

Authority: Scarborough Community Council Item ##, as adopted by City of Toronto Council on ~, 2019

Drafted September 12, 2019

CITY OF TORONTO

BY-LAW NO. XXX-2019

To amend the former City of Scarborough Sullivan Community Zoning By-law 10717, as amended, with respect to the lands municipally known 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. SCHEDULE "A" of the Sullivan Community Zoning By-law 10717, as amended, is further amended by deleting the current zoning for the lands known as 2993 – 3005 Sheppard Avenue East and 1800 – 1814 Pharmacy Avenue and replacing it with the following Schedule '1' so that the amended zoning shall read as follows:

CR – x1 – x2 – x3 – x4 – x5 – x6 – x7 – x8 – x9

2. SCHEDULE "B" PERFORMANCE STANDARDS CHART, is amended by adding the following performance standards:

INTENSITY OF USE

x1. Gross floor area, building height and number of dwelling units shall be provided as follows:

- (a) **Gross Floor Area** means the sum of the total area of each floor level of a building, above and below the ground, measured from the exterior of the main wall of each floor level, and is reduced by the area in the **building** used for
 - (i) parking, loading and bicycle parking below-ground;
 - (ii) required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
 - (iii) storage rooms, 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) indoor amenity space required by this By-law;
 - (vi) elevator shafts;
 - (vii) garbage shafts;
 - (viii) mechanical penthouse; and
 - (ix) exit stairwells in the building.
- (b) Maximum **gross floor area** covered by this By-law, as shown on Schedule '1' attached hereto shall be in accordance with the following:
- (i) residential uses shall not exceed 28,500 square metres; and
 - (ii) non-residential uses shall not exceed 1,400 square metres;
- (c) Maximum gross floor area shall be based on the entire parcel covered by this By-law, as shown on Schedule '1' attached hereto;
- (d) Maximum 21 **storeys** or 65 metres in **height**, whichever is lesser, excluding **basements**, rooftop equipment and associated structures, appurtenances for green roofs as well as indoor and outdoor **amenity space** and a mechanical penthouse;
- (e) **Height** shall be measured from **Established Grade**;
- (f) **Established Grade** shall be 178.5 metres CGD (Canadian Geodatic Datum); and

BUILDING SETBACKS

x2. Building **setbacks** shall be provided as follows:

- (a) Minimum building **setback** of 4.7 metres from the north property line to the first through seventh **storeys** above grade. Balconies shall not project more than 1.6 metres into this **setback** and shall not be considered part of the **main wall**;
- (b) Minimum building **setback** of 3.4 metres from the north property line to the eighth through twenty-first **storeys** above grade. Balconies shall not project more than 1.5 metres into this **setback** and shall not be considered part of the **main wall**;
- (c) Minimum building **setback** of at the intersection of Sheppard Avenue East and Pharmacy Avenue is 0 metres from the first through seventh **storeys** above grade.
- (d) Minimum building **setback** of 3.0 metres from the east property line to the first through seventh **storeys** above grade. Balconies shall not project

more than 1.5 metres into this **setback** and shall not be considered part of the **main wall**;

- (e) Minimum building **setback** of 2.5 metres from the east property line to the eighth through twenty-first **storeys** above grade. Balconies shall not project more than 1.5 metres into this **setback** and shall not be considered part of the **main wall**;
- (f) 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 (g) above, railings and parapets can penetrate into the 45-degree angular plane;
- (h) Minimum building **setback** of 14.3 metres from the south property line to the first through seventh **storeys** above grade. Balconies shall not project more than 1.6 metres into this **setback** and shall not be considered part of the **main wall**;
- (i) Minimum building **setback** of 4.0 metres from the west property line to the first through seventh **storeys** above grade. Balconies shall not project more than 1.6 metres into this **setback** and shall not be considered part of the **main wall**;
- (j) A rooftop mechanical penthouse shall be provided as follows:
 - (i) a maximum area of 200 square metres;
 - (ii) a maximum height of 5.5 metres above the roof of the twenty-first **storey**, except that vents and chimneys may have a vertical projection of up to 6.7 metres above the roof of the twenty-first **storey**;
 - (iii) a setback from the **main wall** of the twenty-first **storey** closest to the Sheppard Avenue street line shall be a minimum of 8.1 metres;
 - (iv) a setback from the **main wall** of the twenty-first **storey** closest to the Pharmacy Avenue street line shall be a minimum of 5.5 metres;
 - (v) a setback from the **main wall** of the twenty-first **storey** closest to the south property line shall be a minimum of 61.4 metres; and
 - (vi) a setback from the **main wall** of the twenty-first **storey** closest to the west property line shall be a minimum of 25.7 metres;

- (k) Equipment and structures used for the functional operation of the building and not located in the area identified in (j) above may exceed the maximum permitted height by 3.0 metres;
- (l) Canopies shall not project more than 2.0 metres into the **setback** areas and shall not be considered part of the **main wall**; and
- (m) Minimum building **setbacks** shall not apply to underground structures.

MISCELLANEOUS

- x3. **Amenity Space** shall be provided at a minimum rate of 4.0 square metres per **dwelling unit** on the following basis:
 - (a) a minimum of 2.0 square metres per **dwelling unit** shall be for indoor **amenity space**.
 - (b) a minimum of 2.0 square metres per **dwelling unit** shall be for outdoor **amenity space**.
- x4. The maximum floor plate of each storey above the seventh **storey** shall be 750 square metres, which shall include the total built area measured from the exterior of the **main walls** at each floor.
- x5. Minimum floor to floor **height** of the **first floor** shall be 4.5 metres.

PARKING

- x6. Parking shall be provided and maintained in accordance with the following rates:
 - (a) a minimum of 19 **parking space** shall be provided for retail use;
 - (b) a minimum of 256 **parking space** shall be provided for residential use; and
 - (c) a minimum of 64 **parking space** shall be provided for residential visitor use;
 - (d) The provisions of Clause VII, Subsection 1.1, Table of Required Parking Rates shall not apply; and
 - (e) The provisions of Clause VII, Subsection 2.1.4, Garages, Carports and Other Accessory Buildings shall not apply.

LOADING

- x7. One (1) Type 'G' **loading space** shall be provided, subject to the following

- (a) **Loading Space** means an area used for the loading or unloading of goods or commodities from a vehicle
- (b) a Type “G” **loading space** must have a:
 - (i) minimum length of 13.0 metres;
 - (ii) minimum width of 4.0 metres; and
 - (iii) minimum vertical clearance of 6.1 metres.

BICYCLE PARKING

x8. **Bicycle parking spaces** shall be provided at a rate of:

- (a) 0.68 long-term **bicycle parking spaces** for each **dwelling unit**;
- (b) 0.07 short-term **bicycle parking spaces** for each **dwelling unit**;
- (c) 0.13 long-term **bicycle parking spaces** for each 100 square metres of non-residential gross floor area;
- (d) 3 short-term **bicycle parking spaces**, plus 0.25 short-term **bicycle parking spaces** for each 100 square metres of non-residential gross floor area and where;
- (e) Meaning of long-term **bicycle parking spaces** and short-term **bicycle parking spaces**:
 - (i) the terms "long-term" **bicycle parking space** and "short-term" **bicycle parking space** have the following meaning:
 - (A) "long-term" **bicycle parking spaces** are **bicycle parking spaces** for use by the occupants or tenants of a **building**; and
 - (B) "short-term" **bicycle parking spaces** are **bicycle parking spaces** for use by visitors to a **building**;
 - (ii) Bicycle Parking Space Dimensions

A **bicycle parking space** must comply with the following:

- (A) The minimum dimension of a **bicycle parking space** is:
 - (i) minimum length of 1.8 metres;
 - (ii) minimum width of 0.6 metres; and

(iii) minimum vertical clearance from the ground of 1.9 metres;

(B) The minimum dimension of a **bicycle parking space** if placed in a vertical position on a wall, **structure** or mechanical device is:

(i) minimum length or vertical clearance of 1.9 metres;

(ii) minimum width of 0.6 metres; and

(iii) minimum horizontal clearance from the wall of 1.2 metres;

(iii) Vertical Clearance of a Bicycle Parking Area

An area used to provide **bicycle parking spaces** must have a minimum vertical clearance of:

(A) 2.4 metres if it is a **stacked bicycle parking space**; and

(B) 1.9 metres in all other cases;

(iv) Long-Term Bicycle Parking Space Locational Requirement

"Long-term" **bicycle parking spaces** must be located in a **building**;

(v) Bicycle Parking Space Located with Use

A **bicycle parking space** must be on the same **lot** as the use for which it is required;

(vi) Long Term Bicycle Parking Space Location

(A) Required "long-term" **bicycle parking space** for uses other than **dwelling units** may be located:

(i) on the first **storey** of the **building**; and

(iii) on levels of the **building** below-ground commencing with the first level below-ground and moving down, in one level increments when at least 50 percent of the area of that level is occupied by **bicycle parking spaces**, until all required **bicycle parking spaces** have been provided;

(viii) Bicycle Parking Space - Storage Location

A "long-term" **bicycle parking space** for a **dwelling unit** in an **apartment building** may not be:

- (A) in a **dwelling unit**;
- (B) on a balcony; or
- (C) in a storage locker;

(ix) Location Relative to Building Entrance

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**.

(x) Gross Floor Area Exclusions for Bicycle Parking Space Calculations

To calculate **bicycle parking space** requirements for other than **dwelling units**, the **gross floor area** of a **building** is reduced by the area in the **building** used for:

- (A) parking, loading and bicycle parking below-ground;
- (B) required **loading spaces** at the ground level and required **bicycle parking spaces** at or above-ground;
- (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
- (D) shower and change facilities required by this By-law for required **bicycle parking spaces**;
- (E) elevator shafts;
- (F) mechanical penthouse; or
- (G) exit stairwells in the **building**.

3. SCHEDULE "C" of the Sullivan Community Zoning By-law 10717, **EXCEPTIONS LIST**, is amended as follows:

- x9. On those lands identified as Exception No. 19 on the accompanying Schedule "C", the following provisions shall apply:

(a) Only the following uses shall be permitted:

- **Apartment Building**
- **Personal Service Shops**
- Restaurants
- Retail Stores
- Business and Professional Offices
- Banks
- Financial Institutions
- Educational and Training Facilities
- Massage Therapy
- Medical Offices
- Performing Arts Studio
- Ambulance Depot
- Fire Hall
- Police Station
- Art Gallery
- Artist Studio
- Community Centre
- **Custom Workshop**
- Day Nursery
- Home Occupation
- Library
- Production Studio
- Private Home Daycare
- Public Utility
- Recreation Use
- Renewable Energy
- **Service Shop**
- Transportation Use

(b) For the purposes of (a), custom workshop shall mean premises used for producing or making custom-made goods in limited quantities, using techniques that do not involve mass production;

(c) For the purposes of (a), **service shop** shall mean premises used for servicing, repairing or refurbishing goods, other than **vehicles**. A **personal service shop** is not a service shop;

(d) **Personal Service Shops**, Restaurants, Retail Stores, Business and Professional Offices, Banks, Financial Institutions, Educational and Training Facilities, Massage Therapy, Medical Offices, Performing Arts Studios Ambulance Depots, Fire Halls, Police Stations, Art Galleries, Artist Studios, Community Centres, Custom Workshops, Day Nurseries, Libraries, Production Studios, Public Utilities, Recreation Uses, Renewable Energy, Service Shops and Transportation Uses shall only be permitted in the first storey of an **apartment building**; and

- (e) A maximum of 1,400 square metres of **gross floor area** shall be used for **Personal Service Shops**, Restaurants, Retail Stores, Business and Professional Offices, Banks, Financial Institutions, Educational and Training Facilities, Massage Therapy, Medical Offices, Performing Arts Studios, Ambulance Depots, Fire Halls, Police Stations, Art Galleries, Artist Studios, Community Centres, Custom Workshops, Day Nurseries, Libraries, Production Studios, Public Utilities, Recreation Uses, Renewable Energy, Service Shops and Transportation Uses.

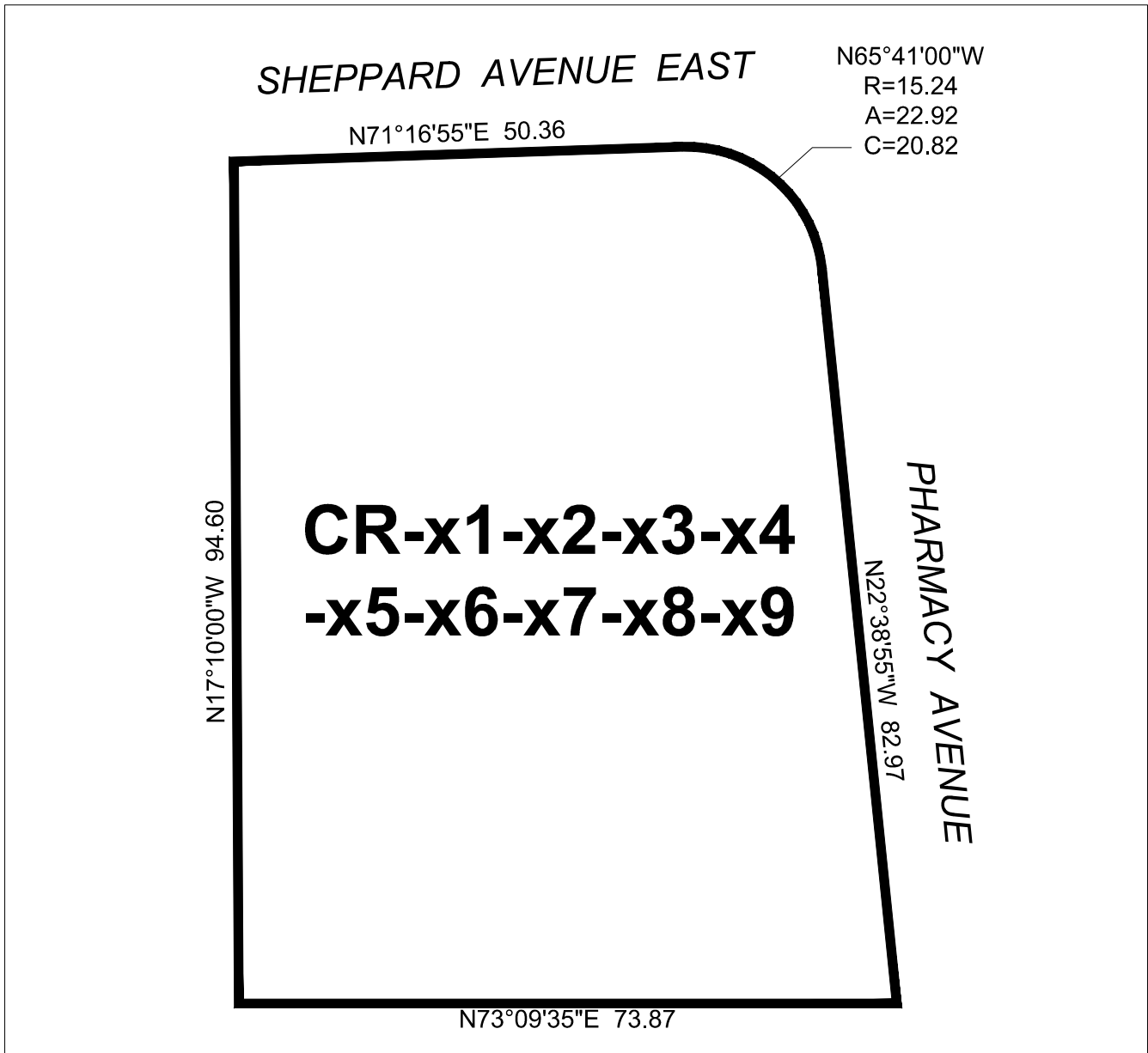
Enacted and passed on ●, 2019

John Tory,
Mayor

Ulli S. Watkiss,
City Clerk

(Seal of the City)

SCHEDULE '1'



2993-3011 Sheppard Avenue East & 1800-1814 Pharmacy Avenue

Zoning By-Law Amendment

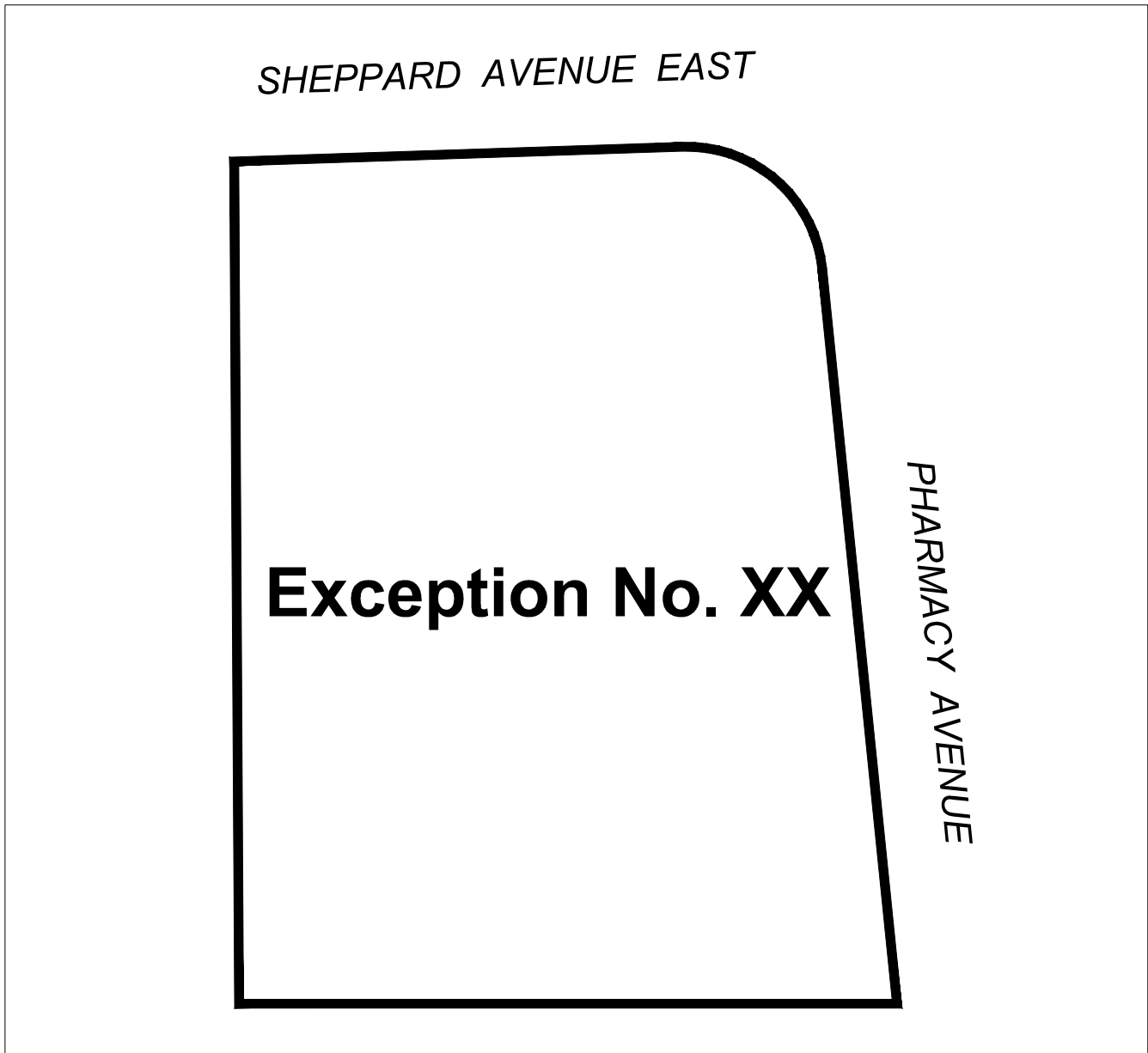
File # _____

 Area Affected By This By-law



Not to Scale

SCHEDULE '2'



2993-3011 Sheppard Avenue East & 1800-1814 Pharmacy Avenue

Zoning By-Law Amendment

File # _____

 Area Affected By This By-law



Not to Scale