

Authority: Scarborough Community Council Item 11.24,
as adopted by City of Toronto Council on December 11, 12 and 13, 2007
Enacted by Council: April 29, 2008

CITY OF TORONTO

BY-LAW No. 375-2008

To amend the former City of Scarborough Employment Districts Zoning By-law No. 24982, as amended, (Progress Employment District) and Zoning By-law No. 328-2005, with respect to lands located at 50, 60 and 70 Borough Drive and lands adjacent to Albert Campbell Square, extending to Town Centre Court.

WHEREAS Zoning By-law No. 328-2005 was enacted by City of Toronto Council on April 14, 2005 to establish zoning provisions for the lands and provisions for public benefits in accordance with Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, in exchange for the approved increase in height and density associated with the residential use of the lands; and

WHEREAS Toronto City Council, at its meeting on December 11, 12 and 13, 2007 adopted the recommendations of the Scarborough Community Council, to amend the Zoning By-law, as deemed necessary, to amend the provisions that apply to the subject lands with respect to the Section 37 funds to be allocated for park improvements to Albert Campbell Square; and

WHEREAS authority is given to Council by 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 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. **Schedule “B”, PERFORMANCE STANDARDS CHART**, is amended by deleting the text contained in Performance Standard No. 2374 and replacing it with the following new text so that Performance Standard No. 2374 now reads as follows:

“2374. Matters to be provided pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended:

- (a) The owners of the lands, at its expense and in accordance with, and subject to, the agreements referred to in Section (b) herein, shall provide the following facilities, services and matters, in exchange for the increase in density:
 - (i) A financial (cash) contribution to the City of Toronto of \$1Million, 50% of which shall be paid to the City prior to the issuance of the first Building Permit for any phase of the development and the remaining 50% prior to the issuance of any above-grade, Building Permit for any phase of the development; to be used as follows:

\$800,000 shall be for park improvements to the final park and/or Albert Campbell Square. Up to \$100,000 of the \$800,000 may be directed to capital expenditures associated with the Scarborough Walk of Fame; and

\$200,000 shall be for playground equipment for local parks and/or schools, within, or in close proximity to the Scarborough Centre.

- (b) The owners of the lands shall enter into one or more agreements with the City of Toronto, provided pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to secure the facilities, services and matters referred to in Section (a)(i), which agreement shall be registered as a first charge on title to the lands to which this By-law applies.”

ENACTED AND PASSED this 29th day of April, A.D. 2008.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)