

699 Sheppard Avenue East – Official Plan Amendment and Zoning Amendment Applications – Further Report

Date: April 5, 2022

To: City Council

From: Chief Planner and Executive Director, City Planning

Wards: Ward 17 - Don Valley North

Planning Application Number: 19 192154 NNY 17 OZ

SUMMARY

At its meeting of July 14, 2021, City Council approved the application proposing an amendment to the Official Plan and Zoning By-law to permit a 12-storey mixed-use building, but withheld the final bills in order for the Owner to enter into a Section 37 Agreement. Subsequent to this, at its meeting of January 2, 2022 North York Community Council directed City Planning staff, in consultation with Transportation Services staff to evaluate a revised parking study for the proposal at 699 Sheppard Avenue East. Staff were "to evaluate the revised parking study to be filed by the applicant in the context of precedents in the Bayview-Sheppard corridor and reflective of recent policy changes on the appropriateness of further reducing the approved on-site parking rate".

This report recommends that the draft Zoning By-law Amendments approved by City Council at its meeting of July 14, 2021 be replaced with the draft Zoning By-law Amendments attached to this report.

RECOMMENDATIONS

The Chief Planner and Executive Director, City Planning recommends that:

1. City Council amend Zoning By-law 7625 as amended, for the lands at 699 Sheppard Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 to this report.
2. City Council amend City of Toronto Zoning By-law 569-2013, as amended, for the lands at 699 Sheppard Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 2 to this report.
3. City Council determine that the changes with respect to the prescribed parking rate for the development are minor, technical in nature, and reflective of the original proposal and plans considered by City Council, and, pursuant to subsection 34(17) of the

Planning Act, no further public notice is required in respect of the proposed amendment to the Zoning Bylaws

DECISION HISTORY

On July 14, 2021, City Council adopted without amendments and without debate the Final Report approving the Official Plan and Zoning By-law Amendments for the proposal at 699 Sheppard Avenue East.

A copy of the Final Report and City Council's decision is available online at:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY25.2>

On January 6, 2022, North York Community directed City Planning Staff in consultation with Transportation Services staff to evaluate reduction in the on-site parking ratio and a revised Parking Study for the proposal at 699 Sheppard Avenue East.

A copy of Community Council's decision is available online at:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.NY29.26>

COMMENTS

Parking

The applicant submitted a revised Parking Study on January 7, 2022. The applicant also submitted supplementary information to Transportation Services staff on March 3, 2022 that provided further justification for the reduction to the parking supply on the site.

The City Council approved draft zoning by-law amendments which were supported by Transportation Services implemented the Policy Area 3 ("PA3") parking rates of By-law 569-2013 for the site due to the proximity of the Bessarion Station on the TTC Line 3 Sheppard Subway. For the proposed development, applying the PA3 parking rates requires a total of 153 parking spaces, including 16 visitor spaces. A minimum of 147 spaces are required using the PA3 rates when including the net reduction permitted due to the 2 carshare spaces proposed. Also required are six accessible parking spaces by By-law 579-2017.

A revised total of 101 parking spaces are proposed for this project, including 82 for residents, 2 car-share spaces and 17 visitor spaces. A total of six accessible parking spaces are proposed, which satisfies the minimum requirement. When compared to the PA3 parking rates, the revised on-site parking supply has a shortfall of 46 spaces. Transportation Services reviewed the revised Parking Study and supplementary information and have deemed the proposed parking rate of 0.47 spaces per residential unit acceptable based on the justification provided by the applicant.

Conclusion

The revised parking supply for the proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan and Sheppard East Subway Corridor Secondary Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). As discussed in Staff Report for Action - Supplementary Report - 699 Sheppard Avenue East

the previous report from the Director, Community Planning, North York District dated May 27, 2021, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to providing appropriate transition to Neighbourhoods and intensifying around an existing subway station. Staff worked with the applicant and the community to address and resolve the following key concerns for: a reduction of the building height, reduction in parking and reduction in the size of the commercial area in the building. The proposal represents an appropriate scale of development for the site that fits within the existing and planned context of the area. The proposal is compatible with the surrounding land uses and provides an appropriate transition of built form to adjacent properties. Staff continue to recommend that City Council support the approval of the application in accordance with the zoning by-law amendments attached to this report.

CONTACT

Sarah Ovens, Planner
Tel. No. 416-395-7129
E-mail: Sarah.Ovens@toronto.ca

SIGNATURE

Gregg Lintern, MCIP, RPP
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment By-law 7625
Attachment 2: Draft Zoning By-law Amendment By-law 569-2013

Attachment 1: Draft Zoning By-law Amendment By-law 7625

Authority: North York Community Council Item as adopted by City of Toronto Council on , 2022

CITY OF TORONTO

Bill

BY-LAW --2022

To amend the North York Zoning By-law No. 7625, as amended, with respect to the lands municipally known in the year 2022 as 699 Sheppard Avenue East.

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;

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 such 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, authorize increases in the height or 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 matter 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, a 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 7625, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law which are secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Schedules "B" and "C" of By-law No. 7625 are hereby amended in accordance with Schedule 1 of this By-law.

2. Section 64.20-A of By-law No. 7625 is amended by adding the following subsection:

"64.20-A (269) RM6 (269) DEFINITIONS

(a) For the purpose of this exception, "apartment house dwelling" shall mean a building containing more than four (4) dwelling units, each unit having access either from an internal corridor system or direct access at grade, or any combination thereof.

(b) For the purposes of this exception, "established grade" shall mean 170.40 metres Canadian Geodetic Datum;

(c) For the purpose of this exception, the "gross floor area" of a mixed use building is reduced by the area in the building used for:

- i. parking, loading and bicycle parking below-ground;
- ii. loading spaces at the ground level and bicycle parking spaces at or above-ground;
- iii. storage rooms (including parcel storage), mail room not accessible to the public, washrooms, electrical, utility, mechanical, and ventilation rooms in the basement;
- iv. shower and change facilities required by this By-law for required bicycle parking spaces;
- v. recreational amenity areas;
- vi. elevator shafts;
- vii. garbage shafts;
- viii. mechanical penthouse; and
- ix. exit stairwells in the building;

(d) For the purposes of this exception, "underground" is defined as below established grade;

PERMITTED USES

(e) On the lands identified on Schedule "1", the only permitted uses shall be:

- i. apartment house dwellings including recreational amenity areas, and all commercial and institutional uses permitted in a "C-1" General Commercial Zone;

USE QUALIFICATIONS

(f) Outdoor recreational amenity areas may be located on rooftop terraces;

(g) Permitted non-residential uses shall be located on the ground floor only;

EXCEPTION REGULATIONS

LOT COVERAGE

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

YARD SETBACKS

(i) The provisions of Section 20-A.2.4 (Yard Setbacks) shall not apply;

(j) The minimum yard setbacks for all buildings and structures above established grade shall be as shown on Schedule "2";

(k) The minimum yard setbacks for structures below established grade shall be 0 metres, except that a minimum 2.47 metre setback is required from the front lot line, which shall be the lot line that abuts Sheppard Avenue East;

(l) The minimum distance between the building, including all below and above grade structure, to all TTC infrastructure is 3 metres.

GROSS FLOOR AREA

(m) The provisions of Section 20-A.2.5 (Gross Floor Area) shall not apply;

(n) The maximum permitted gross floor area shall be 10,830 square metres;

(o) The maximum permitted non-residential gross floor area shall be 55 square metres;

BUILDING HEIGHT

(p) The provisions of Section 20-A.2.6 (Building Height) shall not apply;

(q) The maximum number of storeys above established grade and the maximum building height in metres shall be as shown on Schedule "2";

(r) A penthouse or other roof structure which is used only as an ornament or to house the mechanical equipment of the building does not constitute a storey and shall be disregarded in calculating the height of the building;

(s) The following elements of a building may project above the permitted maximum height in Schedule "2";

i. Equipment used for the function and operation of the building, antennas, air conditioners, satellite dishes, vents, pipes, wind screens, parapets, guard rails, roofing material, railings and dividers, dormers, pergolas, trellises, eaves, screens, stairs, stair enclosures, elevator overruns, roof drainage, window washing equipment, lightning rods, architectural features, and elements of a green roof up to a maximum of 5.0 metres above the applicable height limit;

LANDSCAPING

- (t) The provisions of Section 15.8 (Landscaping) shall not apply;

RECREATIONAL AMENITY AREA

- (u) Amenity areas shall be provided at the following rates:
- i. at least 1.95 square metres for each dwelling unit is indoor amenity space; and
 - ii. at least 3.0 square metres for each dwelling unit is outdoor amenity space;

PARKING

- (v) The provisions of Section 6A(2) (Parking Requirements) shall not apply. The minimum number of parking spaces shall be calculated in accordance with the following:
- i. resident parking for an apartment dwelling unit 0.47 spaces per unit;
 - ii. visitor parking at a rate of 0.10 parking spaces per unit and may include electric vehicle spaces; and,
 - iii. parking for non-residential uses is not required;

LOADING SPACES

- (w) The provisions of Section 6A(12) (Loading) shall not apply. Loading shall be provided as follows:
- i. A minimum of one Type G loading space shall be required with minimum dimensions of 4.0 metres by 13.0 metres with 6.1 metres of vertical clearance;

BICYCLE PARKING

- (x) Bicycle parking shall be provided as follows:
- i. Long Term – a minimum of 214 bicycle parking spaces;
 - ii. Short Term – a minimum of 24 bicycle parking spaces inclusive of residential visitor and non-residential;

PROJECTIONS

- (y) The provisions of Section 6(9)(c) for permitted projections into one minimum side yard setback only shall not apply;
- (z) Art and landscape features, antennas, air conditioners, satellite dishes, vents, pipes, balconies, cladding, cornices, light fixtures, ornamental elements, parapets, patios, decks, pillars, pergolas, trellises, balconies, terraces, eaves, window sills, planters, ventilation shafts, guardrails, balustrades, railings, stairs, stair enclosures, doors, wheelchair ramps, fences, screens, site servicing features, awnings and

canopies, window washing equipment, and underground garage ramps and associated structures may project no more than 3.0 metres beyond the heavy lines shown on Schedule "2";

HOLDING PROVISIONS

(aa) The lands shown on Schedule "1", shall not be used for any purpose other than those uses and buildings that currently exist on the site, and any new uses or buildings where the use or construction of which will increase sanitary or private water or groundwater flows to municipal sewers, unless the municipal services are provided to the lot line and either of the following provisions are complied with:

- i. the Sanitary Sewer Upgrades (being the upgrade of the last three 300mmø sanitary sewer legs upstream of the sanitary trunk sewer to 675mmø, located at the north-west corner of Sheppard Avenue East and Leslie Street intersection), which works are being undertaken by the City of Toronto under the Design & Construction, Major Infrastructure Unit, Don & Central Waterfront District in the Engineering & Construction Services Division under project # SAP2020-GL-EASTDON-001, have been completely constructed and are operational to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water; or
- ii. in respect of individual parcels of land, the owner has provided an acceptable alternative solution to address the outstanding municipal sanitary sewer capacity issues to the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water and such acceptable solution has been implemented by the owner(s) at their sole cost to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water.

DIVISION OF LANDS

(bb) Notwithstanding any severance or division of the lands subject to this exception, the regulations of this exception shall continue to apply to the whole of the lands as if it remained one lot.

SECTION 37 AGREEMENT

(cc) The owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to Section 37(3) and (4) of the Planning Act as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force to secure the community benefits above

(dd) In order to permit an increase in the maximum gross floor area cited in clauses 2(n) and 2(o) of this exception, the owner of the Lands shall enter into and register against title to the Lands an agreement or agreements pursuant to Section 37 of the Planning Act securing the provision of the following facilities, services or matters, to the satisfaction of the City Solicitor:

i. Prior to the issuance of the first above-grade building permit, the owner of the Lands shall provide a cash contribution to the City in the amount of \$1,025,000 towards any one or more of the following:

(a) parkland and other community services and facility improvements within the area, as well as streetscape improvements and that the design of the streetscape improvements comply with the Streetscape Manual, to the satisfaction of the Chief Planner and Executive Director, City Planning,

(b) such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-01, or its successor, calculated from the date of the Section 37 Agreement to the date the payment is made.

3. Section 64.20-A of By-law 7625 of the former City of North York is amended by adding Schedule "2" attached to this By-law.

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

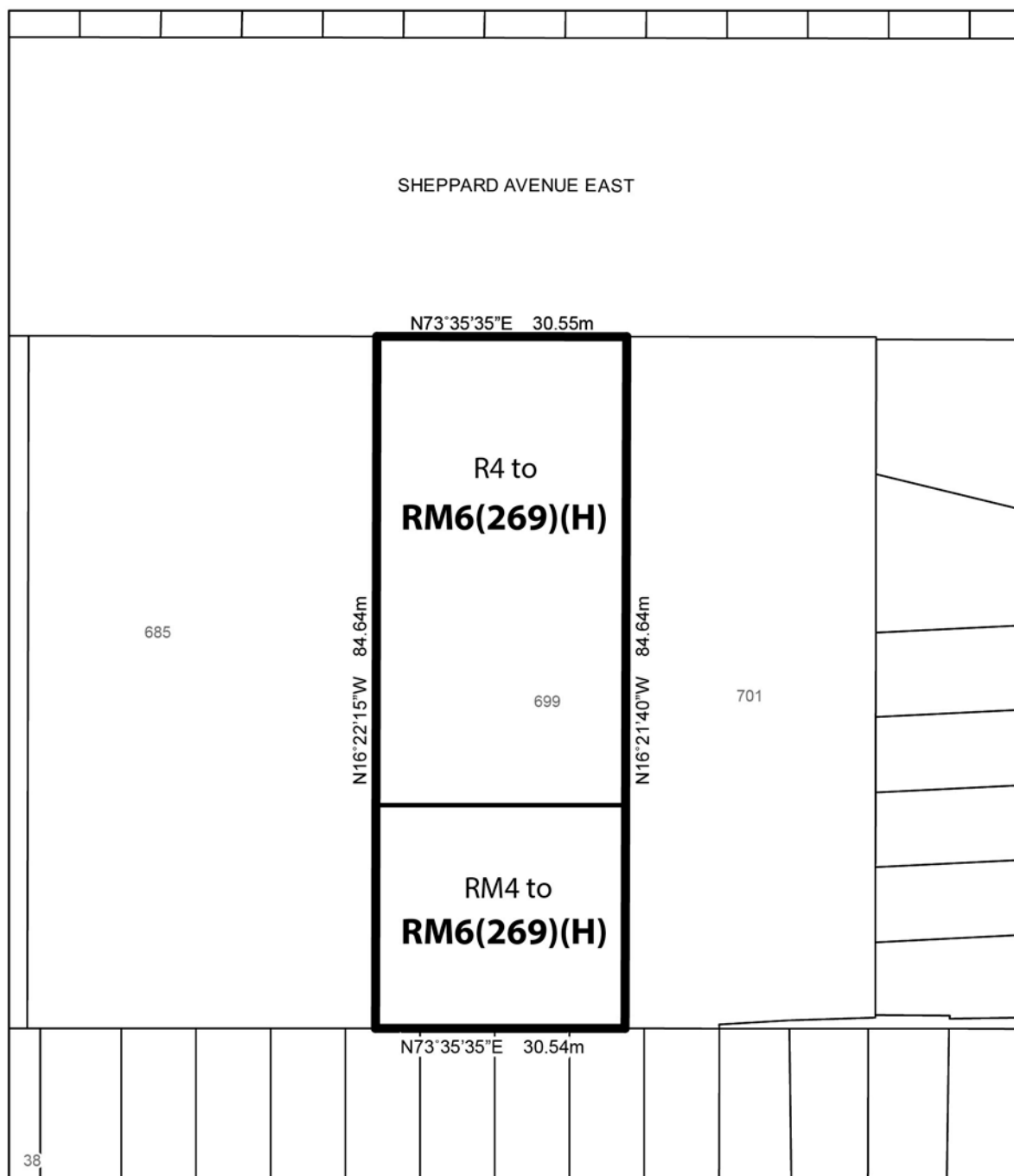
(b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

ENACTED AND PASSED this ~ day of ~, A.D. 2022.

JOHN TORY, ULLI S. WATKISS,

Mayor City Clerk

(Corporate Seal of the City)

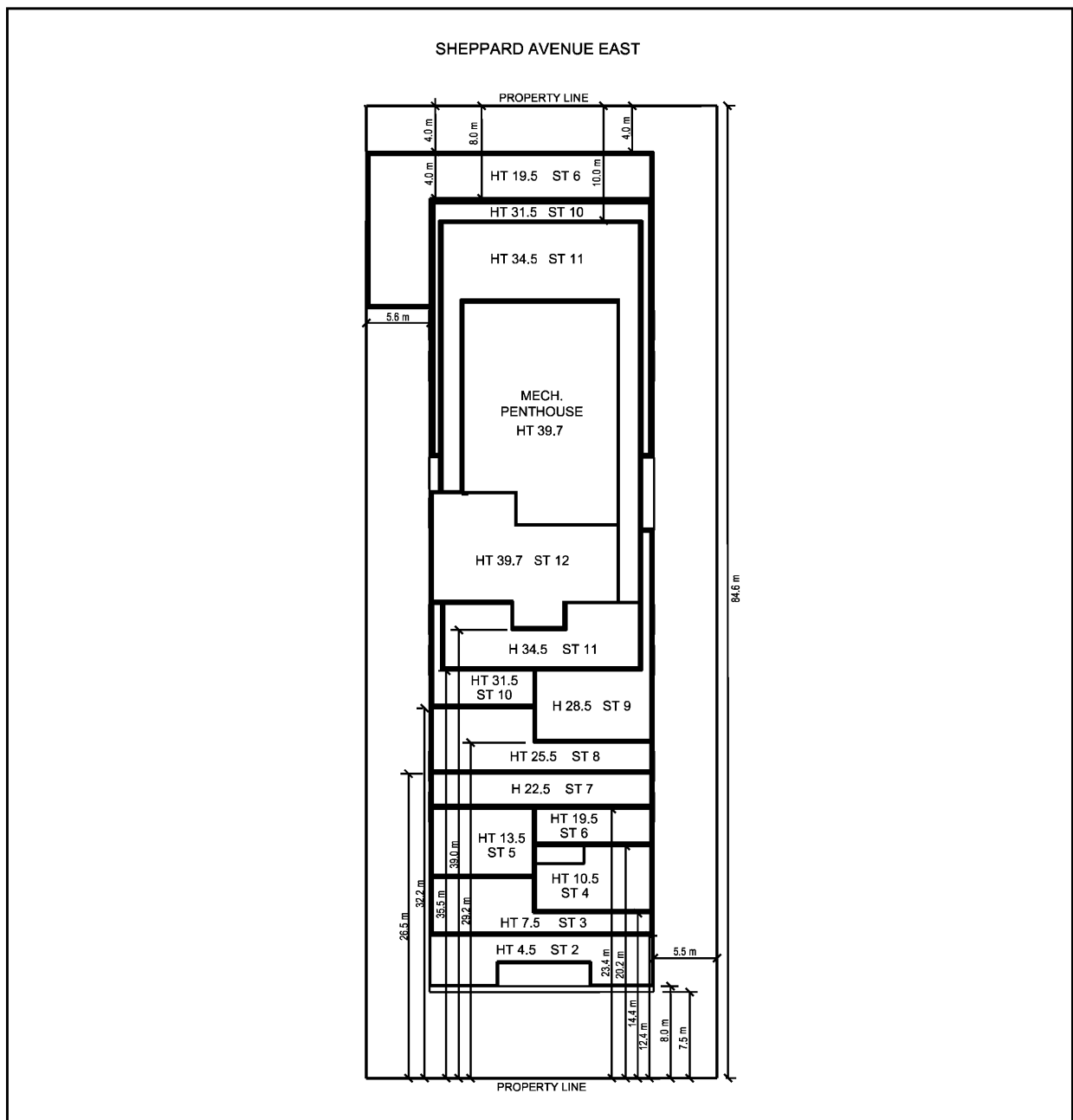


Toronto
Schedule 1

699 Sheppard Avenue East

File # 19 192154 NNY 17 02

↑
Former City of North York By-law 7625
Not to Scale
05/25/2021



Schedule 2

699 Sheppard Avenue East

File # 19 192154 NNY 17 OZ



Former City of North York By-Law 7625
Not to Scale
06/01/2021

Attachment 2: Draft Zoning By-law Amendment By-law 569-2013

Authority: North York Community Council Item ##, as adopted by City of Toronto Council on ~, 2022

CITY OF TORONTO

Bill No. ~
BY-LAW No. XXXX-2022

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 699 Sheppard Avenue East.

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 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;

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 No. 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 No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 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 4.16 (c0.03; r4.13) SS2 (x370) as shown on Diagram 2 attached to this By-law; and
4. Zoning By-law No. 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: PA 3, as shown on Diagram 3 attached to this Bylaw; and
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, as shown on Diagram 4 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by the adding the lands subject to this By-law to the Lot Coverage Overlay Map in Section 995.30.1, 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 No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 370 so that it reads:

(370) Exception CR 370

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 699 Sheppard Avenue East, if the requirements of Section 11 and Schedule A of by-law [##] are complied with, a **building, structure**, addition or enlargement may be erected or used in compliance with (B) to (N) below;

(B) Despite regulations 40.5.40.10 (1) and (2), for the purpose of this exception, the height of a building or structure is the vertical distance between the Canadian Geodetic Datum elevation 170.4 metres and the elevation of the highest point of the building or structure;

(C) Despite regulations 40.10.40.10(2) and (7), the permitted maximum height and permitted maximum number of **storeys** of a **building** or **structure** are the numerical values as shown on Diagram 7 of By-law ____-2022;

(D) Despite regulations 40.5.40.10(3), (4), (5), (6), (7), and (C) above, the following elements of a **building** may project above the permitted maximum height in Diagram 7 of By-law ____-2022;

(i) Equipment used for the function and operation of the **building**, antennas, air conditioners, satellite dishes, vents, pipes, wind screens, parapets, guard rails, roofing material, railings and dividers, dormers, pergolas, trellises, eaves, screens, stairs, stair enclosures, elevator overruns, roof drainage, window washing equipment, lightning rods, architectural features, and elements of a **green roof** up to a maximum of 5.0 metres above the applicable height limit;

(E) Despite clause 40.5.40.70, regulations 40.10.40.70(2), and 40.10.40.80(2), the required minimum **building setbacks** for all **buildings** and **structures** are shown on Diagram 7 of By-law ____-2022;

(F) Despite regulation 5.10.40.70(2), the minimum distance between the **building**, including all below and above grade **structures**, to all TTC infrastructure is 3 metres.

(G) Despite clauses 40.5.40.60, 40.10.40.60, and regulation (E) above, the following may encroach into the required minimum building setbacks on Diagram 7 of By-law ____-2022;

(i) art and landscape features, antennas, air conditioners, satellite dishes, vents, pipes, balconies, cladding, cornices, light fixtures, ornamental elements, parapets, patios, decks, pillars, pergolas, trellises, balconies, terraces, eaves, window sills, planters, ventilation shafts, guardrails, balustrades, railings, stairs, wheelchair ramps, fences, screens, site servicing features, awnings and canopies, and underground garage ramps and associated **structures**, up to a maximum of 3.0 metres into the required **building setbacks**;

(H) Despite regulation 40.10.40.40 (1), the permitted maximum **gross floor area** of all **buildings** and **structures** on the lot is 10,830 square metres, of which the permitted maximum **gross floor area** for non-residential uses is 55 square metres;

(I) Despite regulation 40.5.40.40(3), the **gross floor area** of a mixed use **building** is reduced by the area in the **building** used for:

(i) parking, loading and bicycle parking below-ground;

(ii) **loading spaces** at the ground level and **bicycle parking spaces** at or above-ground;

(iii) storage rooms (including parcel storage), mail room not accessible to the public, washrooms, electrical, utility, mechanical, and ventilation rooms in the **basement**;

(iv) shower and change facilities required by this By-law for required **bicycle parking spaces**;

(v) **amenity space**;

(vi) elevator shafts;

(vii) garbage shafts;

(viii) mechanical penthouse; and

(ix) exit stairwells in the **building**;

(J) Despite regulation 40.10.40.1(1), all residential use portions of the **building** must be located above non-residential use portions of the **building**, other than:

(i) residential lobby access; and

(ii) **dwelling units** may be located in the first **storey** of the **building** if the **dwelling units** are located to the rear of the non-residential use on the first **storey**;

(K) Despite regulation 40.10.40.50, **amenity space** must be provided at a minimum rate for each **dwelling unit**, of which:

(i) at least 1.95 square metres for each **dwelling unit** is indoor **amenity space**;

(ii) at least 3.0 square metres for each **dwelling unit** is outdoor **amenity space**; and

(iii) at least 85.0 square metres is outdoor **amenity space** in a location adjoining or directly accessible to indoor **amenity space**;

(L) Despite regulation 200.5.10.1 and Table 200.5.10.1, **parking spaces** must be provided and maintained on the **lot**, as follows:

(i) a minimum of 0.47 **parking spaces** per **dwelling unit**, inclusive of **car share parking spaces** must be provided for residents; and

(ii) a minimum of 0.10 **parking spaces** per **dwelling unit** must be provided for visitors and can include electric vehicle **parking spaces** provided for visitors;

(iii) The minimum required parking for residential uses can be reduced by up to 4 **parking spaces** for each dedicated **car share parking space**;

(iv) The maximum allowable reduction in the minimum residential parking requirement is calculated by 4 times the total number of units, divided by 60, rounded down to the nearest whole number;

(v) **For the purposes of this exception, "car-share"** means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and to use a car-share **vehicle**, a person must meet the membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable. Cars are reserved in advance and fees used for use are normally based on time and/or kilometres driven and do include the use of cars on an hourly basis; and

(vi) **For the purposes of this exception, "car-share parking space"** means a **parking space** exclusively reserved and signed for a car used only for car-share purposes and such car-share is for the use of at least the occupants of the **building**;

(M) Despite section 200.15.1, as amended, only the following provisions apply to accessible **parking spaces**:

(i) an accessible **parking space** must have the following minimum dimensions:

(a) length of 5.6 metres;

(b) width of 3.4 metres;

(c) vertical clearance of 2.1 metres; and

(d) the entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide barrier free aisle or path;

(N) The lands identified with the symbol "(H)" in the zone label on Diagram 2 of By-law [Clerks to insert number] are restricted in use as specified by Section 10 of By-law [Clerks to insert number].

Prevailing By-laws and Prevailing Sections:

(A) Schedule 'D' Airport Hazard Map from City of North York zoning by-law 7625.

9. Despite any existing or future severances, partition, or division of the lot, the provisions of this exception will apply to the whole of the lot as if no severance, partition, or division had occurred;

10. Holding Provisions:

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 [Clerks to insert date By-law is enacted] until the "(H)" symbol has been removed. An amending by-law to remove the "(H)" symbol shall be enacted by City Council, on all or part of the lands, when the following condition(s) has been fulfilled to the satisfaction of Council.

(A) The lands shown on Diagram 2, shall not be used for any purpose other than those uses and **buildings** that currently exist on the site, and any new uses or **buildings** where the use or construction of which will increase sanitary or private water or groundwater flows to municipal sewers, unless the municipal services are provided to the lot line and either of the following provisions are complied with:

a. the Sanitary Sewer Upgrades (being the upgrade of the last three 300mmØ sanitary sewer legs upstream of the sanitary trunk sewer to 675mmØ, located at the north-west corner of Sheppard Avenue East and Leslie Street intersection), which works are being undertaken by the City of Toronto under the Design & Construction, Major Infrastructure Unit, Don & Central Waterfront District in the Engineering & Construction Services Division under project # SAP2020-GL-EASTDON-001, have been completely constructed and are operational to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water; or

b. in respect of individual parcels of land, the owner has provided an acceptable alternative solution to address the outstanding municipal sanitary sewer capacity issues to the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water and such acceptable solution has been implemented by the owner(s) at their sole cost to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water.

11. Section 37 Provisions

(A) The owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to Section 37(3) and (4) of the Planning Act as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force to secure the community benefits above

(B) 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 4 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.

(C) 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.

(D) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant Exception CR (370), as amended, unless all provisions of Schedule A are satisfied.

ENACTED AND PASSED this ~ day of ~, A.D. 2022.

JOHN TORY, ULLI S. WATKISS,

Mayor
(Corporate Seal)

City Clerk

SCHEDULE A

Section 37 Provisions

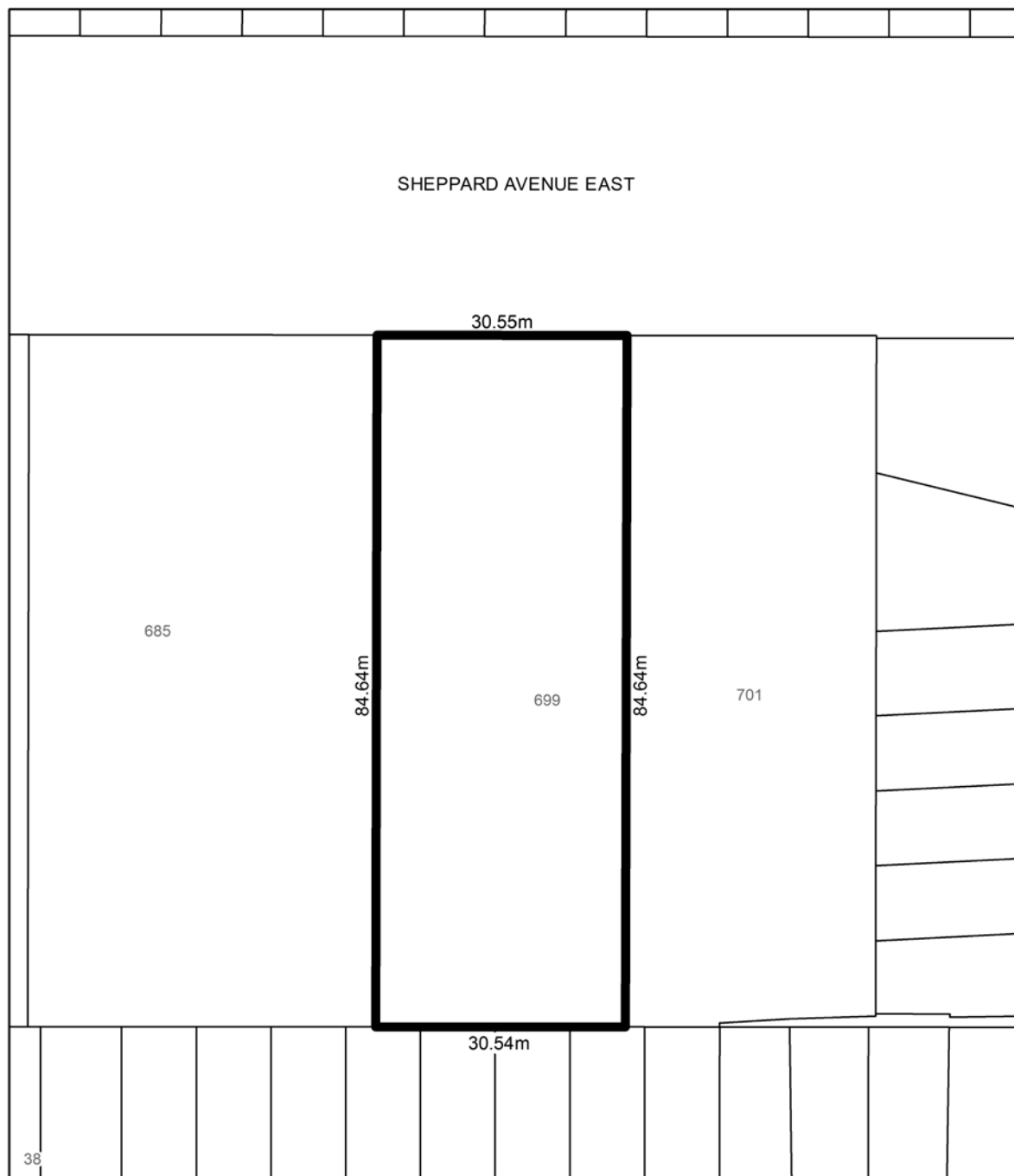
The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lands as shown in Diagram 1 in this By-law and secured in an agreement or agreements under Section 37(3)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

(1) Prior to issuance of a the above-grade building permit, the owner of the Lands shall provide a cash contribution to the City in the amount of \$1,025,000 toward any one or more of the following:

a. parkland and other community services and facility improvements within the area, as well as streetscape improvements and that the design of the streetscape improvements comply with the Streetscape Manual, to the satisfaction of the Chief Planner and Executive Director, City Planning,

b. such amount to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table: 18-10-0135-01, or its successor, calculated from the date of the Section 37 Agreement to the date the payment is made.

(2) In the event the cash contribution referred to in Section (1) *have* 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 is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

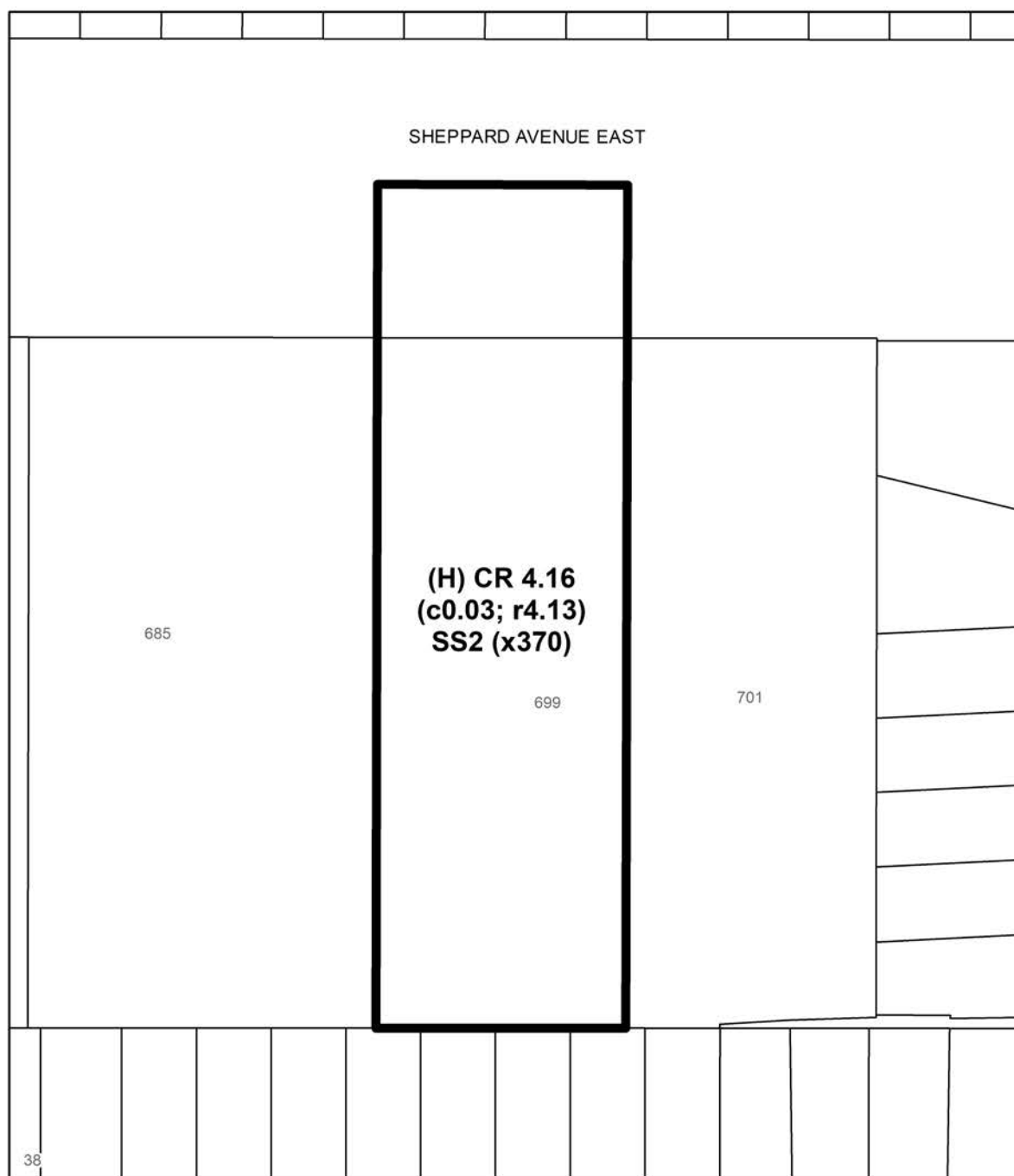


Toronto
Diagram 1

699 Sheppard Avenue East

File # 19 192154 NNY 17 02

City of Toronto By-law 569-2013
Not to Scale
05/17/2021

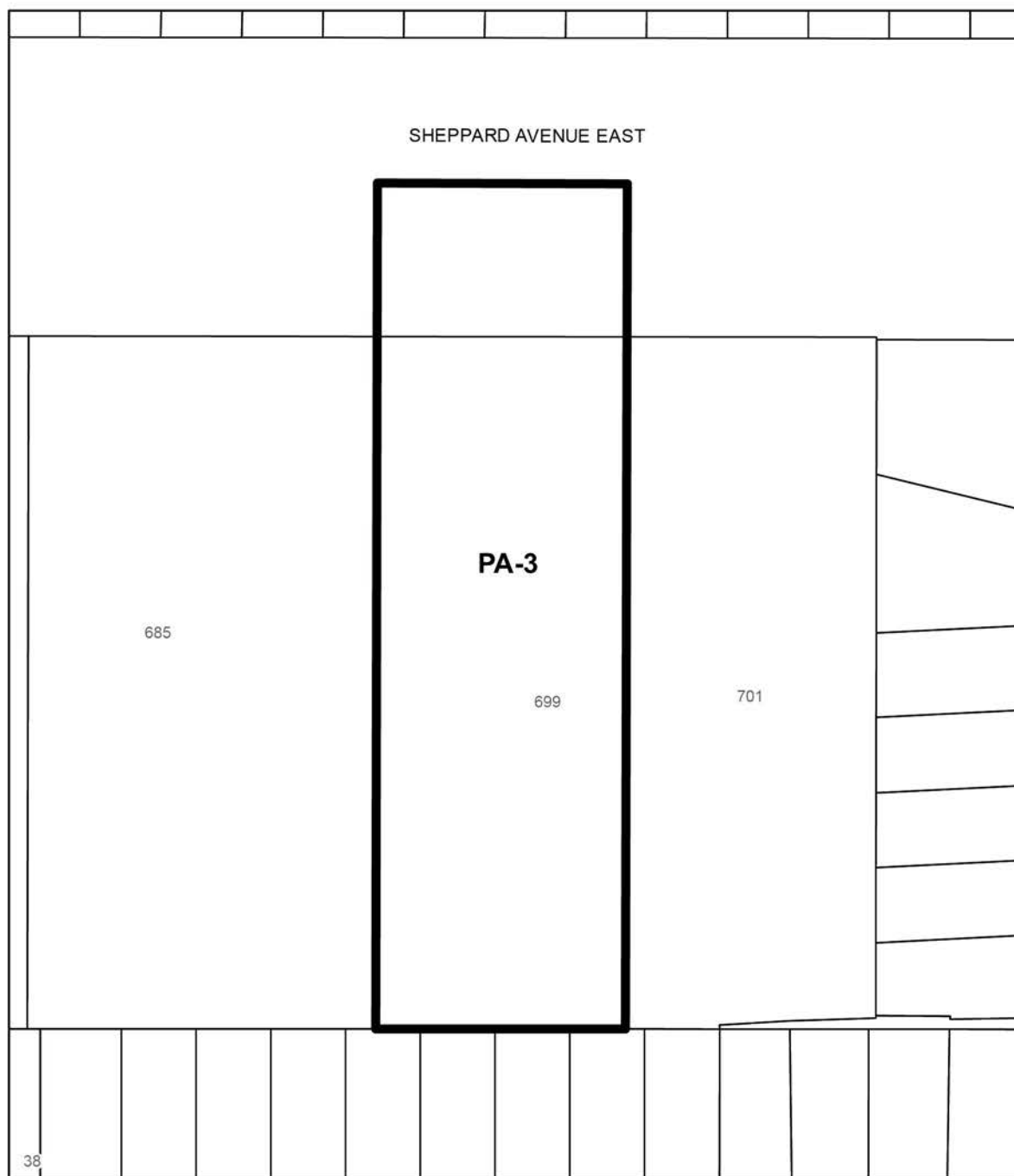


Toronto
Diagram 2

699 Sheppard Avenue East

File # 19 192154 NNY 17 0Z

City of Toronto By-law 569-2013
Not to Scale
05/31/2021

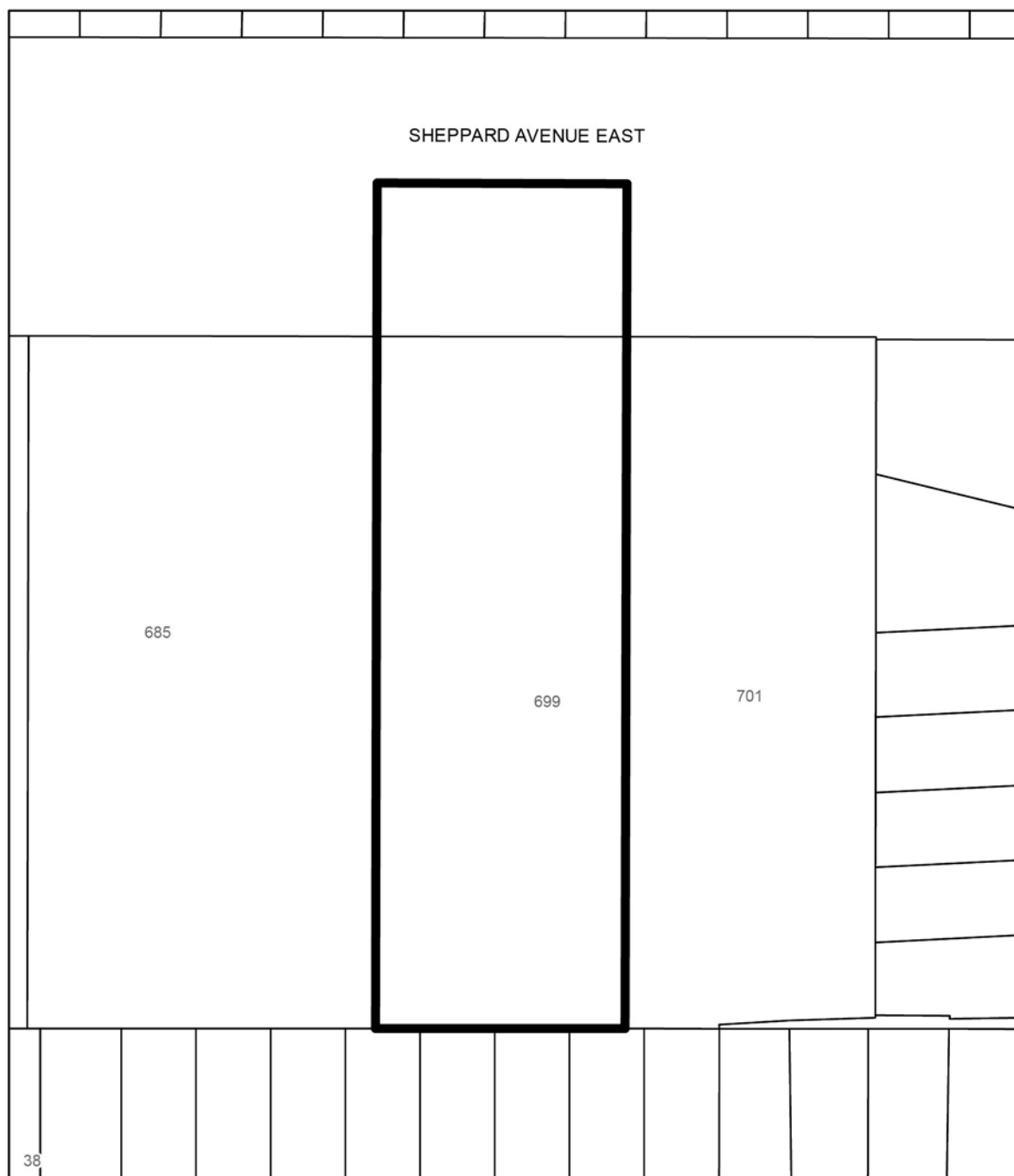


Toronto
Diagram 3

699 Sheppard Avenue East

File # 19 192154 NNY 17 02

City of Toronto By-law 569-2013
Not to Scale
05/17/2021

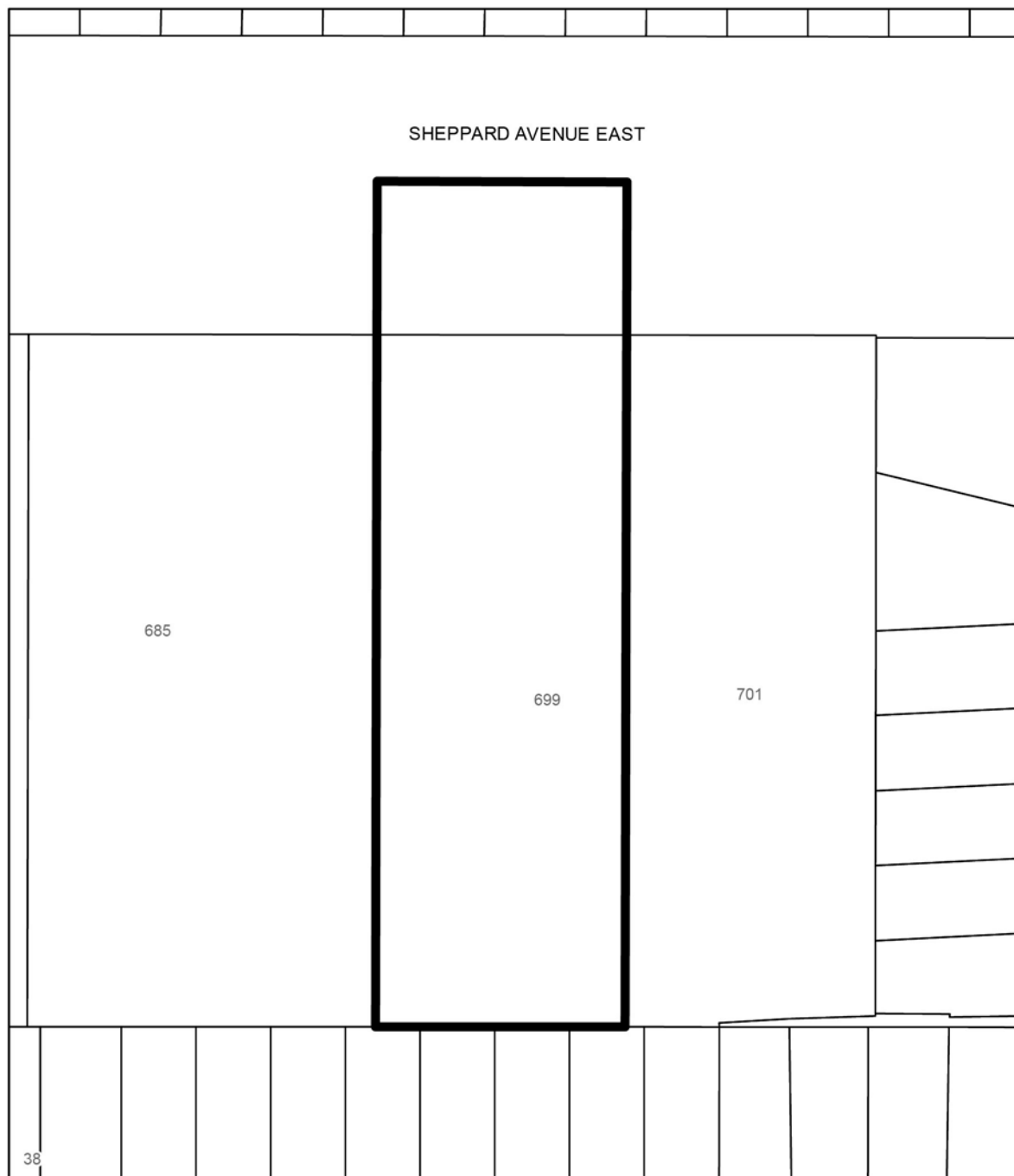


Toronto
Diagram 4

699 Sheppard Avenue East

File # 19 192154 NNY 17 02

City of Toronto By-law 569-2013
Not to Scale
05/17/2021

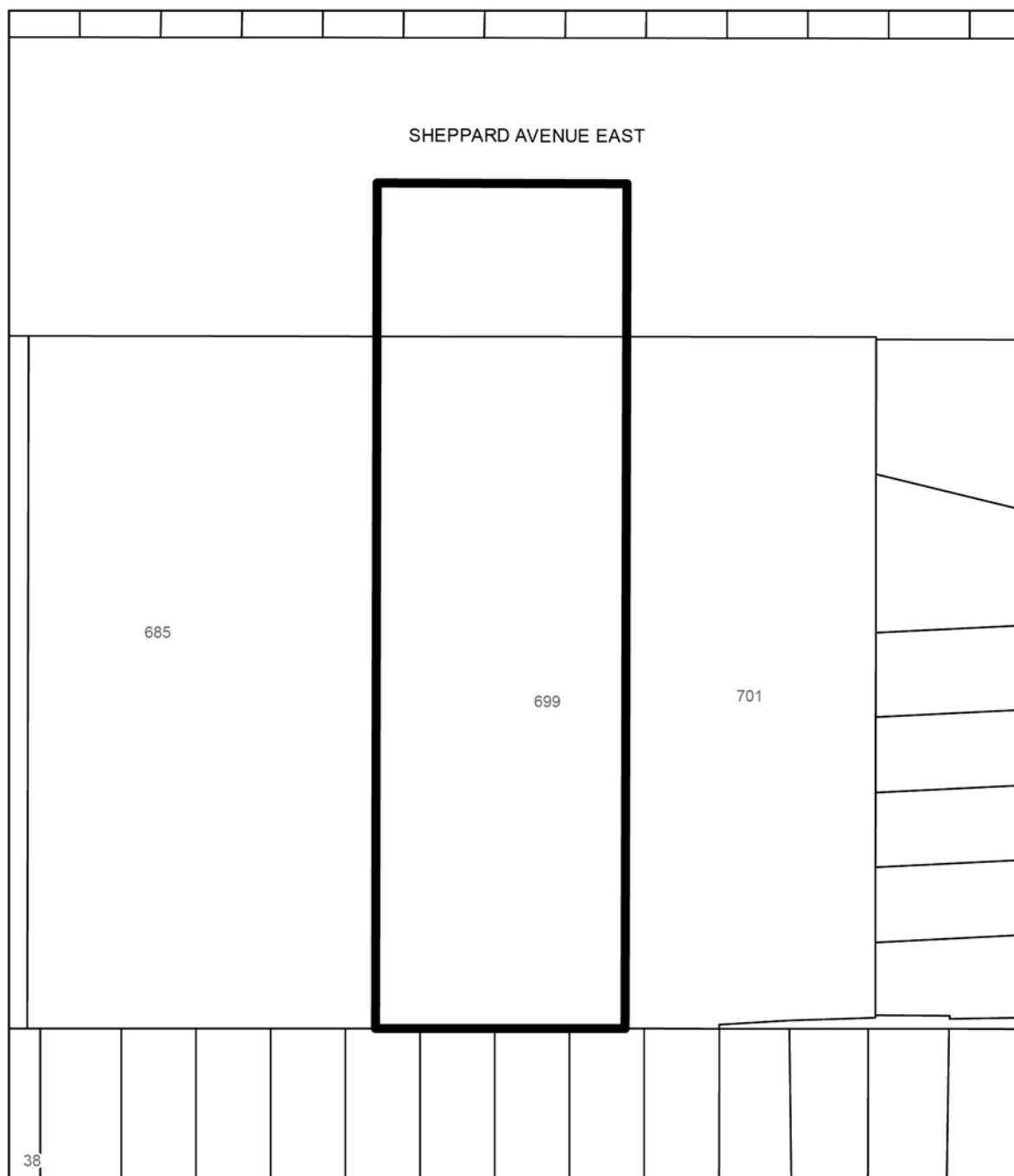


Toronto
Diagram 5

699 Sheppard Avenue East

File # 19 192154 NNY 17 02

City of Toronto By-law 569-2013
Not to Scale
05/17/2021

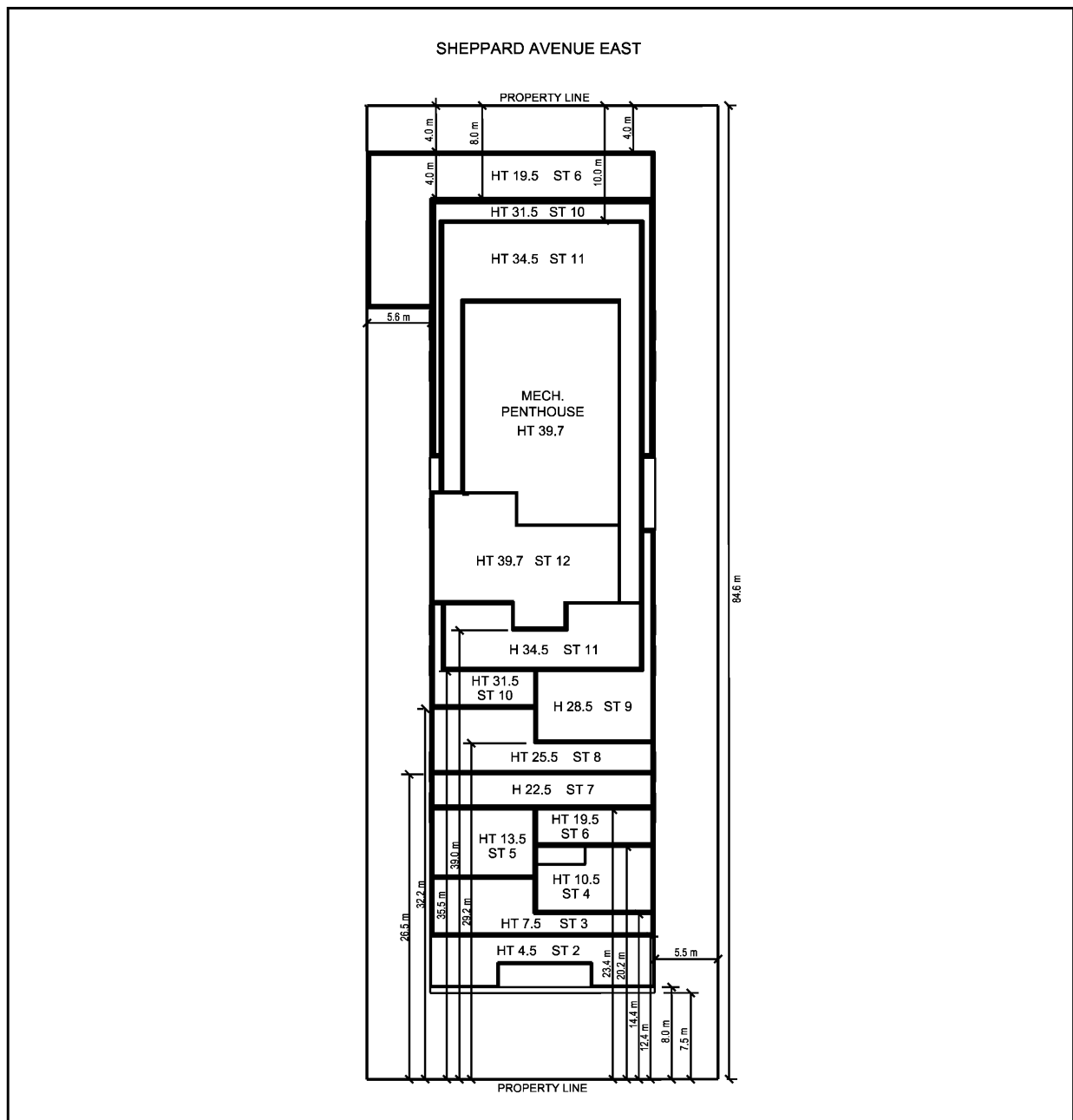


Toronto
Diagram 6

699 Sheppard Avenue East

File # 19 192154 NNY 17 02

City of Toronto By-law 569-2013
Not to Scale
05/17/2021



699 Sheppard Avenue East

Diagram 7

File # 19 192154 NNY 17 OZ



City of Toronto By-Law 569-2013
Not to Scale
06/01/2021