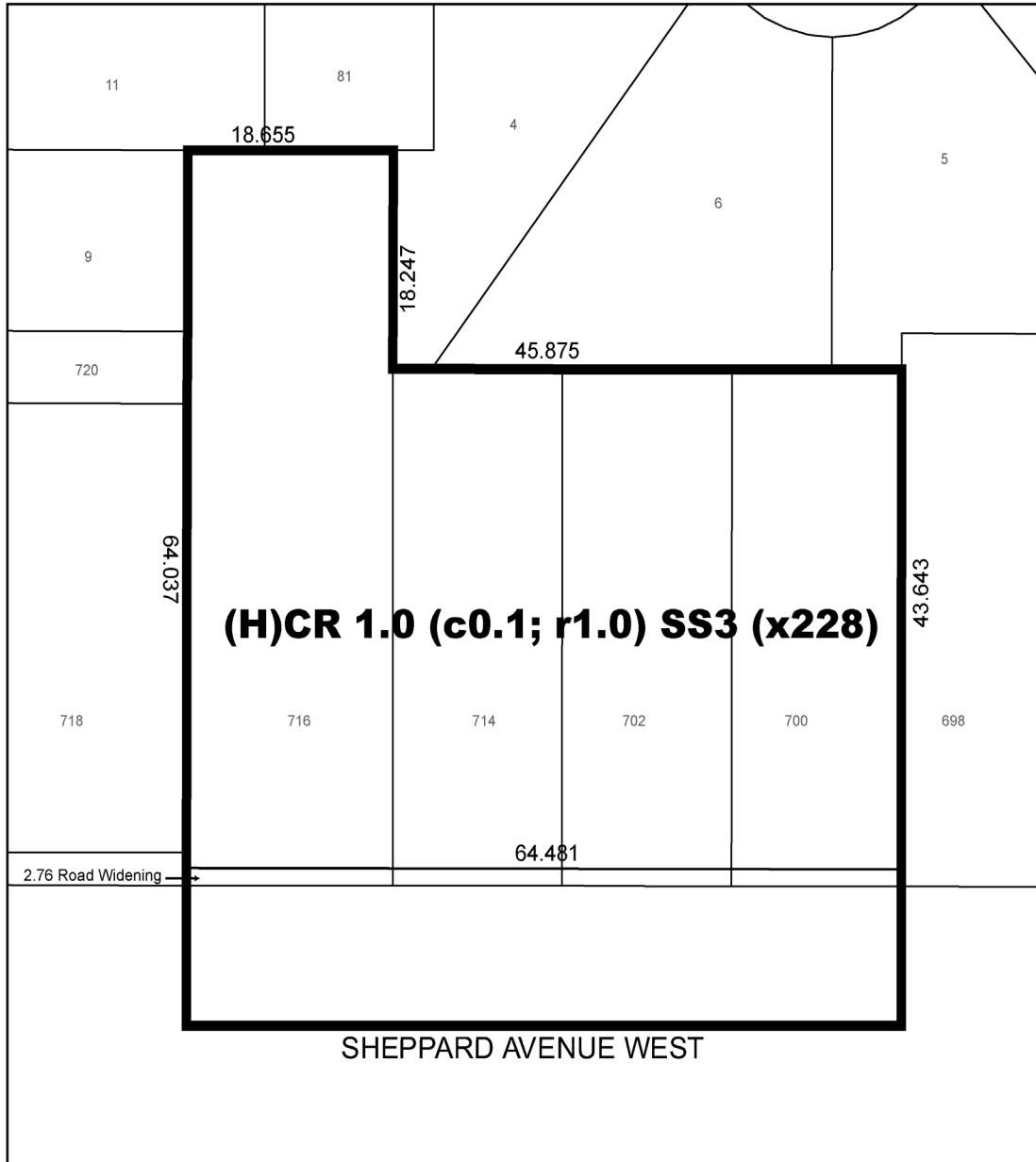
The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

- (1) Prior to issuance of a foundation permit, the owner shall enter into a Section 37 agreement with the City for the purpose of securing \$750,000.00, with such amount to be indexed upwardly in accordance with the Statistics Canada Apartment Building Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made, for improvements to Centennial Library, and/or other recreation or park assets in Ward 6, in consultation with the Ward Councillor and appropriate City staff.
- (2) In the event the cash contribution referred to in Section 1 of Schedule A has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

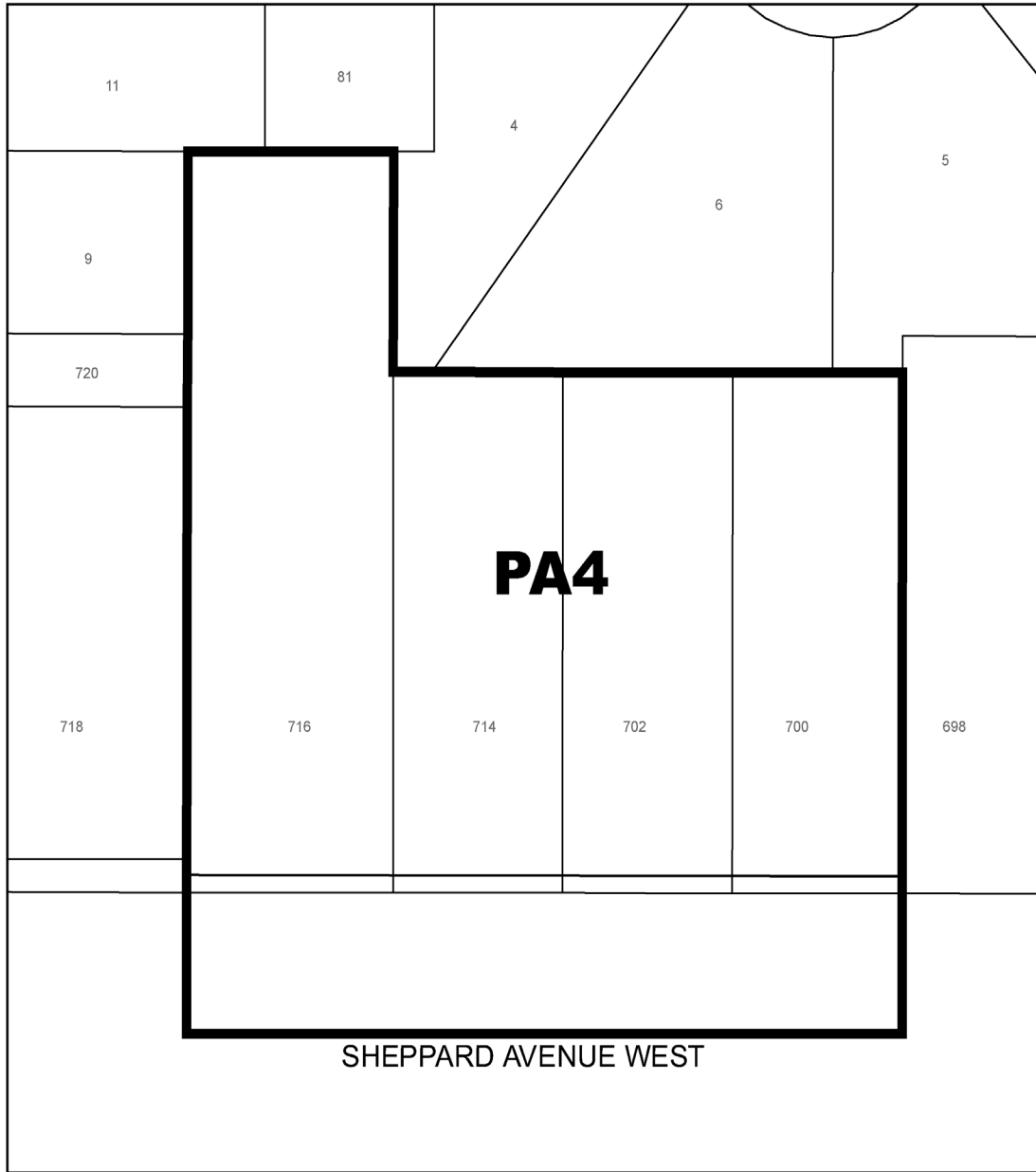


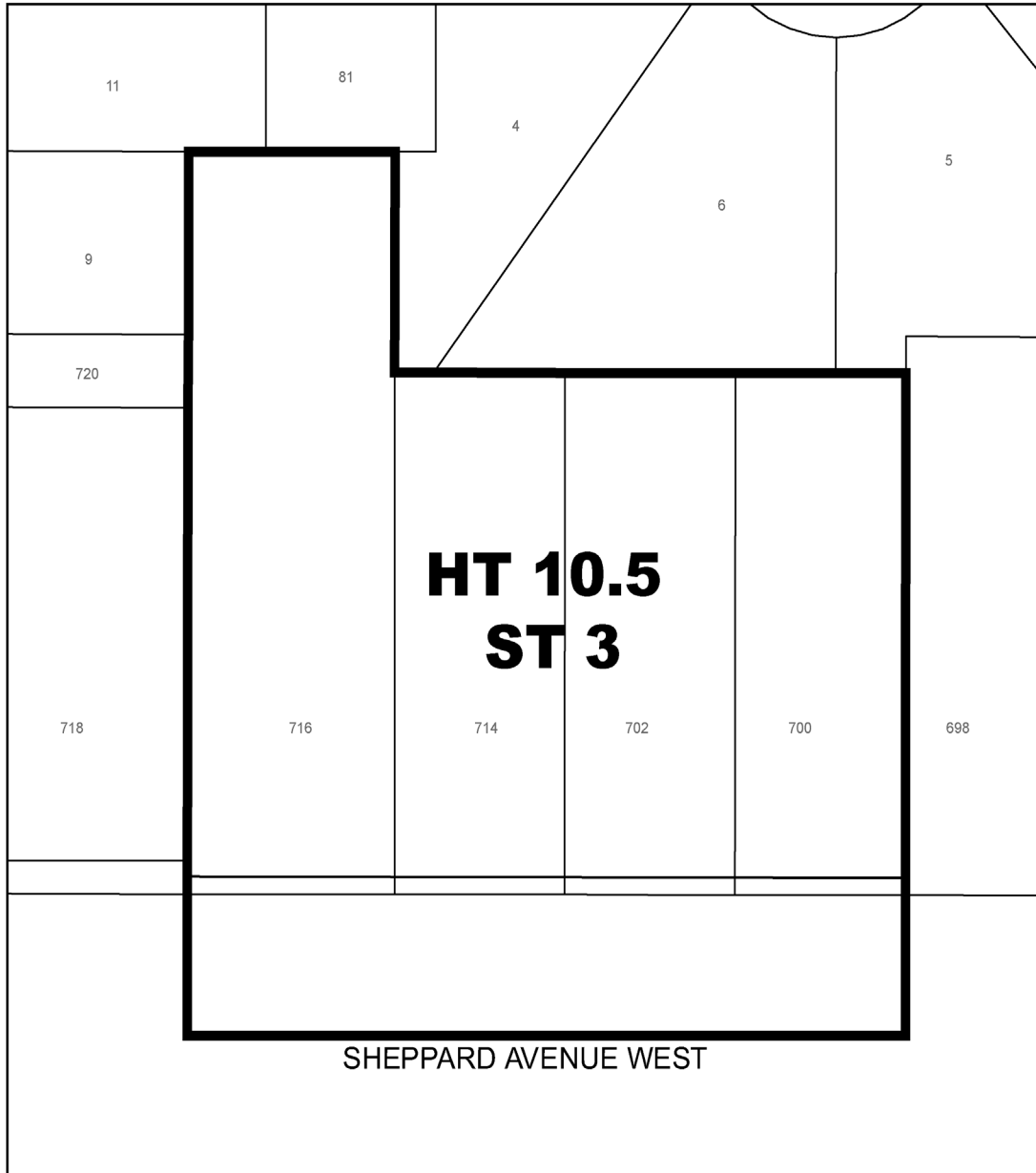
### 700 - 716 Sheppard Avenue West

File # 16 145600 NNY 10 0Z





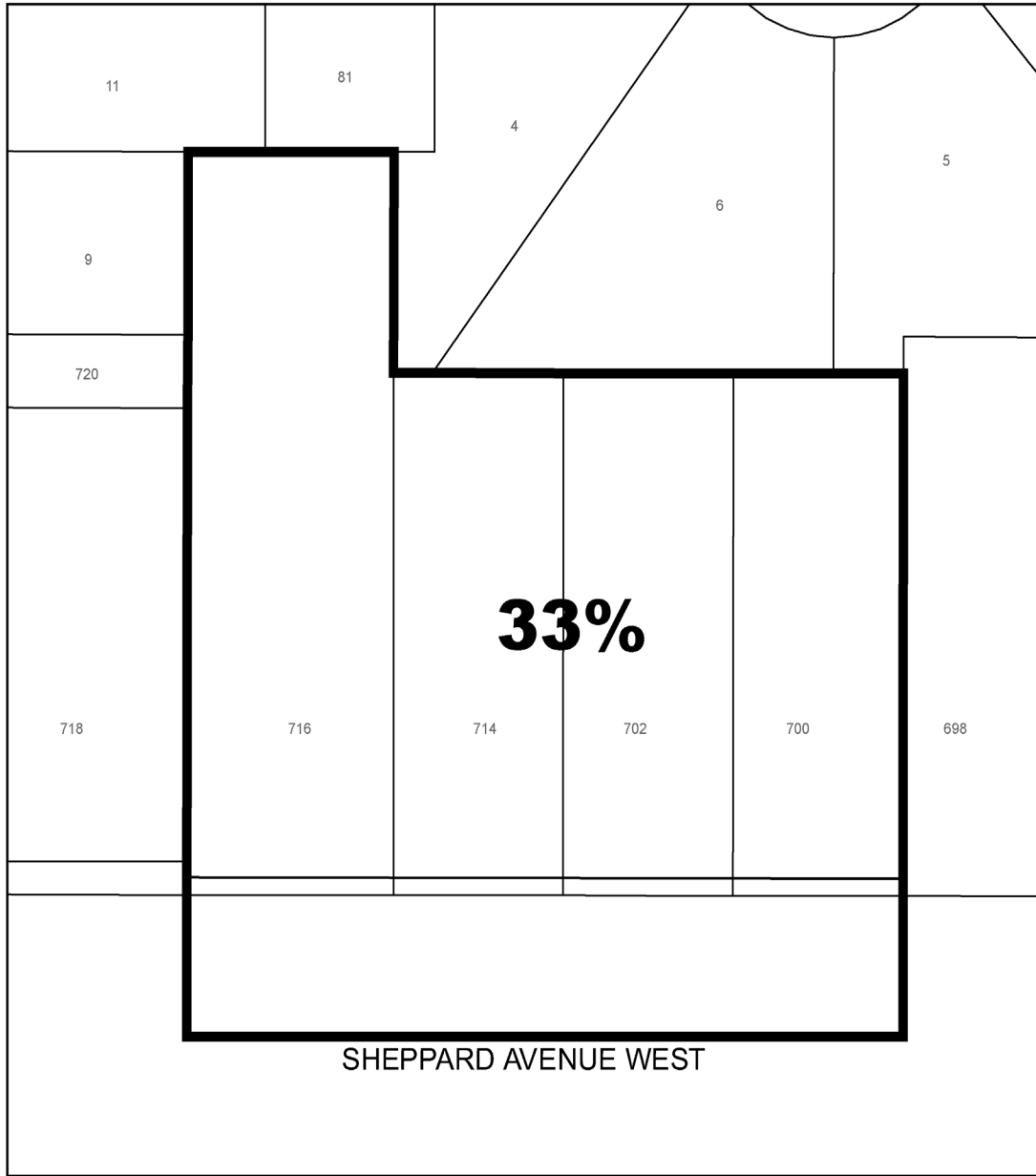




 **TORONTO**  
Diagram 4

700 - 716 Sheppard Avenue West


File # 16 145600 NNY 10 OZ

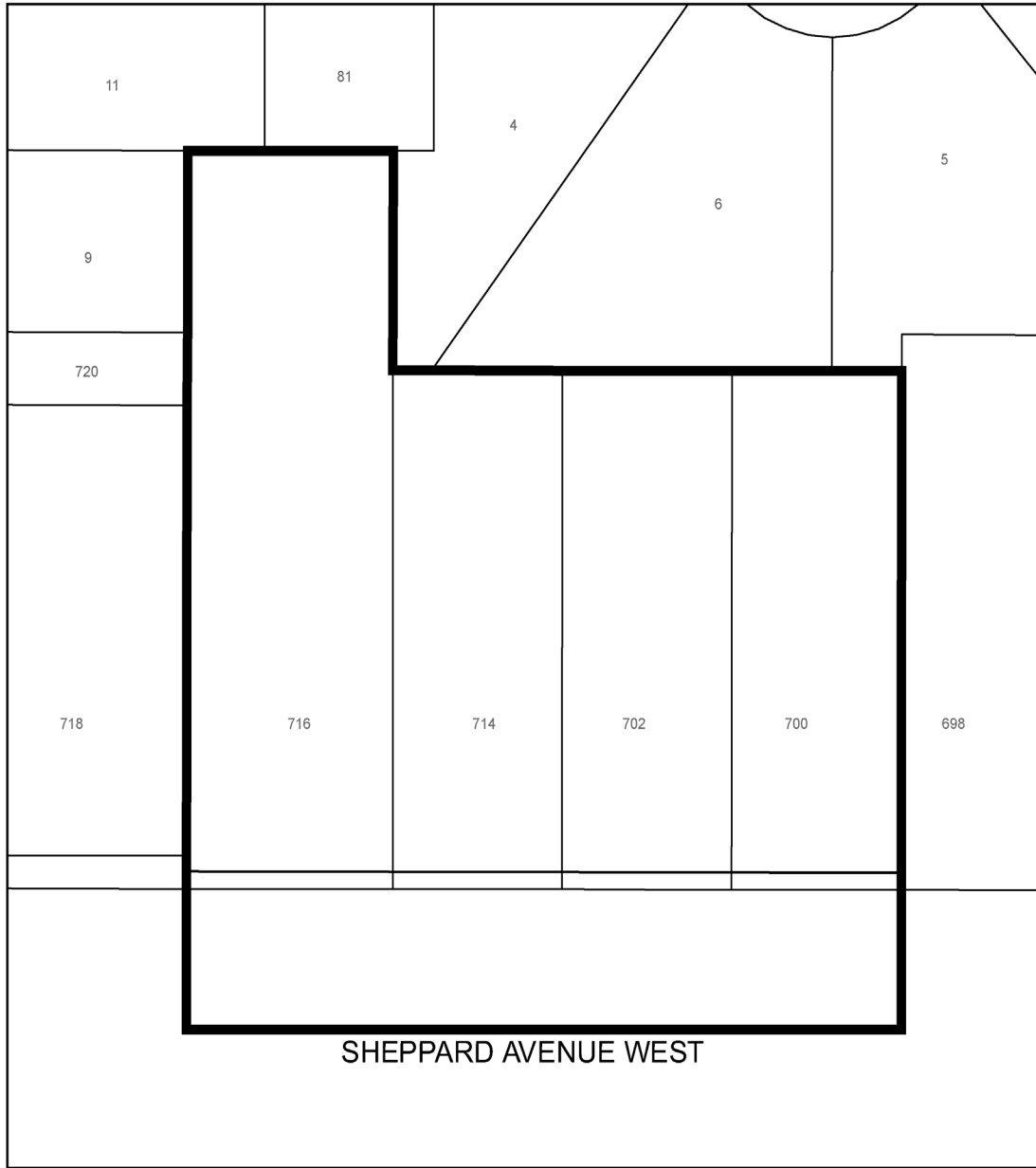


 **TORONTO**  
Diagram 5

700 - 716 Sheppard Avenue West

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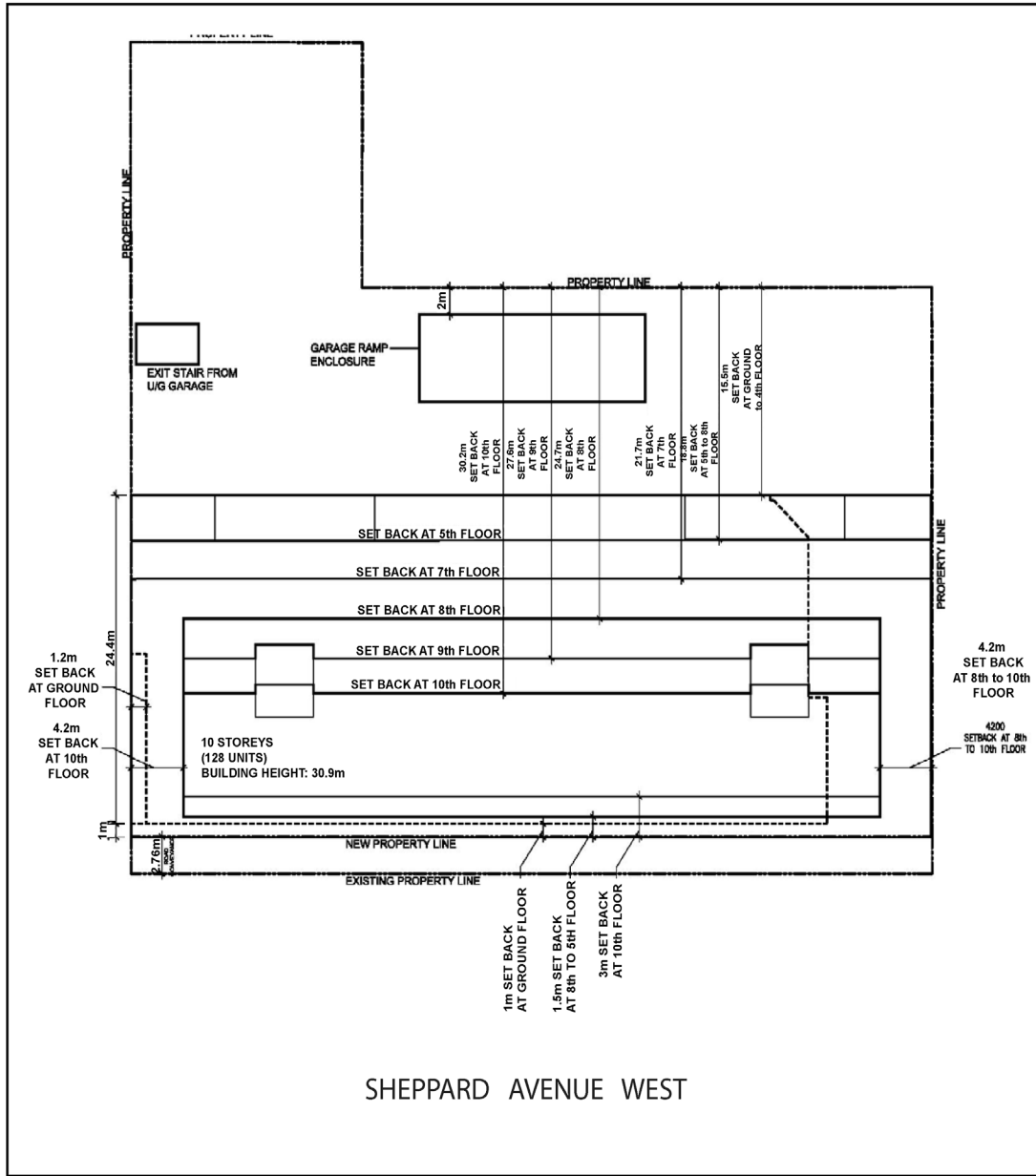
  
City of Toronto By-Law 569-2013  
Not to Scale  
12/09/2019



 **TORONTO**  
Diagram 6

**700 - 716 Sheppard Avenue West**

File # 16 145600 NNY 10 OZ



 **TORONTO**  
Diagram 7

700 - 716 Sheppard Avenue West

File # 16 145600 NNY 10 02