

Authority: Scarborough Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

Drafted September 12, 2019

CITY OF TORONTO

BY-LAW No. XXXX-2019

To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2019 as 2993 – 3005 Sheppard Avenue East and 1800 – 1814 Pharmacy Avenue.

Whereas Council of the City of Toronto has the authority 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 the authority to pursuant to Section 39 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, to authorize the temporary use of a building for a temporary sales office;

Where 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

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

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 amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines to RAC (d4.45, u433)(xXX), as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by amending the Height Overlay Map in Section 995.20.1 for the lands subject to this By-law from a height label of HT 10.0 to a height and storey label of HT 65, ST 21, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended for the lands outlined in heavy black lines on Diagram 4 attached to this By-law by removing the lot coverage label of 33 from the Lot Coverage Overlay Map in Section 995.30.1.

6. Zoning By-law No. 569-2013, as amended, is further amended by amending Article 900.11.10 Exception Number XX so that it reads:

(XX) Exception RAC XX

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 2993 – 3005 Sheppard Avenue East and 1800 – 1814 Pharmacy Avenue as shown on Diagram 1 of this By-law, if the requirements of by-law [Clerks to supply by-law ##] are complied with, none of the provisions of By-law 569-2013 shall apply to prevent the erection or use of an **apartment building** with retail in compliance with (B) through (U) below;
- (B) Despite Regulation 15.5.40.10(1), the height of the **building** is the distance between a Canadian Geodetic Datum elevation of 178.5 metres and the elevation of the highest point of the **building**;
- (C) Despite Clause 15.20.40.10, any **building** or **structure** erected on the lands must not exceed the height in metres and storeys specified by the numbers following the symbols HT and ST, as shown on Diagram 5 of this By-law;
- (D) Despite Regulation 15.5.40.10(2), railings and parapets for any purpose on the roof of the **building** may exceed the maximum permitted height shown on Diagram 5 attached to this By-law by 1.5 metres;
- (E) Despite Regulations 15.5.40.10(3) and (4), equipment and **structures** used for the functional operation of the **building** may exceed the maximum permitted height shown on Diagram 5 attached to this By-law in accordance with the following:
 - i. vents and chimneys located in the area labeled MPH shown on that Diagram 5 may exceed the maximum permitted height by 6.7 metres;
 - ii. a mechanical penthouse and all other equipment and **structures** used for the functional operation of the **building** housed within the mechanical penthouse, may exceed the maximum permitted height by 5.5 metres if located in the area labeled MPH shown on that Diagram 5; and
 - iii. equipment and **structures** used for the functional operation of the **building** and not located in the area labeled MPH shown on that Diagram 5 may exceed the maximum permitted height by 3.0 metres;

(F) Despite Regulation 15.5.40.10(5), unenclosed **structures** providing privacy, safety or wind protection for any purpose on the roof of the **building** may exceed the maximum permitted height shown on Diagram 5 attached to this By-law by 3.0 metres, and may be located anywhere on the roof of the **building** except in the area labeled MPH shown on that Diagram 5;

(G) Despite Clause 15.20.40.70 and Regulation 15.20.50.80(4), required minimum **building setbacks** are as shown on Diagram 5 of this By-law;

(H) In addition to encroachments permitted in Clause 15.5.40.60, the following are permitted to extend beyond the areas delineated by heavy lines on Diagram 5 attached to this By-law:

- i. awnings, canopies and window washing equipment may encroach a maximum of 2.0 metres beyond the heavy lines shown on that Diagram 5;
- ii. architectural features on a **building** may encroach a maximum of 1.5 metres beyond the heavy lines shown on that Diagram 5; and
- iii. balconies may encroach beyond the heavy lines shown on that Diagram 5 a maximum of 1.5 metres:

(I) Each **storey** from the first through seventh **storeys** above grade, including balconies, terraces and canopies on the south and east building face, not including the portion of the building fronting Sheppard Avenue East, shall not exceed a 45-degree angular plane measured from the **established grade** along the **rear lot line** and **side lot line**:

- i. notwithstanding (I) above, railings and parapets can penetrate into the 45-degree angular plane;

(J) A minimum of 28 **dwelling units** must be 3-bedroom **dwelling units** or larger;

(K) In addition to Clause 15.20.40.40, the total **gross floor area** of all **buildings** and **structures** must not exceed 29,900 square metres, comprised as follows:

- i. residential uses must not exceed 28,500 square metres; and
- ii. non-residential uses must not exceed 1,400 square metres;

(L) The permitted maximum floor plate size of each **storey** above the height of 22.0 metres or 7 **storeys**, whichever is the lesser, is 750 square metres;

(M) Despite Regulation 15.5.50.10(A), 33 % of the area of the lot must have landscaping;

- (N) Despite Regulation 15.5.50.10(B), a minimum 1.5 metre wide strip of land for **soft landscaping** along any part of a **lot line** abutting a **lot** in the Residential Zone category must be provided with the exception of areas containing short-term bicycle parking and walkways;
- (O) Despite the parking requirements in Table 200.5.10.1, parking shall be provided and maintained in accordance with the following rates:
- i. a minimum of 256 **parking space** shall be provided for residential use; and
 - ii. a minimum of 64 **parking space** shall be provided for residential visitor use;
- (P) A maximum of 4 at-grade **parking spaces** are permitted and must not be located in the Sheppard Avenue East and Pharmacy Avenue **street yards**;
- (Q) Despite Regulation 15.5.80.30(1), a surface **parking space** will be 0 metres from any **main wall** of an **apartment building**;
- (R) Despite Regulation 230.20.1.20(2), a "short-term" **bicycle parking space** must be located in a bicycle parking area at grade within 125 metres from a pedestrian entrance to the **building** on the **lot**;
- (S) Despite the loading requirements in Regulations 220.5.10.1(2), 220.5.10.1(3), 220.5.10.1(5), a minimum of one Type "G" **loading space** must be provided.
- (T) Despite regulation 10.20.20.20(1) a temporary sales office is permitted in a building on these lands for the purpose of marketing and sale of the dwelling units, and no other provisions of the By-law apply to prevent the temporary sales office;
- (U) Notwithstanding any severance, partition or division of the **lot**, the provisions of this By-law shall apply to the whole of the **lot** as if no severance, partition or division had occurred.

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

ENACTED AND PASSED this ____ day of _____, 2019.

JOHN TORY,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)









