

Authority: North York Community Council Item
NY13.3, as adopted by City of Toronto Council on
May 22 and 23, 2024
City Council voted in favour of this by-law on May 23,
2024
Written approval of this by-law was given by Mayoral
Decision 13-2024 dated May 23, 2024

CITY OF TORONTO

BY-LAW 495-2024

To amend Zoning By-law 320-2022, being a by-law to amend Zoning By-law 569-2013, as amended, with respect to lands municipally known as 824 Sheppard Avenue West and 177-181 Cocksfield Avenue.

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 authority is given to Council by Section 34 and Section 36 of the Planning Act, 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 in 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 by By-law 320-2022, is further amended as follows:
 - (A) Diagram 3 of By-law 320-2022 is deleted and replaced with Diagram 3 of By-law 495-2024 attached hereto;
 - (B) Section 2 (iv) Schedule A of By-law 320-2022 is deleted.
 - (C) Section 2 (v) Schedule A of By-law 320-2022 is deleted and replaced with 2 (iv) as follows:

“(iv) The Owner shall provide and maintain fifteen (15) replacement rental dwelling units, comprised of nine (9) two-bedroom units and six (6) three-bedroom units, on the subject site for a period of at least twenty (20) years, beginning from the date that each replacement rental dwelling unit is first occupied, and as shown on the architectural plans titled 824 Sheppard Avenue West, Ground Floor Plan and Mezzanine Floor Level, dated April 9, 2024. Any revision to these plans shall be to the satisfaction of the Chief Planner and Executive Director, City Planning;”
 - (D) Section 2 (vi) Schedule A of By-law 320-2022 is deleted and replaced with 2 (v) as follows:

"(v) The Owner shall, as part of the fifteen (15) replacement rental dwelling units required above, provide all nine (9) two-bedroom units and six (6) three-bedroom replacement rental dwelling units at affordable rents, as defined in the City's Official Plan, all for a period of at least ten (10) years, beginning from the date that each replacement rental dwelling units is first occupied;"
 - (E) Section 2 (vii) to (xiii) Schedule A of By-law 320-2022 is renumbered with 2 (vi) to (xii).
 - (F) Section 2 (xii) Schedule A of By-law 320-2022 is deleted and replaced with the following:

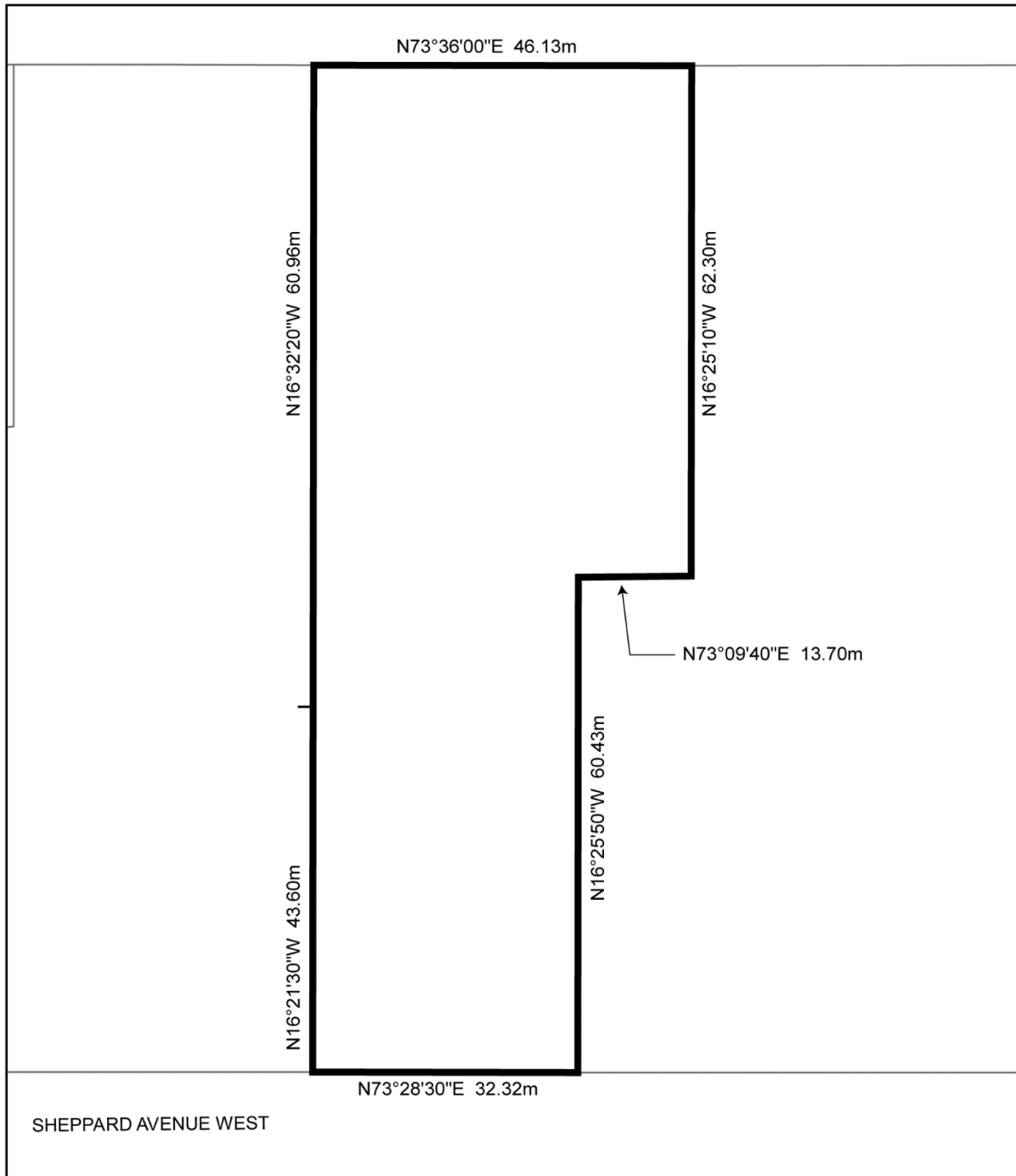
"The Owner shall enter into and register on title one or more agreement(s) pursuant to of the City of Toronto Act, 2006 to secure the conditions outlined in (i) through (xii) above to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning."

Enacted and passed on May 23, 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Diagram 1

 **TORONTO**
Diagram 1

824 Sheppard Avenue West

File # 23 171271 NNY 06 02



City of Toronto By-law 569-2013
Not to Scale
04/05/2024

