

Authority: Scarborough Community Council Report No. 3, Clause No. 16,
as adopted by City of Toronto Council on April 14, 15 and 16, 2003
Enacted by Council: May 20, 2004

CITY OF TORONTO

BY-LAW No. 449-2004

To amend Employment Districts Zoning By-law No. 24982, (Golden Mile Employment District - West) as amended, of the former City of Scarborough, with respect to the lands known municipally as 60 Fairfax Crescent; and to amend the Clairlea Community Zoning By-law No. 8978, as amended, of the former City of Scarborough, with respect to lands known municipally as 60 Fairfax Crescent.

WHEREAS the Council of the City of Toronto has been requested to amend its zoning by-law pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, respecting the lands municipally known in 2003 as 60 Fairfax Crescent; and

WHEREAS the Council of the City of Toronto conducted a public meeting under Section 34 of the *Planning Act* regarding the proposed zoning by-law amendment; and

WHEREAS the Council of the City of Toronto has determined to amend zoning By-law No. 24982, as amended, and zoning By-law No. 8978, as amended, for the former City of Scarborough; and

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may in a by-law passed under Section 34 of the *Planning Act*, authorize increases in the height or density of development beyond those otherwise permitted by the By-law 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 or matters in return for an increase in height and density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or matters; and

WHEREAS the owner of the land hereinafter referred to has elected to provide the facilities, services and matters as hereinafter set out; and

WHEREAS the increases in the density or height permitted hereunder, beyond those otherwise permitted on the aforesaid lands by By-law No. 8978, as amended, are to be permitted in return for the provision of the facilities, services and matters set out in this By-law and are to be secured by one or more agreements between the owner of such lands and the City of Toronto; and

WHEREAS Council has required the owner of the aforesaid lands to enter into one or more agreements dealing with certain facilities, services and matters in return for the increases in height and density in connection with the aforesaid lands as permitted in this By-law;

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

1. Schedule “A” of the Employment Districts Zoning By-law No. 24982, as amended, is further amended by deleting the lands shown on Schedule ‘1’, attached and forming part of this By-law, such that the provisions of By-law No. 24982 will no longer apply to those lands.
2. The Clairlea Community Zoning By-law No. 8978, as amended, is further amended as follows:
 - (a) Schedule “A” is amended by adding the lands shown on Schedule ‘1’, attached to and forming part of this By-law, together with the following letters and numerals:

A-23-56-103-104-105-131-157
 - (b) Schedule “B”, entitled ‘**PERFORMANCE STANDARD CHART**’, is amended by adding the following Performance Standards:

SIDE YARD

56. Minimum 6 m west side yard setback and 10 m east side yard setback.

MISCELLANEOUS

105. Maximum 131 dwelling units.
157. Maximum 7 storeys (excluding mechanical and stairwell penthouses) and 21 m building height.
- (c) Schedule “C”, the Clairlea Community Exceptions Map, is amended by adding the following Exception Number 14 applicable to the lands as shown on Schedule ‘2’, attached to and forming part of this By-law;
- (d) The “**EXCEPTION CHART – SCHEDULE C**” is amended by adding the following Exception:
 14. On those lands identified as Exception Number 14 on the accompanying Schedule “C” map, the following provisions shall apply, provided that all other provisions of this By-law, as amended, not inconsistent with this Exception, shall continue to apply:
 1. The density and height of development permitted by this By-law is subject to the Owner of the lands entering into one or more Agreements satisfactory to the City of Toronto, pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to secure the following facilities, services and matters:

- (a) the owner of the lands shall, prior to issuance of the first building permit, make a cash contribution to the City, in the amount of \$56,000 for parks improvements to Clairlea Park which contribution shall be in addition to any other contribution made or required to be made pursuant to Section 42 of the *Planning Act*.

- 3. Each word or expression used in this By-law shall have the same meaning as such word or expression as defined in By-law No. 8978, as amended.

ENACTED AND PASSED this 20th day of May, A.D. 2004.

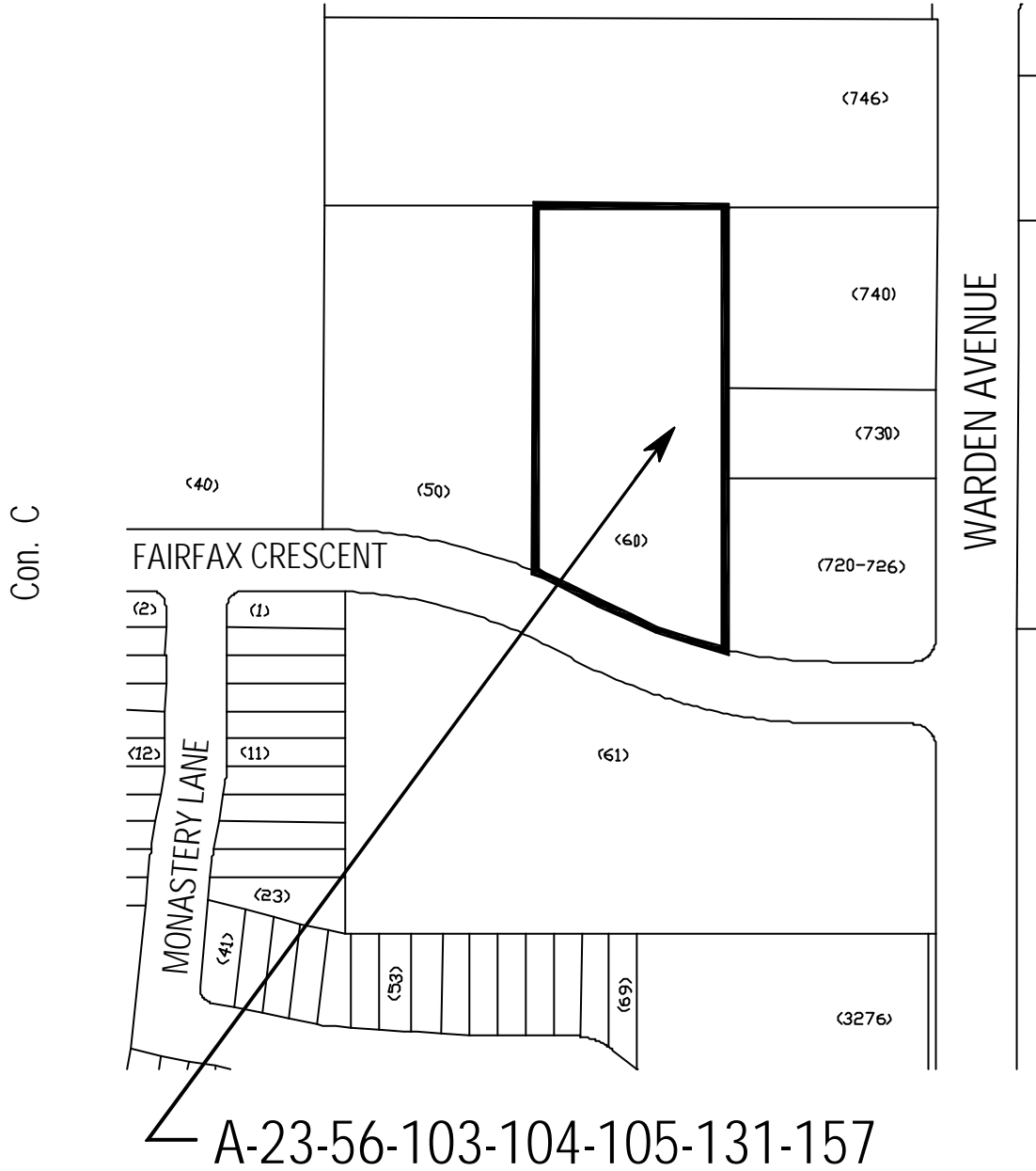
DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

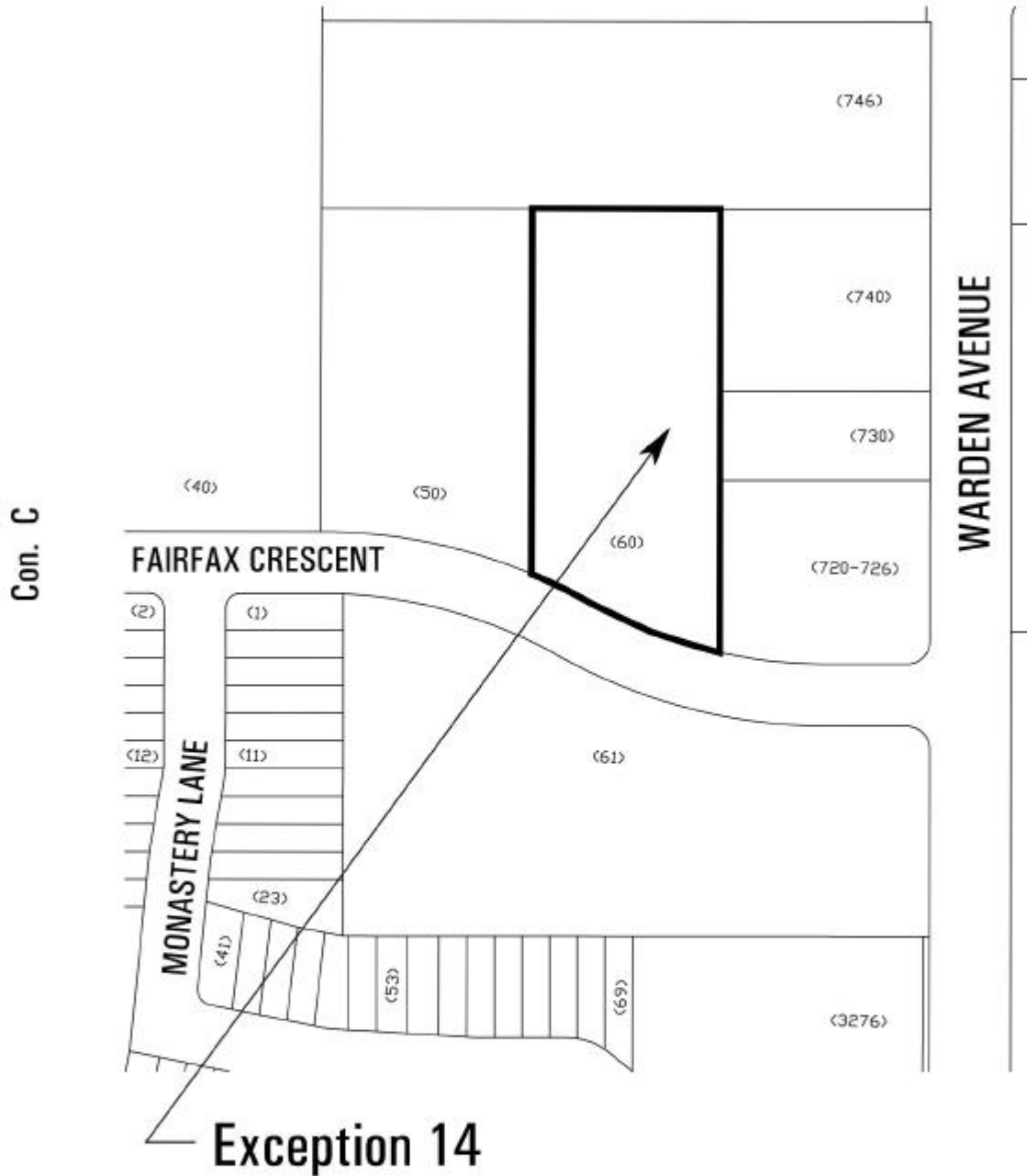
Schedule '1'

Lot 33



Schedule '2'

Lot 33



 Area Affected By This By-Law