

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

CITY OF TORONTO

BY-LAW 1062-2020

To amend Former City of North York Zoning By-law 7625, as amended, with respect to the lands municipally known in the year 2020 as 700, 702, 714 and 716 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 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 the Official Plan of the City of Toronto contains provisions relating to the authorization of increase in height and density of development; and

Whereas pursuant to Section 37 of the Planning Act, the Council of a municipality may, in a By-law passed under Section 34 of the Planning Act, authorize increases in the height and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and 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 the height and 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 lands hereinafter referred to has elected to provide the facilities, services and matters as hereinafter set forth; and

Whereas the increase in the height and density of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands by the By-law, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owners of such lands and the City of Toronto; 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 pass this By-law and 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;

The Council of the City of Toronto enacts:

1. Schedules "B" and "C" of By-law 7625 of the former City of North York are hereby amended in accordance with Schedule 1 of this By-law.

2. Section 64.20-A of By-law 7625 of the former City of North York is amended by adding the following subsection:

64.20-A (250) RM6 (250)

DEFINITIONS:

- (a) For the purposes of this exception, "established grade" shall mean the geodetic elevation of 187.75 metres.

PERMITTED USES:

- (b) The only permitted uses shall be an apartment house dwelling and uses accessory thereto including private recreational amenity areas.
- (c) The following commercial uses on the ground floor only: art gallery, artist studio, bank, day nursery, dry cleaning establishment, financial institution, fitness centre, professional office, personal service shop, professional medical office, restaurant, retail store, service shop and take-out restaurant.

EXCEPTION REGULATIONS

Dwelling Units:

- (d) A maximum of 134 residential dwelling units shall be permitted.

Lot Coverage:

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

Yard Setbacks:

- (f) The minimum yard setbacks for buildings and structures above established grade shall be shown on Schedule "RM6(250)".
- (g) Notwithstanding (f) above, the minimum yard setback for parking structures and structures associated thereto below established grade shall be 0.0 metres for all property lines.
- (h) Notwithstanding (f) above, the minimum yard setback for parking structures and structures associated thereto at or above established grade shall be 0.5 metres for all property lines.
- (i) Notwithstanding (f) above, the minimum yard setback for accessory landscape structures shall be 4.0 metres from any lot line.

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

- (j) 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:

- (k) A maximum gross floor area of 10,450 square metres shall be permitted, of which a minimum of 420 square metres shall be for non-residential uses listed in (c) above, with direct pedestrian access to Sheppard Avenue West.

Building Height:

- (l) The building height shall not exceed 10 storeys and 31.0 metres above established grade.
- (m) Notwithstanding (l) above, the height of any portion of a building or structure above established grade, including balcony railings, but excluding a parking garage ramp, shall not exceed the horizontal distance between the building and the north lot line of the property.

Landscaping:

- (n) The provisions of Section 15.8 (Landscaping) shall not apply.
- (o) A minimum of 65.0 square metres of landscaping must be provided along the rear lot line.
- (p) 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.
- (q) A retaining wall may be permitted within the landscape strip.

Recreational Amenity Area:

- (r) A minimum of 2.0 square metres per unit of indoor amenity space shall be provided.
- (s) A minimum of 4.5 square metres per unit of outdoor amenity space shall be provided.

Parking:

- (t) 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.
- (u) 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.
 - (v) The provisions of Section 6A(8)(c) and (d) (Parking Regulations for RM Zones Other Than RM2 Zones) shall not apply.

Bicycle Parking:

- (w) Short term bicycle parking spaces shall be provided at a rate of 0.07/unit, long term bicycle parking spaces shall be provided at a rate of 0.67/unit.

Loading:

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

DIVISION OF LANDS

- (y) 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.

HOLDING PROVISIONS

- (z) An "H" shall be appended to the zone symbol "RM6(226)" as shown on Schedule 1.
- (aa) Prior to the removal of the "H", the lands shown on Schedule 1 shall only be used for uses existing as of the date of passing of this By-law.
- (bb) The "H" shall be lifted from the lands shown on Schedule 1 at such a time as the sanitary servicing solution is acceptable, to the satisfaction of the Executive Director of Engineering and Construction Services.
- (cc) Following the lifting of the "H", the uses permitted in the RM6(226) zone shall be permitted as shown on Schedule 1.

3. SECTION 37

- (a) The owner of the lands as shown on Schedule 1 shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act to secure the facilities, services and matters referred to below, which agreement or agreements may be registered against the title of the lands, to which this By-law applies in the manner and to the extent specified in the agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto, in order to permit the higher density uses cited in Section 2, Clauses (b) and (c) which form part of this By-law:

A \$750,000.00 payment, 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.

In the event the cash contribution referred to in Section 3(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, 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.

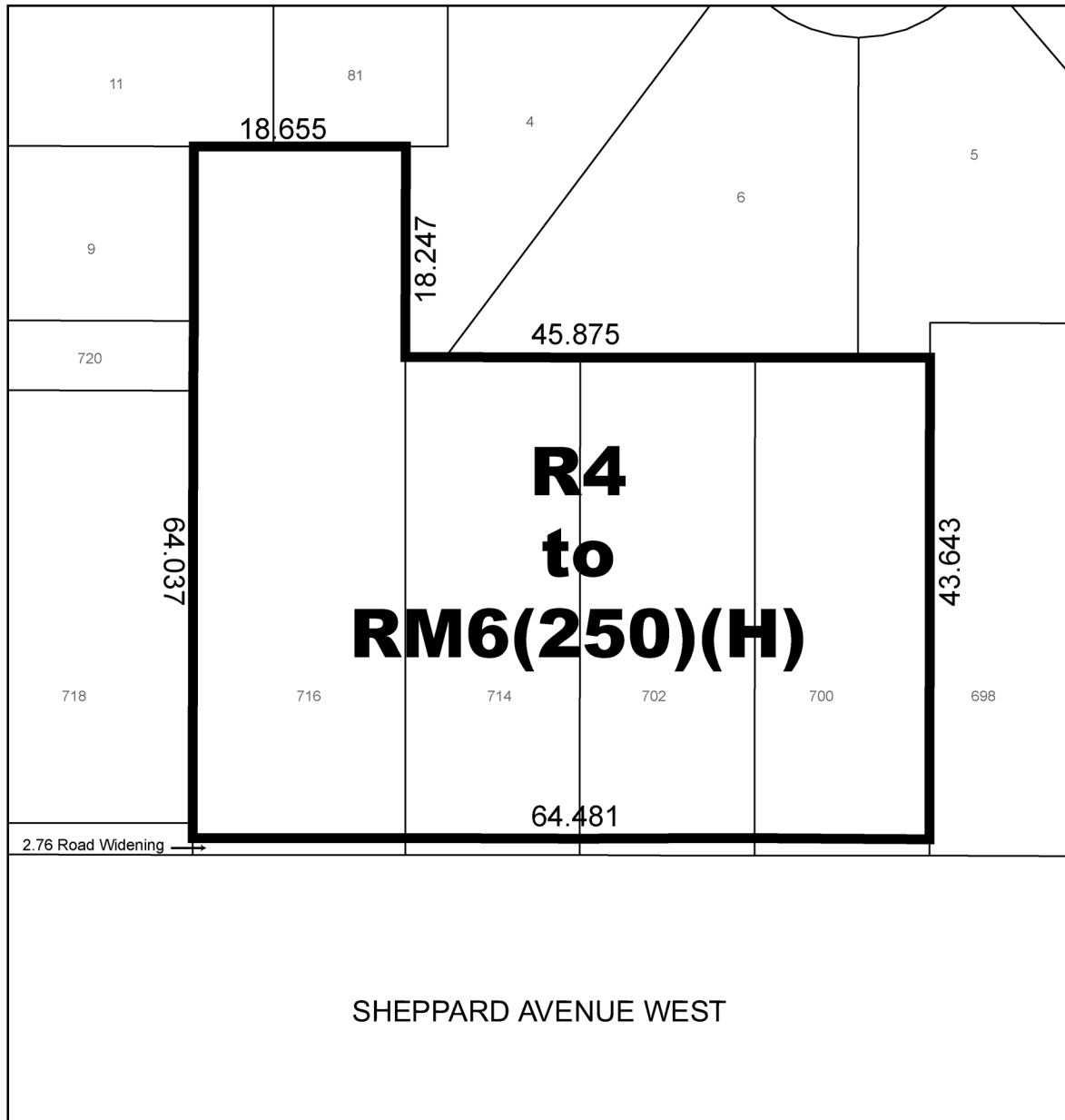
4. Within the lands shown on Schedule 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed 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.

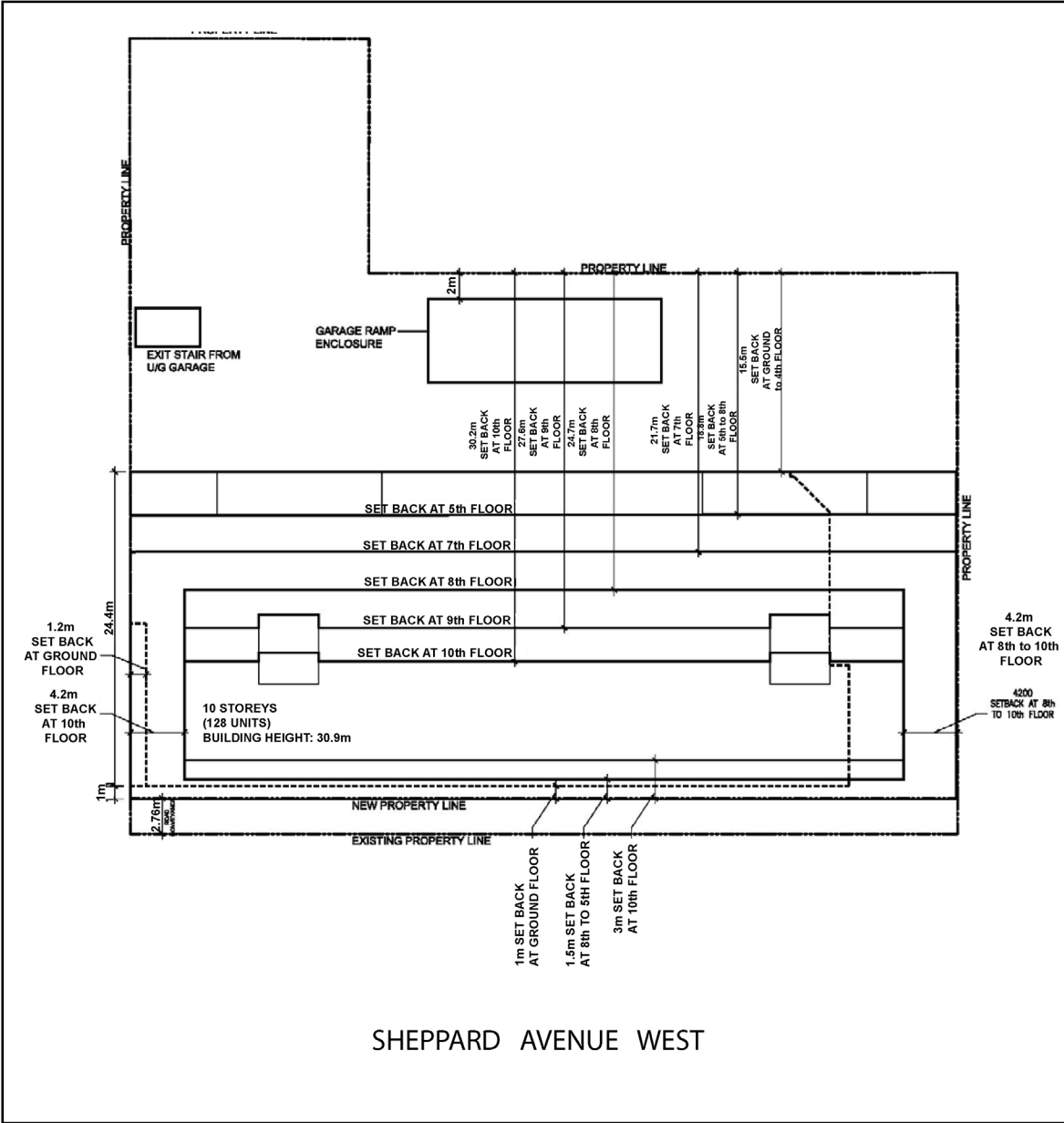
Enacted and passed on November 26, 2020.

Frances Nunziata,
Speaker

John D. Elvidge,
Interim City Clerk

(Seal of the City)





Toronto
 Schedule RM6(250)

700 - 716 Sheppard Avenue West

File # 16 145600 NNY 10 OZ

↑
 Not to Scale
 12/06/2019