

Authority: Scarborough Community Council Item 12.25,
as adopted by City of Toronto Council on January 29 and 30, 2008
Enacted by Council: January 30, 2008

CITY OF TORONTO

BY-LAW No. 104-2008

**To amend former City of Scarborough Oakridge Community Zoning By-law No. 9812,
as amended, with respect to the Danforth Avenue Study lands.**

WHEREAS authority is given to Council by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, and under Section 113 (1) of the *City of Toronto Act*, S.O. 2006, 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*;

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

1. **CLAUSE IV – ZONES** is amended by adding the Commercial-Residential (CR) Zone.
2. **CLAUSE V – INTERPRETATION (f) Definitions** is amended by adding the following:

Bicycle parking space

means an area designed and equipped for the purpose of parking and securing a bicycle.

Personal Service Shop

means premises in which services with respect to grooming of persons or the care of their apparel is provided.

45 degree Angular Plane

means a plane extending at right angles to a line extending at a 45 degree angle from the horizontal mid point of the **rear lot line** or **side lot line** or the nearest “S” or “T” lot line, and extending over the lot to the mid point of the **front lot line**. The resulting plane shall extend throughout the width and breadth of the lot.

3. **CLAUSE VI – PROVISIONS FOR ALL ZONES** is amended by adding the reference of the Commercial-Residential “CR” zone to sub-clauses between the “CC” and “HC” zone: sub-clause 5, **Landscaping Requirements**, sub-clause 12, **Underground Structures in “NC”, “CC”, “HC” and “OU” Zones**, sub-clause 13, **Lands Not Covered by Buildings**, and sub-clause 16, **Non-Accessory Signs**, paragraph 16.1 and paragraph 16.4.

4. **CLAUSE VIII – ZONE PROVISIONS** is amended by adding the following:

17. **Commercial-Residential Zone (CR)**

(a) Permitted Uses

- **Day Nurseries**
- **Dwelling Units**
- Educational and Training Facility Uses
- Financial Institutions
- Fraternal Organizations
- Hotels
- Medical Centres
- Municipally owned and operated Parking Lots
- Nursing Homes
- Offices
- **Personal Service Shops**
- **Place of Entertainment**
- **Place of Worship**
- **Private Home Day Care**
- **Recreational Use**
- Restaurants
- Retail Stores
- Retirement Homes

(b) Prohibited Uses

- Automobile Sales, including Auto Sales Rooms
- Automobile Service, Repair and Maintenance Uses, including auto body repair and/or painting
- Automobile Service Stations
- Mechanical or Automatic Car Washes
- **Single-Family Dwellings**
- **Two-Family Dwellings**
- **Multiple-Family Dwellings**
- **Duplex**
- **Split Level Dwelling**

(c) Supplementary Regulation

- Properties abutting Danforth Avenue: **Dwelling Units** shall only be permitted on or above the second **storey**, or where no portion of the **dwelling unit** is located within 18 metres of the Danforth Avenue **street** line. For the purposes of this supplementary regulation, the **basement** shall not be considered a **storey**.

5. Schedule “A” is amended by deleting the Zoning for the lands outlined on Schedule ‘1’ and adding the following Zoning to the outlined lands:

CR (H) – 39 – 140 – 144 – 145 – 146 – 147 – 148 – 149 – 150 – 407 – 410

CR (H) – 39 – 141 – 144 – 145 – 146 – 147 – 148 – 149 – 150 – 407 – 409

CR – 39 – 142 – 145 – 146 – 148 – 149 – 150 – 407 – 408

CR (H) – 39 – 142 – 146 – 147 – 148 – 149 – 150 – 407 – 408

CR (H) – 39 – 39A – 141 – 144 – 145 – 146 – 147 – 148 – 149 – 150 – 407 – 409

CR (H) – 39 – 39A – 140 – 144 – 145 – 146 – 147 – 148 – 149 – 150 – 407 – 410

T – 7 – 29 – 41 – 66 – 88

T – 7 – 23 – 29 – 41 – 66 – 88

P

6. Schedule “B”, PERFORMANCE STANDARDS CHART, is amended by adding the following Performance Standards:

Minimum Building Setbacks

39. Minimum 7.5 metre building setback abutting “S”, “T”, “M”, “SC”, “CC” “I” or “A” zones.

39A. Minimum 30 metre building setback from the CN rail line.

MISCELLANEOUS

140. Minimum 2 **storeys** and maximum 10 **storeys**, excluding **basements** and mechanical penthouses, is permitted and shall not exceed an overall **height** of 32 metres. An additional **storey** used exclusively for mechanical penthouse purposes, which includes mechanical equipment for the building and elevator machine rooms, not exceeding an overall **height** of 4.5 metres is also permitted.

141. Minimum 2 **storeys** and maximum 7 **storeys**, excluding **basements** and mechanical penthouses, is permitted and shall not exceed an overall **height** of 23 metres. An additional **storey** used exclusively for mechanical penthouse purposes, which includes mechanical equipment for the building and elevator machine rooms, not exceeding an overall **height** of 4.5 metres is also permitted.

142. Minimum 2 **storeys** and maximum 4 **storeys**, excluding **basements**, not exceeding an overall **height** of 14 metres.

143. Minimum 2 **storeys** and maximum 3 **storeys**, excluding **basements**, not exceeding an overall **height** of 11 metres.
144. Minimum first **storey** floor-to-ceiling **height** at the first floor at or above grade shall be 4.5 metres.
145. No **parking space** shall be located in any **street yard** abutting Danforth Avenue.
146. (i) If the property abuts a “S” or “T” zone, no portion of any building shall exceed a **45 degree angular plane**.
- (ii) If the property is separated from the “S” or “T” zone only by a public laneway, no portion of any building shall exceed a **45 degree angular plane** plus an additional vertical height equal to the width of the laneway at the midpoint of the **rear lot line** or **side lot line** nearest to the “S” or “T” zone.
147. The front wall of a building fronting or abutting Danforth Avenue shall be a minimum width of 70% of the lot at the **street** line for lots having a frontage or flankage of 30 metres or more abutting Danforth Avenue, and 60% for lots having a frontage or flankage of less than 30 metres abutting Danforth Avenue, and shall have a minimum **street yard** building **setback** of 0 metres from Danforth Avenue for all buildings, and a minimum **street yard** building **setback** of an additional 1.5 metres in relation to the **setback** of the first floor at or above grade from Danforth Avenue for the uppermost two **storeys** of the building where the building contains 5 or more **storeys**, excluding **basements**; maximum **street yard** building **setback** 3 metres from Danforth Avenue.

The main wall of a building fronting or abutting any **street** other than Danforth Avenue shall be setback from the **street** line a minimum of 1.5 m.

148. **Bicycle parking spaces** shall be provided at a rate of 0.5 bicycles per **dwelling**, of which 80% is for occupant use, and 20% is for visitor use. **Bicycle parking spaces** shall not be provided within a **dwelling** or on a balcony associated thereto, and shall be provided as follows:
- (a) where the bicycles are to be parked in a horizontal position, the space shall have horizontal dimensions of at least 0.6 metres by 1.8 metres per bicycle and a vertical dimension of at least 1.9 metres;
- (b) where the bicycles are to be parked in a vertical position, the space shall have horizontal dimensions of at least 0.6 metres by 1.2 metres per bicycle and a vertical dimension of at least 1.9 metres;
- (c) in the case of a bicycle rack, it shall be located in an enclosed room or area.

149. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Section 6, **Coverage**, shall not apply.
150. Within the lands shown on Schedule ‘1’ attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

INTENSITY OF USE

407. Minimum **Gross Floor Area** 1.0 times the area of the lot or parcel.
408. Maximum **Gross Floor Area** 2.5 times the area of the lot or parcel.
409. Maximum **Gross Floor Area** 3.5 times the area of the lot or parcel.
410. Maximum **Gross Floor Area** 4.5 times the area of the lot or parcel.
7. Schedule “C” is amended by adding Exception Number 60 to the lands outlined on Schedule ‘2’ (Map A) as follows:
60. On those lands identified on the accompanying map, the following provisions shall apply:
- (a) Public parking lots operated by the City of Toronto or a municipal authority shall be permitted.
 - (b) Parking ancillary to uses on the same lot which front onto Danforth Avenue shall be permitted.
 - (c) Commercial or Institutional uses legally established prior to the date of passage of this by-law shall continue to be permitted.
8. Schedule “C” is amended by adding Exception Number 61 to the lands outlined on Schedule ‘2’ (Maps A and B) as follows:
61. On those lands identified on the accompanying map, the following provisions shall apply:

- (a) Permitted uses prior to the removal of the Holding Provision (H) from the zoning shall be restricted to all uses permitted in a Commercial-Residential (CR) zone together with the following performance standards:

CR – 39 – 143 – 144 – 145 – 147 – 148 – 149 – 150 – 407 – 408

- (b) The Holding Provision (H) used in conjunction with the Commercial-Residential (CR) Zone shall be removed by amending By-law when:

Council is satisfied that a servicing study has been submitted and has been satisfactorily reviewed, and that any recommended improvements have been implemented, or financially secured through a Servicing Agreement.

- 9.** Schedule “C” is amended by adding Exception Number 62 to the lands outlined on Schedule ‘2’ (Map B) as follows:

62. On those lands identified on the accompanying map, the following provisions shall apply:

- (a) Permitted uses on the site prior to the removal of the Holding Provision (H) from the zoning shall be restricted to all uses permitted in a Commercial-Residential (CR) zone together with the following performance standards:

CR – 39 – 39A – 143 – 144 – 145 – 147 – 148 – 149 – 150 – 407 – 408

- (b) The Holding Provision (H) used in conjunction with the Commercial-Residential (CR) Zone shall be removed by amending By-law when:

Council is satisfied that a servicing study has been submitted and has been satisfactorily reviewed, and that any recommended improvements have been implemented, or financially secured through a Servicing Agreement.

- 10.** Schedule “C” is amended by adding Exception Number 63 to the lands outlined on Schedule ‘2’ (Map A) as follows:

63. On those lands identified on the accompanying map, the following provisions shall apply:

- (a) Permitted uses on the site prior to the removal of the Holding Provision (H) from the zoning shall be restricted to all uses permitted in a Two-Family Residential (T) zone together with the following performance standards:

T – 7 – 29 – 41 – 66 – 88

- (b) The Holding Provision (H) used in conjunction with the Commercial-Residential (CR) Zone shall be removed by amending By-law when:

Council is satisfied that a servicing study has been submitted and has been satisfactorily reviewed, and that any recommended improvements have been implemented, or financially secured through a Servicing Agreement.

- 11.** Schedule “C” is amended by adding Exception Number 64 to the lands outlined on Schedule ‘2’ (Map B) as follows:

64. On those lands identified on the accompanying map, the following provisions shall apply:

- (a) Permitted uses on the site prior to the removal of the Holding Provision (H) from the zoning shall be restricted to all uses permitted in a Single Family Residential (S) zone together with the following performance standards:

S – 1 – 23 – 44 – 61

- (b) The Holding Provision (H) used in conjunction with the Commercial-Residential (CR) Zone shall be removed by amending By-law when:

Council is satisfied that a servicing study has been submitted and has been satisfactorily reviewed, and that any recommended improvements have been implemented, or financially secured through a Servicing Agreement.

- 12.** Schedule “C” is amended by deleting Exception Numbers 18, 26, 35, 57 and 59.

- 13.** Schedule “C” is amended by deleting Exception 54 and replacing it with the following:

54. On the lands indicated as Exception 54 on the accompanying Schedule ‘2’ (Map A), the following provisions shall apply:

1. Deleted.
2. Notwithstanding the provisions of Clause VII, 1.4.1 (a) and (b) parking spaces adjacent to the south lot line may have a length less than 5.6 m but shall not be less than 4.3 m in length; and driveways may have a width less than 6.0 m but shall not be less than 5.3 m in width.
3. Repealed by By-law No. 22345.

14. Schedule “C” is amended by deleting Exception 39 and replacing it with the following:

39. On the lands indicated as Exception 39 on the accompanying Schedule ‘2’ (Map A), the following provisions shall apply:

1. Deleted.
2. Deleted.
3. Existing parking may be provided in tandem with each **parking space** having a minimum size of 2.4 m by 4.5 m.

15. Schedule “C” is amended by deleting Exception 46 and replacing it with the following:

46. On the lands indicated as Exception 46 on the accompanying Schedule ‘2’ (Map B), the following provisions shall apply:

(a) The following additional uses are permitted:

- **Ground Signs** which are **non-accessory**
- **Marketplace Signs**
- **Wall Signs** which are **non-accessory**

16. Schedule “C” is amended by adding Exception Number 65 to the lands outlined on Schedule ‘2’ (Map B) as follows:

65. On the lands identified as Exception No. 65 on the accompanying Schedule ‘2’ (Map B), Performance Standard no. 39 (building setbacks) shall not apply.

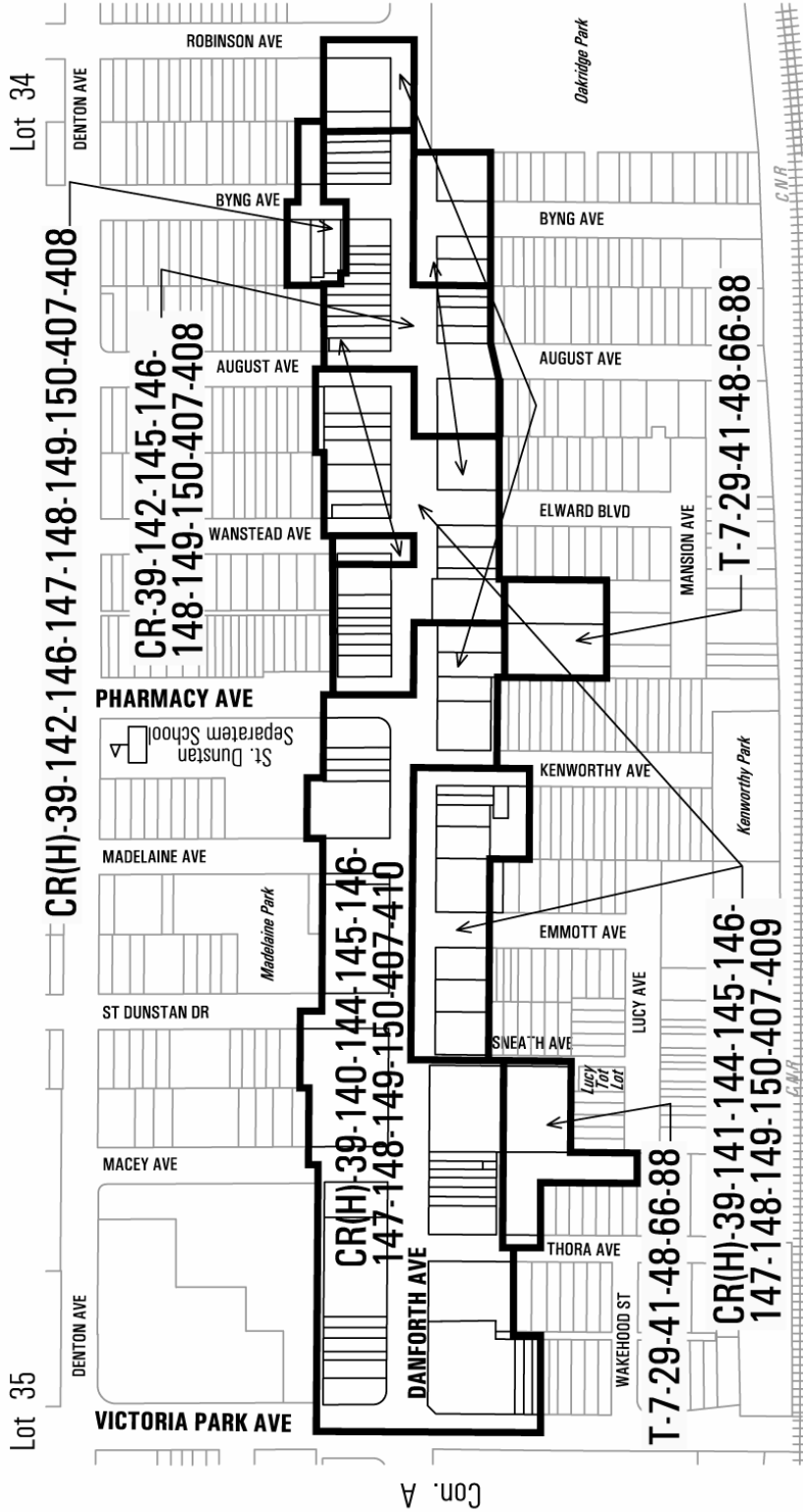
ENACTED AND PASSED this 30th day of January, A.D. 2008.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

Schedule '1', Map 'A'



Toronto City Planning Division
Zoning By-Law Amendment

Danforth Avenue Study
 File # 04-187581 OZ

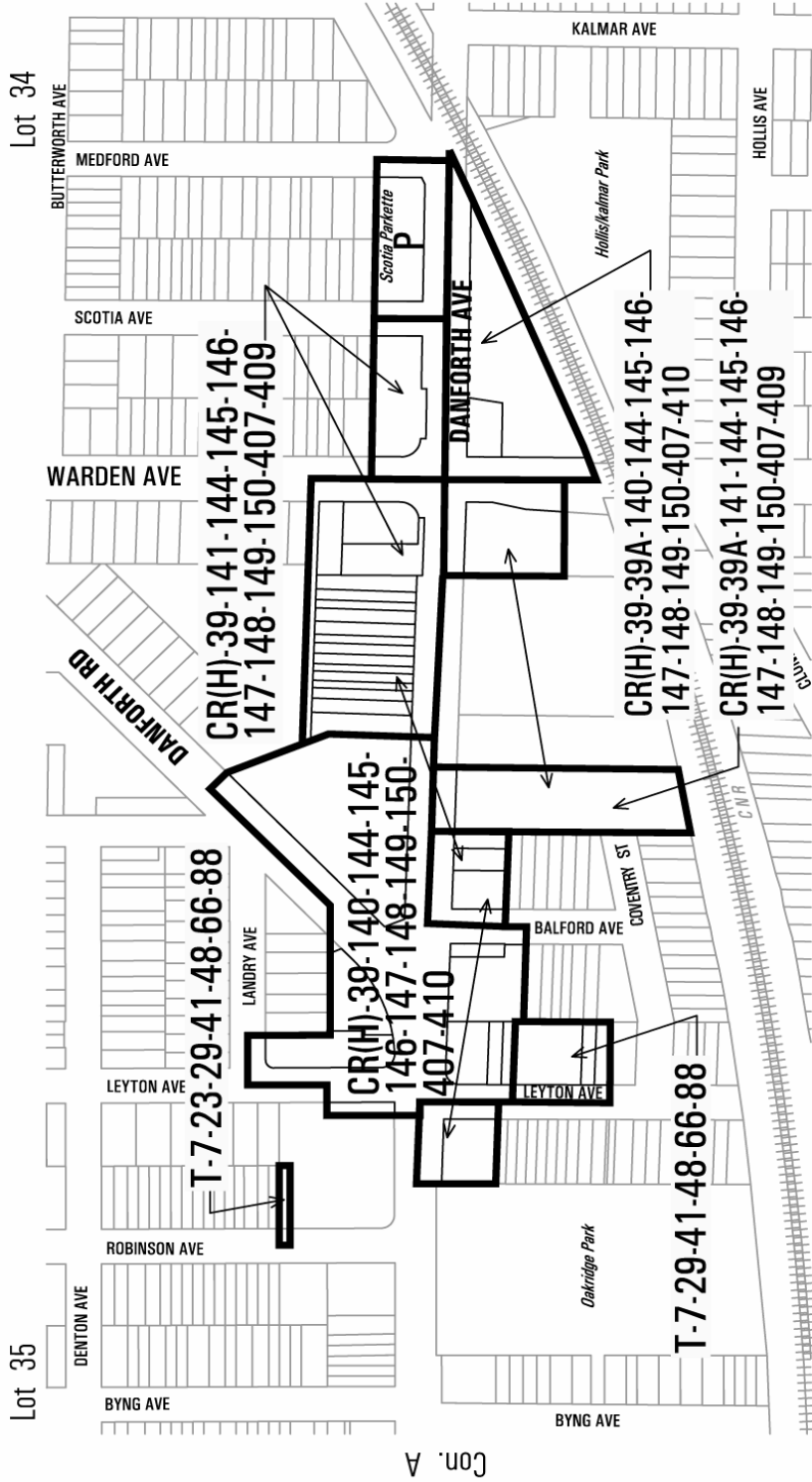


Area Affected By This By-Law

Oakridge Community By-law
 Not to Scale
 12/18/07



Schedule '1', Map 'B'



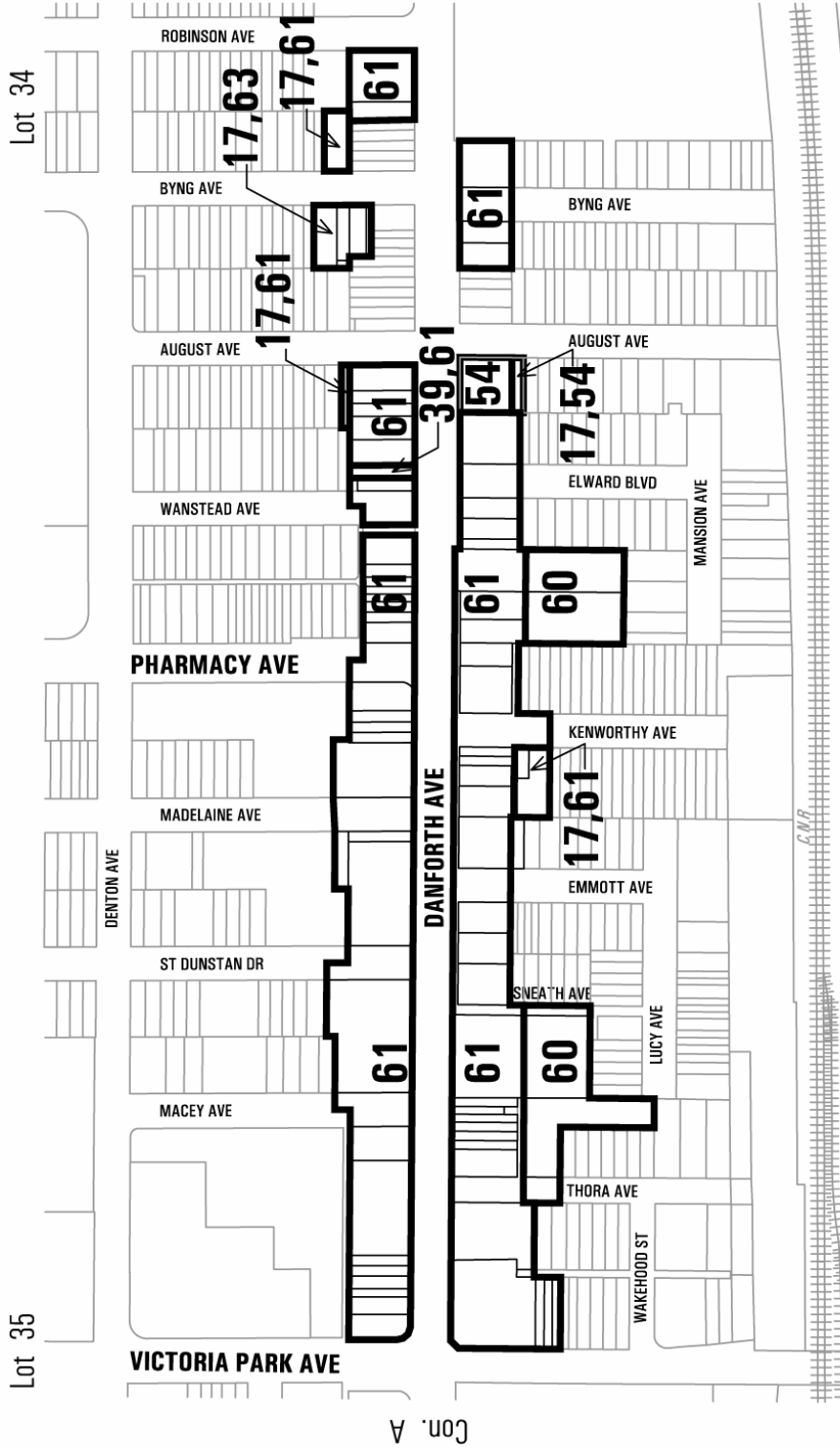
Toronto City Planning Division
Zoning By-Law Amendment

Danforth Avenue Study
 File # 04-187581 OZ

Area Affected By This By-Law

Oakridge Community By-law
 Not to Scale
 12/19/07

Schedule '2', Map 'A'



City Planning
Division

Zoning By-Law Amendment

Danforth Avenue Study

File # 04-187581 OZ



Area Affected By This By-Law

Oakridge Community By-law
Not to Scale
12/19/07



