

CITY OF TORONTO

BY-LAW No. 338-2001(OMB)

To amend Scarborough Zoning By-law, the Employment Districts Zoning By-law No. 24982 with respect to the Marshalling Yard Employment District.

WHEREAS the Ontario Municipal Board pursuant to its Order No. 0190 dated February 7, 2001, upon hearing the appeal of Bozian Holdings Inc. under Section 34(11) of the *Planning Act*, R.S.O. 1990 c.P. 13, as amended, deems it advisable to amend By-law No. 24982 of the former City of Scarborough.

THEREFORE By-law No. 24982, as amended, of the former City of Scarborough, is further amended as follows:

1. **Schedule “A” of the Marshalling Yard Employment District** is amended by adding the Zone Provision “MC” and Performance Standards 347 as shown on Schedule “A” so that the amended zoning reads as follows:

“ME, MC-13-243-244-347-913-991-1054 (134) (202) (441)”

2. **Schedule “B”, PERFORMANCE STANDARDS CHART** is amended by adding the following performance standard:

INTENSITY OF USE - GROSS FLOOR AREA

“347. A building or structure or part of a building or structure shall not be erected or used for the purpose of a **vehicle repair garage, vehicle service garage, or mechanical or automatic car wash**, other than a **vehicle repair garage, vehicle service garage** or a **mechanical or automatic car wash** within the same building as a **vehicle sales operation**, unless:

- (i) the combined **gross floor area** of all **vehicle repair garages, vehicle service garages, and mechanical or automatic car washes** is less than or equal to 0.25 times the combined **gross floor area** of all buildings on the site at any given time;
- (ii) the **gross floor area** of the **vehicle repair garage, vehicle service garage** or **mechanical or automatic car wash** does not exceed 1000 square metres; and
- (iii) the **vehicle repair garage, vehicle service garage** or **mechanical or automatic car wash** is located at least 120 metres from the Sheppard Avenue **lot line**”.

3. **Schedule “B”, PERFORMANCE STANDARDS CHART** is amended by deleting the contents of Performance Standard 243 and replacing it as follows:

INTENSITY OF USE - GROSS FLOOR AREA

243. “A building or structure or part of a building or structure shall not be erected or used for the purpose of a **financial institution, personal service shop, restaurant** or retail store unless:
- (i) the combined **gross floor area** of all **financial institutions, personal service shops, restaurants** and retail stores is less than or equal to 0.25 times the combined **gross floor area** of all buildings on the site at any given time;
 - (ii) the **financial institution, personal service shop, restaurant** or retail store is located wholly within the 120 metre setback from the Sheppard Avenue **lot line**; and
 - (iii) where a **financial institution, personal service shop, restaurant** or retail store is located within a multi-use building, each **financial institution, personal service shop, restaurant** or retail store shall be located wholly within the ground floor”.

4. **Schedule “C”, EXCEPTIONS LIST** is amended by adding the following provisions:

ONLY THE FOLLOWING USES ARE PERMITTED

“134. Only the following uses are permitted in the **Industrial Commercial (MC)** zone:

- **vehicle sales operation**
- **vehicle repair garage**
- **vehicle service garage, and**
- **mechanical or automatic car wash”**

ADDITIONAL PERMITTED USES

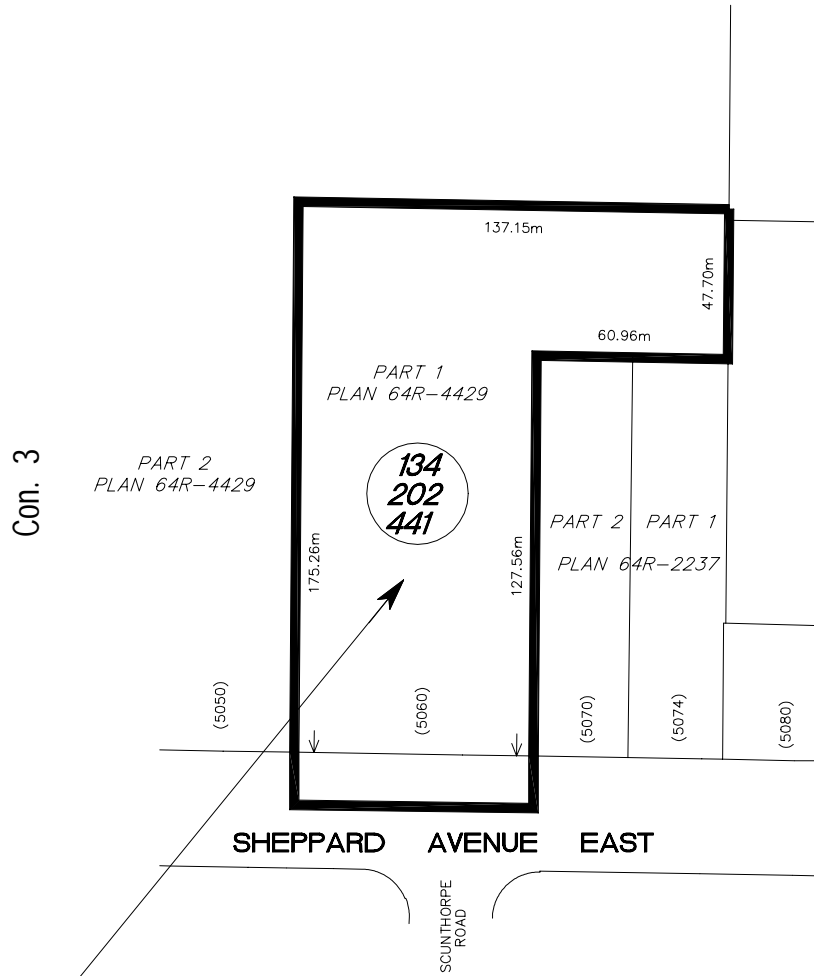
“441. Additional Permitted Uses:

- **mechanical or automatic car wash”**

PURSUANT TO THE DECISION OF THE ONTARIO MUNICIPAL BOARD ISSUED FEBRUARY 7, 2001 IN BOARD FILE NO. PL000879.

Schedule 'A'

Lot 19




Con. 3

ME,MC-13-243-244-347-913-991-1054

TORONTO Urban Development Services
Zoning By-Law Amendment

5060 Sheppard Avenue East
 File # SC-Z20000009

 Area Affected By This By-Law


 Not to Scale
 Marshalling Yard Employment District By-law
 Extracted 20/12/00 - KP
 Job No. Z2000009-2/2-2