

CITY OF TORONTO

BY-LAW XXXX-2025

To amend former City of North York Zoning By-law 7625, as amended with respect to lands municipally known in the year 2024 as 2135 Sheppard Avenue East, 325 Yorkland Boulevard, 125 Consumers Road, 15 Smooth Rose Court, and 55 Smooth Rose Court.

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

Whereas pursuant to Section 39 of the *Planning Act*, as amended, the council of a municipality may, in a by-law passed under Section 34 of the *Planning Act*, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited in the by-law.

Whereas pursuant to subsection 37.1(3) of the *Planning Act*, subsections 37(1) to (4) of the *Planning Act*, as they read the day before Section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020*, S.O. 2020, c. 18, came into force continue to apply where a municipality passes a by-law described in the repealed subsection 37(1) prior to the date that a community benefits charge by-law is passed under subsection 37(2) of the *Planning Act*; and

Whereas on August 15, 2022, City Council passed By-law 1139-2022 being the City's Community Benefits Charge By-law pursuant to Subsection 37(2) of the *Planning Act*; and

Whereas the Ontario Municipal Board in its orders issued on October 28, 2014, December 8, 2015 and November 8, 2016, amended By-law 7625, as amended, being By-law 1182-2016(OMB) which is a by-law described in the repealed subsection 37(1) of the *Planning Act* and this By-law does not amend or remove the requirement to provide facilities, services and therefore subsections 37(1) to (4) of the *Planning Act*, as they read the day before Section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020* came into force continue to apply; and

Whereas subsection 37(3) of the *Planning Act*, as it read the day before Section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020* came into force, provides that where an owner of land elects to provide facilities, services or matters in return for an increase in the density and/or height 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 the height and density of development permitted beyond that otherwise permitted on the aforesaid lands by By-laws 1182-2016(OMB) and 405-2024, 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;

Pursuant to item 2025.NY.28 XXX.____ adopted by City Council at its meeting of December 16 and 17, 2026, By-law 7625 of the former City of North York, as amended by By-law 1182-2016(OMB) and By-law 405-2024, is further amended as follows:

The Council of the City of Toronto enacts:

1. Schedule C1(142) of By-law 7625 of the former City of North York, as amended by By-law 1182-2016 (OMB) and By-law 405-2024 is amended in accordance with Schedule C1(142) of By-law [Clerks to insert By-law number].
2. Section 64.23(142) of By-law 7625 of the former City of North York is further amended by deleting subsections 64.23(142)(a) to (ii) and replacing them with:

"64.23 (142) C1(142)

DEFINITIONS

- (a) For the purpose of this exception, "gross floor area" shall mean the aggregate of the areas of each floor, measured between the exterior faces of the exterior walls of the building or structure at the level of each floor, but excluding:
 - (i) indoor recreational amenity area;
 - (ii) parking, loading and bicycle parking below established grade;
 - (iii) parking, loading and bicycle parking at or above established grade;
 - (iv) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
 - (v) shower and change facilities required by this By-law for required *bicycle parking* spaces;
 - (vi) elevator shafts;
 - (vii) garbage shafts;

- (viii) mechanical penthouse; and
 - (ix) exit stairwells in the building;
- (b) For the purpose of this exception, none of the following elements are considered a "storey":
 - (i) A mezzanine, which means one floor level situated immediately above the first floor, which is contiguous with the first floor gross floor area.
- (c) For the purpose of this exception, a car-share parking space will mean a parking space used exclusively for the parking of a car-share motor vehicle;
- (d) For the purpose of this exception, a car-share motor vehicle will mean a motor vehicle available for short term rental. Including an option for hourly rental, for the use of at least the occupants of a building erected on the lot;
- (e) For the purpose of this exception, "bicycle parking" shall mean an area below established grade or at grade that is equipped with bicycle racks, stackers or lockers for the purpose of parking and securing bicycles, but is not intended for general storage use;
- (f) For the purpose of this exception:
 - (i) "Type "A" loading space" means a loading space that is a minimum of 3.5 metres wide, a minimum of 17.0 metres long and has a minimum vertical clearance of 4.4 metres;
 - (ii) "Type "B" loading space" means a loading space that is a minimum of 3.5 metres wide, a minimum of 11.0 metres long and has a minimum vertical clearance of 4.0 metres;
 - (iii) "Type "C" loading space" means a loading space that is a minimum of 3.5 metres wide, a minimum of 6.0 metres long and has a minimum vertical clearance of 3.0 metres; and
 - (iv) "Type "G" loading space" means a loading space that is a minimum of 4.0 metres wide, a minimum of 13.0 metres long and has a minimum vertical clearance of 6.1 metres;
- (g) For the purpose of this exception, "recreational amenity area" shall mean an area that is communal and available to all occupants of a building or a group of buildings within a zone for social and recreational purposes including indoor or outdoor space, playgrounds, tennis courts, lawn bowling greens, indoor or outdoor

swimming pools, exercise or entertainment rooms, planters and other similar uses that are associated with a green roof;

- (h) For the purpose of this exception, "established grade" shall mean 174.0 metres Canadian Geodetic Datum for Building A, B and D and 173.75 metres Canadian Geodetic Datum for Building C as shown on Schedule C1(142) of By-law [Clerks to insert By-law number];
- (i) For the purpose of this exception, "apartment house dwellings" shall mean a building containing more than four (4) dwelling units, each having access either from an interior corridor system or direct access at grade, or any combination thereof;

PERMITTED USES

- (j) On the lands shown on Schedule C1(142) of By-law [Clerks to insert By-law number], the only permitted uses shall be:
 - (i) residential: *apartment house dwellings*, multiple attached dwellings, and accessory uses including *recreational amenity areas*; and
 - (ii) non-residential: automatic laundry shops, banks, business and professional offices, clubs, commercial galleries, day nursery, commercial schools, dry cleaning and laundry collecting establishments, financial institutions, fitness centres, personal service shops, professional medical offices, retail stores, sales offices, service shops, showrooms, studios, synthetic dry cleaning establishments, restaurants (including accessory outdoor cafe) and temporary sales office;

EXCEPTION REGULATIONS

GROSS FLOOR AREA

- (k) The maximum *gross floor area* for all uses on the lands zoned as C1(142)A shall be 110,000 square metres and in accordance with the following:
 - (i) Building A as shown on Schedule C1(142) of By-law [Clerks to insert By-law number]
 - a. A maximum of 31,700 square metres;
 - (ii) Building B as shown on Schedule C1(142) of By-law [Clerks to insert By-law number]

- a. A maximum of 32,700 square metres;
- (iii) Gross Floor Area for Building C shall be in accordance with By-law 407-2024, as amended.
- (iv) Building D as shown on Schedule C1(142) of By-law [Clerks to insert By-law number]
 - a. A maximum of 21,500 square metres;
- (l) The maximum *gross floor area* for all uses on the lands zoned as C1(142) B shall be 0.0 square metres;

DWELLING UNITS

- (m) The number of dwelling units shall not exceed 1,567;

BUILDING HEIGHT

- (n) The maximum number of storeys above *established grade* and the maximum building height in metres for all buildings shall be as shown on Schedule C1(142) of By-law [Clerks to insert By-law number]. The number of storeys and measurement of building height shall exclude mechanical penthouses, elevator overruns, parapets, outdoor recreational amenity area, any roof structures used only as green roof, ornaments, above grade pedestrian bridges and any associated structures, stairwells to access the roof and stair enclosures;

BUILDING ENVELOPES

- (o) The maximum tower floorplate shall be:
 - (i) 710.0 square metres *gross floor area* for portions of Building A as shown on Schedule C1(142) of By-law [Clerks to insert By-law number] in excess of 18.5 metres in height;
 - (ii) 710.0 square metres *gross floor area* for portions of Building B as shown on Schedule C1(142) of By-law [Clerks to insert By-law number] in excess of 18.5 metres in height; and
 - (iii) 710.0 square metres *gross floor area* for portions of Building D as shown on Schedule C1(142) of By-law [Clerks to insert By-law number] in excess of 18.5 metres in height;

YARD SETBACKS

- (p) The minimum yard setbacks for all buildings and structures above *established grade* shall be as shown on Schedule C1(142) of By-law [Clerks to insert By-law number]; where there is no minimum yard setback indicated on Schedule C1(142) of By-law [Clerks to insert By-law number], the minimum yard setback shall be 0.0 metres;
- (q) Notwithstanding (p) above, the first floor of Building B as shown on Schedule C1(142) of By-law [Clerks to insert By-law number] along the east elevation of the building shall provide a minimum setback of 5.0 metres from the property lines of the O1(47) zoned lands as outlined with the heavy dashed line on Schedule O1(47) of By-law 405-2024, as amended;
- (r) Notwithstanding (p) above, the minimum yard setbacks for Building C as shown on Schedule C1(142) of By-law [Clerks to insert By-law number] shall be in accordance with By-law 407-2024, as amended;
- (s) Notwithstanding (p) above, a covered access ramp of Building D as shown on Schedule C1(142) of By-law [Clerks to insert By-law number] is permitted within 2.0 metres of the north property line;
- (t) The minimum yard setbacks shown on Schedule C1(142) of By-law [Clerks to insert By-law number] shall not apply to balconies, canopies, window sills, railings, lighting fixtures, architectural elements, ornamental elements, exterior stairways, wheelchair ramps and decks, ramps, pergolas and gazebos; and
- (u) The minimum yard setbacks for below grade structures shall be 0.0 metres;

PARKING

- (v) All required parking spaces shall be provided within the lands shown on Schedule C1(142) of By-law [Clerks to insert By-law number];
- (w) All required parking spaces shall be provided below *established grade* with the exception of surface and above grade parking spaces intended for short term parking and delivery;
- (x) Notwithstanding Section 6A(2) (Parking Requirements) of By-law 7625, the minimum number of parking spaces shall be calculated in accordance with the following:

- (i) Residential:
 - (a) For all lands zoned C1(142)A as shown on Schedule 1 of By-law 405-2024, as amended, Buildings A, B and D as shown on Schedule C1(142) of By-law [Clerks to insert By-law number], collectively shall provide parking in accordance with the following:
 - i. A minimum of 0.54 parking spaces per dwelling unit for residents, or at a minimum of 644 parking spaces for residents, whichever is greater;
 - ii. A minimum of 0.1 parking spaces per dwelling unit for visitors, which may be shared on a non-exclusive basis; and
 - iii. A minimum of 3 car-share spaces, which may be shared on a non-exclusive basis;
 - (b) Building C as shown on Schedule C1(142) of By-law [Clerks to insert By-law number]:
 - i. Parking for Building C shall be in accordance with By-law 407-2024, as amended;
- (ii) Commercial/Retail:

Parking for non-residential uses in Building C shall be in accordance with By-law 407-2024, as amended;
- (y) The maximum number of parking spaces shall be calculated in accordance with the following:
 - (i) For Building A, B and D as shown on Schedule C1(142) of By-law [Clerks to insert By-law number]:
 - (a) Residential:
 - i. Bachelor (up to 45.0 square metres in size) – 0.9 spaces per dwelling unit;
 - ii. Bachelor (more than 45.0 square metres in size) – 1.3 space per dwelling unit;
 - iii. 1-Bedroom – 1.0 space per dwelling units;
 - iv. 2-Bedroom – 1.3 spaces per dwelling unit; and

- v. 3 or more Bedroom – 1.5 space per dwelling unit;
- (b) Commercial/Retail:
 - i. 4.0 spaces per 100.0 square metres of *gross floor area* for non-residential uses;
 - (ii) For Building C as shown on Schedule C1(142) of By-law [**Clerks to insert By-law number**]:
 - (a) Parking for Building C shall be in accordance with By-law 407-2024, as amended;
- (z) Notwithstanding Section 6A(3), a maximum of 10 percent of the parking spaces provided in accordance with (x)(i)(a) above may be obstructed on one or both sides and are not required to be increased by 0.3 metres.
 - (i) a side of a parking space is considered obstructed when any part of a fixed object such as, but not limited to, a wall, column, bollard, fence or pipe is situated:
 - (a) within 0.3 metres of the side of the parking space, measured at right angles, and
 - (b) more than 1.0 metres from the front or rear of the parking space.
- (aa) Of the required spaces required by (x)(i)(a) above, a maximum of 10 parking spaces may have minimum dimensions as follows:
 - (i) length of 5.37 metres;
 - (ii) width of 2.6 metres;
 - (iii) vertical clearance of 2.1 metres; and
 - (iv) The provisions of (z) above are not applicable to these 10 parking spaces.
- (bb) Commercial/Retail parking required pursuant to subsections (w) and (x) above can be shared with Residential Visitor parking required for Building C as shown on Schedule C1(142) of By-law [**Clerks to insert By-law number**], but shared parking spaces shall not contribute to the minimum number of Residential Visitor parking spaces required;
- (cc) Sections 6A(6)(g) (Non-residential Parking Regulations) and 6A(9) (Parking Regulations for Commercial Zones) of By-law 7625 shall not apply;

BICYCLE PARKING

(dd) The minimum number of *bicycle parking* spaces shall be provided in accordance with the following:

(i) For Building A as shown on Schedule C1(142) of By-law [Clerks to insert By-law number]

(a) Residential:

- i. Long-term (Resident) – 0.68 spaces per dwelling unit;
- ii. Short-term (Visitors) – 0.07 spaces per dwelling unit; and
- iii. Minimum dimensions of *bicycle parking* space is:
 - a) Length of 1.6 metres;
 - b) width of 0.45 metres; and
 - c) vertical clearance of 1.9 metres.
- iv. Minimum dimensions of a stacked *bicycle parking* space is:
 - a) Length of 1.6 metres;
 - b) width of 0.45 metres; and
 - c) vertical clearance of 1.1 metres.

(ii) For Buildings B and D as shown on Schedule C1(142) of By-law [Clerks to insert By-law number]

(a) Residential:

- i. Long-term (Resident) – 0.9 spaces per dwelling unit; and
- ii. Short-term (Visitors) – 0.1 spaces per dwelling unit;

(b) Commercial/Retail

- i. Long-term – 0.13 spaces per 100.0 square metres of *gross floor area*; and
- ii. Short-term – 3.0 spaces plus 0.25 space per 100.0 square metres of *gross floor area* for non-residential uses;
- iii. Minimum dimensions of *bicycle parking* space is:
 - a) Length of 1.6 metres;
 - b) width of 0.2 metres; and
 - c) vertical clearance of 1.9 metres.

- iv. Minimum dimensions of a stacked *bicycle parking* space is;
- a) Length of 1.6 metres;
 - b) width of 0.2 metres; and
 - c) vertical clearance of 1.1 metres.
- (iii) The minimum number of *bicycle parking spaces* for Building C as shown on Schedule C1(142) of By-law [Clerks to insert By-law number] shall be in accordance with By-law 407-2024, as amended;
- (ee) All *bicycle parking spaces* may be located below grade and at grade;

LOADING

- (ff) Notwithstanding Section 6A(12) (Loading Requirements) of By-law 7625, loading shall be provided in accordance with the following minimum requirements:

Residential Apartment Use:

Number of Units	Minimum number of loading spaces required
0 to 30	None
31 to 399	1 Type "G"
More than 399	1 Type "G" and 1 Type "C"

Retail Store, Restaurant or Personal Service Shop Uses:

Gross Floor Area (square metres)	Minimum number of loading spaces required
0.0 to 499.9	None
500.0 to 1,999.9	1 Type "B"
2,000.0 to 4,999.9	2 Type "B"
5,000.0 to 9,999.9	3 Type "B"
10,000.0 to 19,999.9	1 Type "A" and 3 Type "B"
20,000.0 to 29,999.9	1 Type "A", 3 Type "B" and 1 Type "C"
More than 29,999.9	1 Type "A", 3 Type "B" and 1 Type "C"

Grocery Store and Supermarket Uses:

Gross Floor Area (square metres)	Minimum number of loading spaces required
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0.0 to 499.9	None
500.0 to 999.9	1 Type "B"
1,000.0 to 1,999.9	1 Type "A"
2,000.0 to 4,999.9	1 Type "A" and 1 Type "B"
5,000.0 to 9,999.9	1 Type "A" and 2 Type "B"
10,000.0 to 19,999.9	2 Type "A" and 2 Type "B"
More than 19,999.9	2 Type "A" and 3 Type "B"

- (gg) Notwithstanding (ff) above, if a mixed use building has a minimum of 30 dwelling units, the requirement for a *Type "A" loading space* or a *Type "B" loading space* is satisfied by the provision of a *Type "G" loading space*, referred to in (ff) above;
- (hh) Notwithstanding (ff) above, if a mixed use building has a minimum of 400 dwelling units, a *Type "C" loading space* required for the dwelling units is satisfied if a *Type "A", Type "B" or Type "C" loading space*, referred to in (ff) above is provided for the non-residential uses in the same building;
- (ii) Notwithstanding Section 6A(16)(d)(iv) of By-law 7625, the area in front of a loading space may be less than the length and width of the loading space it serves;

RECREATIONAL AMENITY AREA

- (jj) Recreational amenity area shall be provided in accordance with the following:
- (i) a minimum of 1.5 square metres of indoor *recreational amenity area* per dwelling unit;
 - (ii) a minimum of 1.5 square metres of outdoor *recreational amenity area* per dwelling unit; and
 - (iii) a maximum of up to 25.0 percent of the outdoor *recreational amenity area* provided may be used as a green roof;

DIVISION OF LANDS

- (kk) 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.

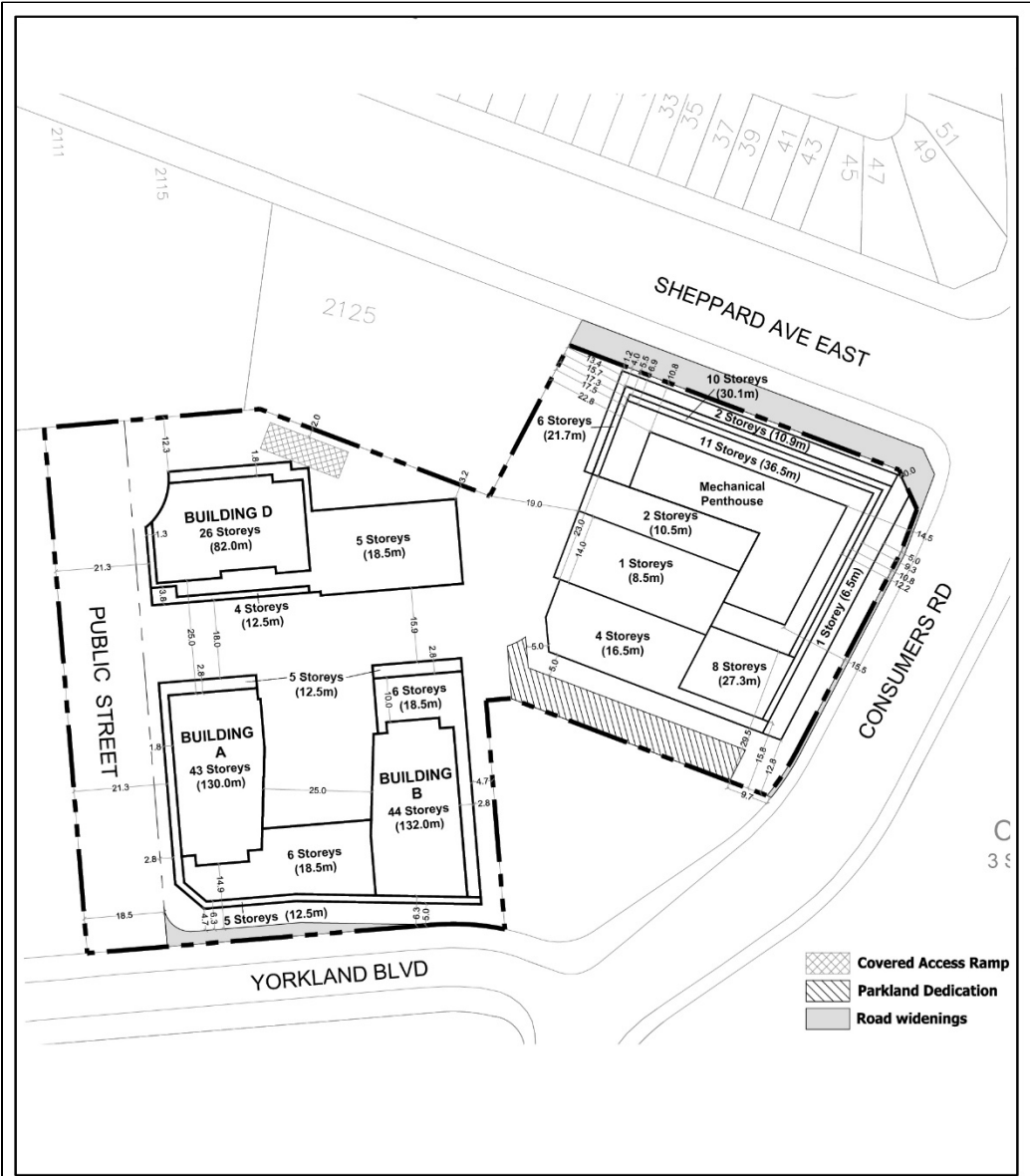
SECTION 37 PROVISIONS

3. Pursuant to Section 37 of the *Planning Act*, as it read the day before Section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020*, S.O. 2020 c. 18, came into force, the heights and density of development permitted by this exception are permitted upon the entering into an agreement or agreements pursuant to Section 37(3) of the *Planning Act* as it read the day before Section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020*, S.O. 2020 c. 18, came into force, in a form satisfactory to the City, with conditions providing for indexed escalation of financial contributions, indemnity, insurance, termination and unwinding, and registration and priority of agreement, which on the other terms and conditions set out therein provides for the following in addition to the benefits secured by By-laws 1182-2016(OMB) and 405-2024 on the lands
- a. The owner shall provide a cash contribution prior to the issuance of the first above-grade building permit for Building A as shown on Schedule C1(142) of By-law [Clerks to insert By-law number]. The amount to be provided is \$350,000.00 (Three Hundred Fifty Thousand Dollars) towards capital improvements to branch(es) of the Toronto Public Library within the vicinity of the lands.
 - b. In the event the cash contribution referred to in (3a) has not been used for the intended purpose within three (3) years of the enactment of By-law [Clerks to insert By-law number], the cash contribution may be redirected for another purpose, at the discretion of the Executive Director, Development Review Division, in consultation with the local Councillor, provided that the purposes are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands

Enacted and passed on December XX, 2025.

Frances Nunziata
Speaker
Seal of the City

John D. Elvidge
City Clerk



15, 55 Smooth Rose Court & 2135 Sheppard Ave E
Schedule C1(142)

File # 24 245745 NNY 17 02



City of Toronto By-law 569-2013
Not to Scale
11/18/2025