

Authority: Scarborough Community Council Item 19.18,
adopted as amended, by City of Toronto Council on October 29 and 30, 2008
Enacted by Council: October 30, 2008

CITY OF TORONTO

BY-LAW No. 1119-2008

To amend former City of Scarborough Wexford Community Zoning By-law No. 9511, as amended, with respect to all lands along Lawrence Avenue East between Victoria Park Avenue, to east of Birchmount Road (including 2157 Lawrence Avenue, 2180 Lawrence Avenue, 1236 Birchmount Road, 131 Wayne Avenue, 8 Tower Drive, 1795 and 1805 Victoria Park Avenue, 1108 Pharmacy Avenue, 136 Crockford Boulevard and 2 and 5 Elinor Avenue) as outlined on Schedule 1 through 5.

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. **CLAUSE IV – ZONES** is amended by adding the Commercial-Residential (CR) Zone.
2. **CLAUSE IV – ZONES** is amended by deleting the Institutional-Social Welfare (I-SW) Zone.
3. **CLAUSE V – INTERPRETATION** is amended by adding the following definitions to sub-section (f) **Definitions**, as follows:

Bicycle Parking Space

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

Landscaping

means trees, shrubs, grass, flowers, vegetables, decorative stonework, walkways, screening or other horticultural or landscape-architectural elements, or any combination of these; but does not include driveways, loading or parking spaces, and directly associated elements such as curbs or retaining walls.

Landscaping, Soft

means the landscaping in a yard excluding hard-surfaced areas such as, but not limited to, decorative stonework, walkways, screening, or other landscape-architectural elements.

Outdoor Patio

means an outdoor patron area ancillary to a non-residential use.

Personal Service Shop

means premises used to provide personal grooming services or for the cleaning or care of apparel.

45-Degree Angular Plane

means a plane extending at right angles to a line drawn at a 45 degree angle from horizontal from the mid point of a lot line abutting one or more residential properties zoned “S”, “T” and/or “M”. The resulting plane shall extend above the width, breadth and/or length of the lot.

4. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub-clause 8, **Games Arcades and Games Machines Incidental to Commercial Operations** is amended by:

- (a) deleting the words “or **Clause IX**” in sub-section (i); and
- (b) adding “Commercial-Residential (CR),” to sub-section (iii) after the words “City Centre Commercial (CCC)”.

5. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub-Clause 13, **Underground Structures In “NC”, “CC” and “HC” Zones** is amended by:

- (a) adding the symbol “CR” after the symbol “CC,”; and
- (b) adding the following words to the end of the sentence:

“, except that **street yard** setbacks that apply to the “Commercial-Residential (CR)” Zone shall not apply to underground structures.” so that the revised Sub-Clause would read as follows:

“Underground Structures In “NC”, “CC”, “CR” and “HC” Zones

Underground structures in “NC”, “CC”, “CR” and “HC” Zones shall be setback from streets in accordance with the main wall building setbacks applying within such Zones, except that **street yard** setbacks that apply to the “Commercial-Residential (CR) Zone” shall not apply to underground structures.”

6. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub-Clause 14, **Lands Not Covered by Buildings** is amended by adding the following paragraph to the end of this Sub-Clause:

In areas designated on Schedule ‘A’ as “CR”, the lands not covered by permitted buildings, structures and required parking spaces, shall be used only for **landscaping**, 50% of which shall be **soft landscaping**. **Outdoor patio** areas ancillary to a permitted Restaurant in the “CR” Zone shall not be considered **landscaping** and shall be permitted.”

7. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub-clause 15, **Use of Basements** is amended by adding the symbol “CR” after the symbol “CC”.

8. **CLAUSE VI – PROVISIONS FOR ALL ZONES** – Sub-Clause 18, **Non-Accessory Signs**, sub-section 18.4 is amended by adding the symbol “CR” before the words “District Commercial (DC)”.

9. **Clause VIII – Zone Provisions** is amended by adding the following:

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

(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**
- **Private Home Day Care**
- **Recreational Uses**
- Restaurants
- Retail Stores
- Retirement Home

(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 Regulations

- For lands between Pharmacy Avenue and Warden Avenue; for lands located at the intersection of Warden Avenue and Lawrence Avenue and for lands located at the intersection of Birchmount Road and Lawrence 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 any street line. For the purposes of this supplementary regulation, the **basement** shall not be considered a **storey**.

10. **Schedule “A”** is amended by deleting the zoning for the lands outlined on Schedule “1” and adding the following zoning to the outlined lands on Maps (1 to 5):

CR – 122 – 123 – 124 – 125 – 126 – 127 – 128 – 129 – 130 – 131 – 132 – 133 – 134 – 213 – 214 – 215 – 252

CR – 122 – 123 – 124 – 125 – 126 – 127 – 128 – 129 – 130 – 131 – 132 – 133 – 134 – 213 – 214 – 215 – 253

CR – 122 – 123 – 124 – 125 – 126 – 127 – 128 – 129 – 130 – 131 – 132 – 133 – 134 – 213 – 214 – 215 – 254

CR – 122 – 123 – 124 – 125 – 126 – 127 – 128 – 129 – 130 – 131 – 132 – 133 – 134 – 213 – 214 – 215 – 255

CR – 122 – 123 – 124 – 125 – 126 – 127 – 128 – 129 – 130 – 131 – 132 – 133 – 134 – 213 – 214 – 215 – 256

CR, PW – 122 – 123 – 124 – 125 – 126 – 127 – 128 – 129 – 130 – 131 – 132 – 133 – 134 – 213 – 214 – 215 – 252

CR, PW – 122 – 123 – 124 – 125 – 126 – 127 – 128 – 129 – 130 – 131 – 132 – 133 – 134 – 213 – 214 – 215 – 254

CR, PW – 122 – 123 – 124 – 125 – 126 – 127 – 128 – 129 – 130 – 131 – 132 – 133 – 134 – 213 – 214 – 215 – 255

CR – 78 – 123 – 124 – 125 – 126 – 131 – 133 – 213 – 214

CR – 106 – 123 – 124 – 125 – 126 – 131 – 133 – 213 – 214

CR – 123 – 124 – 125 – 126 – 131 – 133 – 213 – 214 – 257

CR – 123 – 124 – 125 – 126 – 131 – 133 – 213 – 214 – 258

11. **Schedule “B”, PERFORMANCE STANDARD CHART**, is amended by adding the following Performance Standards:

MISCELLANEOUS

122. Buildings shall not exceed a **45-degree angular plane** from the lot line of abutting Single-Family Residential (S), Two-Family Residential (T) and Multiple-Family (M) Zones.

123. The **main wall** of the first two floors of building(s) fronting or abutting Lawrence Avenue shall have a minimum width of 70% of the lot at the Lawrence Avenue **street** line for lots having frontage or flankage of more than 30 m and 60% for lots having frontage or flankage 30 m or less.

124. Minimum building setback of 2 m and maximum building setback of 4 m from the Birchmount Road, Lawrence Avenue, Pharmacy Avenue, Warden Avenue and Victoria Park Avenue **street lines**.

Minimum building setback of 1 m and a maximum building setback of 3 m from all other **street lines**.

125. Minimum 7.5 m building setback abutting Single-Family Residential (S), Two-Family Residential (T), Multiple-Family (M), Apartment (A), Industrial (M), Industrial Commercial (MC), General Industrial (MG), Special Industrial (MS) and Vehicle Service (VS) Zones.

126. A minimum 1.5 m strip of land immediately abutting Single-Family Residential (S), Two-Family Residential (T), Multiple-Family (M), Apartment (A), Industrial (M), Industrial Commercial (MC), General Industrial (MG), Special Industrial (MS) and Vehicle Service (VS) Zones shall be used for soft landscaping purposes only.

127. All storeys above 20 m in **height** shall be stepped back a minimum of 2 m from the front **main wall** of all buildings along the street lines.

128. Where buildings have walls with openings to dwelling units facing each other, and a line projected at a right angle from one of these walls intercepts the other wall, the minimum above ground distance between the walls shall be 15 m.

129. No person shall erect or use a building containing 20 or more dwelling units unless **amenity space** is provided in accordance with the following:

Type of Amenity Space Required	Amount of Amenity Space Required
Amenity space or contiguous amenity space , at least one of which contains a kitchen and a washroom:	Minimum of 2 m ² of amenity space for each dwelling unit .
Amenity space located outdoors:	Minimum of 2 m ² of amenity space for each dwelling unit of which at least 40 m ² is to be provided in a location adjoining or directly accessible from the indoor amenity space .

130. Mechanical penthouse to be stepped back 6 m in addition to the required setbacks from all **street yards**. The mechanical penthouse shall cover no more than 50% of the roof area and extend no more than 6 m in **height**.

131. Minimum floor to ceiling height at **first floor** shall be 4.5 metres.

132. All office/commercial and residential storeys above 27 m in height shall have a maximum **floor area** of 800 m² per floor.
133. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub-Clause 5, **Landscaping Requirements** and Sub-Clause 6, **Coverage**, shall not apply.

SECTION 37 BENEFITS

134. In addition to developing the buildings or structures in accordance with the Performance Standards provided herein, the owner of any building or structure to be constructed in excess of 6 storeys in height, shall enter into an agreement satisfactory to the City of Toronto pursuant to Section 37 of the *Planning Act*, as amended, authorizing the increase in height and density in exchange for one or more of the following benefits:
- Fully furnished and equipped non-profit child care facilities, including start-up funding;
 - Public art;
 - Other non-profit arts, cultural, community or institutional facilities;
 - Streetscape improvements not abutting the site;
 - Purpose built rental housing with mid-range or affordable rents, land for affordable housing, or, at the discretion of the owner, cash-in-lieu of affordable rental units or land; and
 - Parkland, and/or park improvements.

PARKING

213. Retail, Service, Office, **Eating Establishment**, Recreational, and Places of Entertainment up to, and including, 1000 m² of the **gross floor area**, on one parcel, shall be subject to a minimum parking requirement of 1 parking space per 100 m² **gross floor area**.

If the **gross floor area** of these uses exceeds 1000 m², the reduced parking requirement shall apply to the 1000 m² of **gross floor area** of these uses having the lowest requirement in the Table of Required Parking Rates.

214. A vehicle shall not be parked or stored in any street yard abutting Birchmount Road, Lawrence Avenue, Pharmacy Avenue, Warden Avenue or Victoria Park Avenue.
215. Bicycle parking spaces shall be provided at the rate of 0.5 bicycles per **dwelling unit**, of which 80% is for occupant use, and 20% is for visitor use. Bicycle parking spaces shall not be provided within a **dwelling unit** or on a balcony associated therewith, and shall be provided as follows:
- (1) where the bicycles are to be parked in a horizontal position, the space shall have horizontal dimensions of at least 0.6 m by 1.8 m per bicycle and a vertical dimension of at least 1.9 m;

- (2) where the bicycles are to be parked in a vertical position, the space shall have horizontal dimensions of at least 0.6 m by 1.2 m per bicycle and a vertical dimension of at least 1.9 m;
- (3) resident bicycle parking spaces shall be located in a secured room or area; and
- (4) visitor bicycle parking spaces shall be located outside on the ground floor or first underground parking level in a publicly accessible area.

INTENSITY OF USE

252. Minimum of two **storeys** and a maximum of 3 **storeys**, excluding basements and rooftop mechanical penthouses, not exceeding an overall height of 10 m.

Maximum **Gross Floor Area** 1.0 times the area of the lot or parcel.

253. Minimum of two **storeys** and a maximum of 6 **storeys**, excluding basements and rooftop mechanical penthouses, not exceeding an overall height of 20 m.

Maximum **Gross Floor Area** 2.0 times the area of the lot or parcel.

254. Minimum of two **storeys** and a maximum of 6 **storeys**, excluding basements and rooftop mechanical penthouses, not exceeding an overall height of 20 m. This maximum height may be increased up to 8 storeys, not exceeding an overall height of 27 m, provided that the owner provides one or more of the Section 37 benefits described in Performance Standard 134, in exchange for the additional height and density, and that the owner enters into an agreement to secure such benefits satisfactory to the City of Toronto pursuant to section 37(3) of the *Planning Act*, as amended.

Maximum **Gross Floor Area** 2.5 times the area of the lot or parcel.

255. Minimum of two **storeys** and a maximum of 6 **storeys**, excluding basements and rooftop mechanical penthouses, not exceeding an overall height of 20 m. This maximum height may be increased up to 12 storeys, not exceeding an overall height of 38 m, provided that the owner provides one or more of the Section 37 benefits described in Performance Standard 134, in exchange for the additional height and density, and that the owner enters into an agreement to secure such benefits satisfactory to the City of Toronto pursuant to section 37(3) of the *Planning Act*, as amended.

Maximum **Gross Floor Area** 3.0 times the area of the lot or parcel.

256. Minimum of two **storeys** and a maximum of 6 **storeys**, excluding basements and rooftop mechanical penthouses, not exceeding an overall height of 20 m. This maximum height may be increased up to 15 storeys, not exceeding an overall height of 48 m, provided that the owner provides one or more of the Section 37

benefits described in Performance Standard 134, in exchange for the additional height and density, and that the owner enters into an agreement to secure such benefits satisfactory to the City of Toronto pursuant to section 37(3) of the *Planning Act*, as amended.

Maximum **Gross Floor Area** 3.5 times the area of the lot or parcel.

257. **Gross floor area** of all building minus the **gross floor area** of all **basements** shall not exceed 0.75 times the area of the **lot**.
258. **Gross floor area** of all building minus the **gross floor area** of all **basements** shall not exceed 0.50 times the area of the **lot**.
12. **Schedule “C”** is amended by deleting Exception Numbers 9, 19, 20, 21, 26, 27, 29, 30, 33, 43, 46, 52, 55, 56 and 59.
13. **Schedule “C”** is amended by deleting Exception Number 28 and replacing it as follows:
- “28. On the lands identified as Exception 28 on the accompanying Schedule “C” map, the following provisions shall apply:
- (a) Clause VI, Sub-Clause (8)(iii), permitting one games machine per commercial establishment, incidental to the commercial operation, shall not apply.”
14. **Schedule “C”** is amended by deleting Exception Number 38 and replacing it as follows:
- “38. On the land identified as Exception 38 on the accompanying Schedule “C” map, the following provisions shall apply:
- (a) Parking for Senior Citizens’ Apartment and the Home for the Aged shall be provided on the following basis:
- A minimum of 3 **parking spaces** per 20 beds.
15. **Schedule “C”** is amended by deleting Exception Number 3 as it applies to the lands municipally known as 2032, 2044, 2050 and 2072 Lawrence Avenue East.
16. **Schedule “C”** is amended by deleting Exception Number 5 as it applies to the lands municipally known as 2044, 2050 and 2072 Lawrence Avenue East and deleting Exception Number 5 on the portion of the lands municipally known as 2094 Lawrence Avenue East.
17. **Schedule “C”** is amended by deleting Exception Numbers 17 and 24 as they apply to the lands municipally known as 1795 Victoria Park Avenue.

18. Schedule “C” is amended by deleting Exception Number 48 and replacing it with the following outlined on Schedule “2”:

“48. On the land identified as Exception 48 on the accompanying Schedule “C” map, the following provisions shall apply:

- (a) A minimum 6 m wide strip of land along the Lawrence Avenue frontage shall be used for landscaping purposes only.
- (b) A minimum 3 m wide strip of land along the southerly limit of the lands to be used for landscaping purposes only.
- (c) Only vehicular parking and landscaping shall be permitted.”

19. Schedule “C” is amended by adding Exception Number 31 to the lands outlined on Schedule “3” as follows:

“31. On the land identified as Exception 31 on the accompanying Schedule “C” map, the following provisions shall apply:

- (a) The lands shall be used for **landscaping** purposes only. No building or structures shall be erected.”

20. Schedule “C” is amended by adding Exception Number 36 to the lands outlined on Schedule “4” as follows:

“36. On the land identified as Exception 36 on the accompanying Schedule “C” map, the following provisions shall apply:

- (a) Only the following uses shall be permitted:
 - Financial Institutions
 - Fraternal Organizations
 - Medical Centres
 - Municipally owned and operated Parking Lots
 - Offices
 - **Personal Service Shops**
 - **Place of Entertainment**
 - **Recreational Uses**
 - Restaurants
 - Retail Stores”

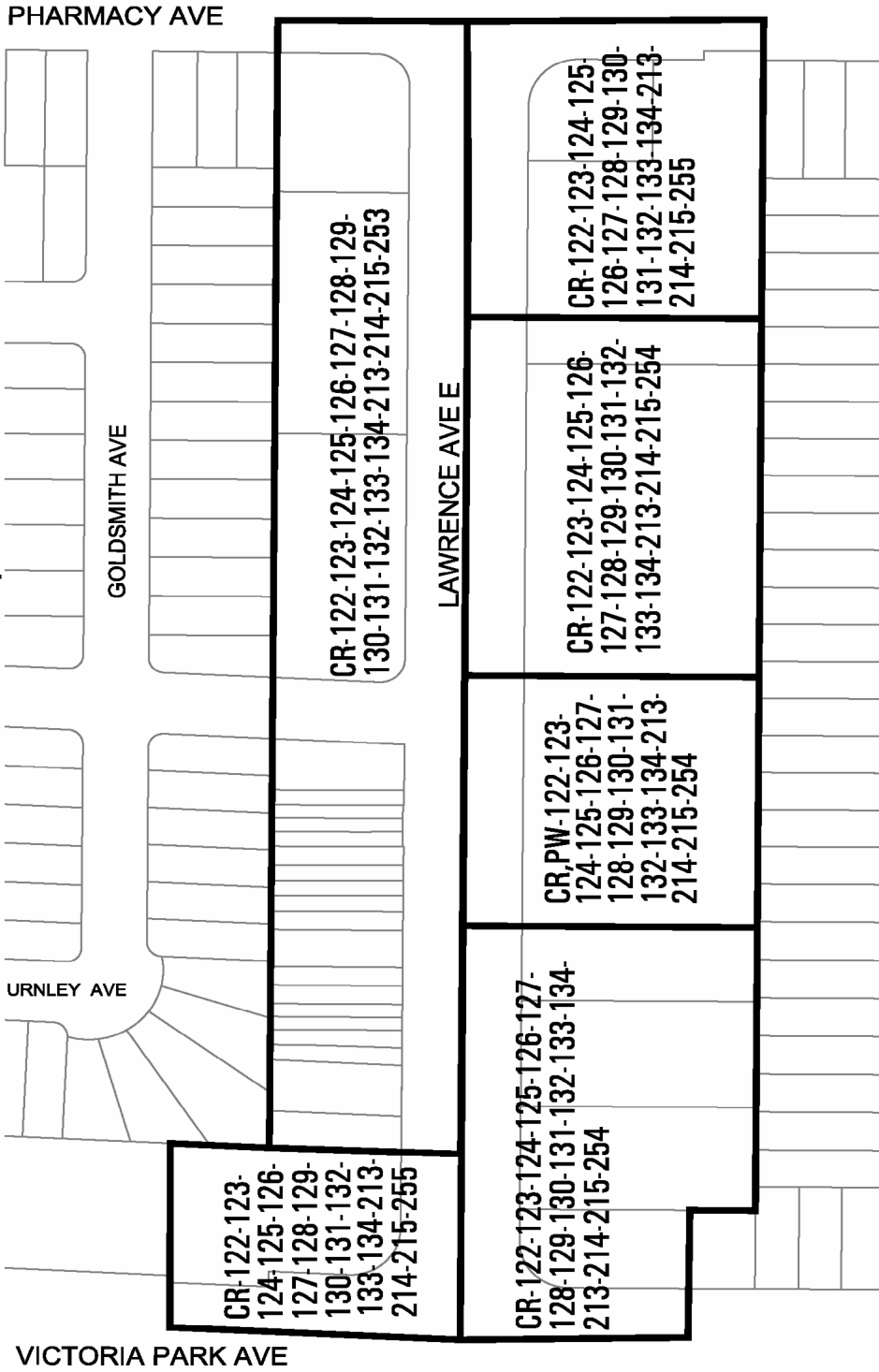
ENACTED AND PASSED this 30th day of October, A.D. 2008.

GLORIA LINDSAY LUBY,
Deputy Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

Schedule '1', Map 1



Toronto City Planning Division
Zoning By-Law Amendment

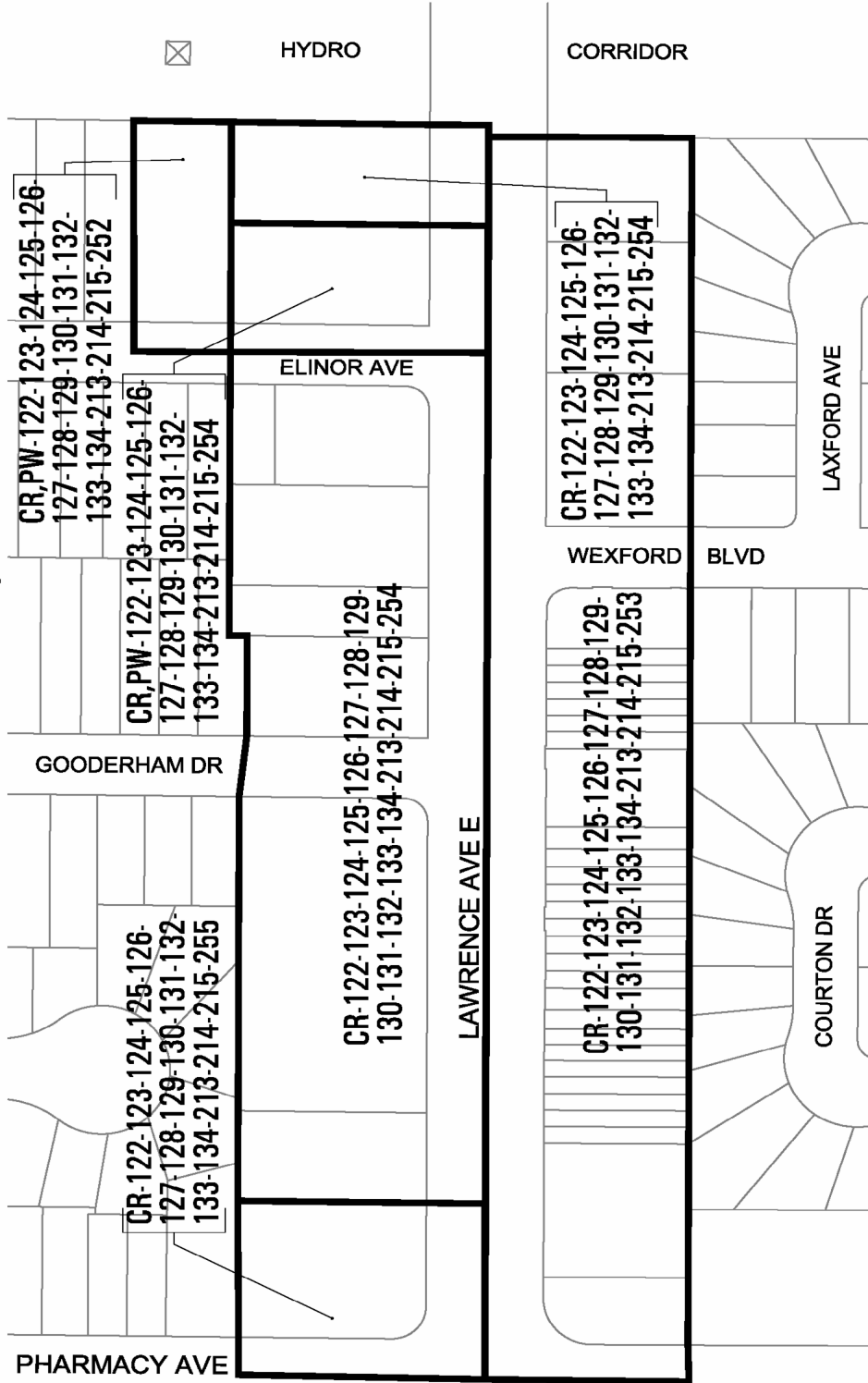
Toronto City Planning Division
Zoning By-Law Amendment

Wexford Community Bylaw
Not to Scale
6/20/08

Area Affected By This By-Law



Schedule '1', Map 2



City Planning Division
Zoning By-Law Amendment

Lawrence Avenue Study

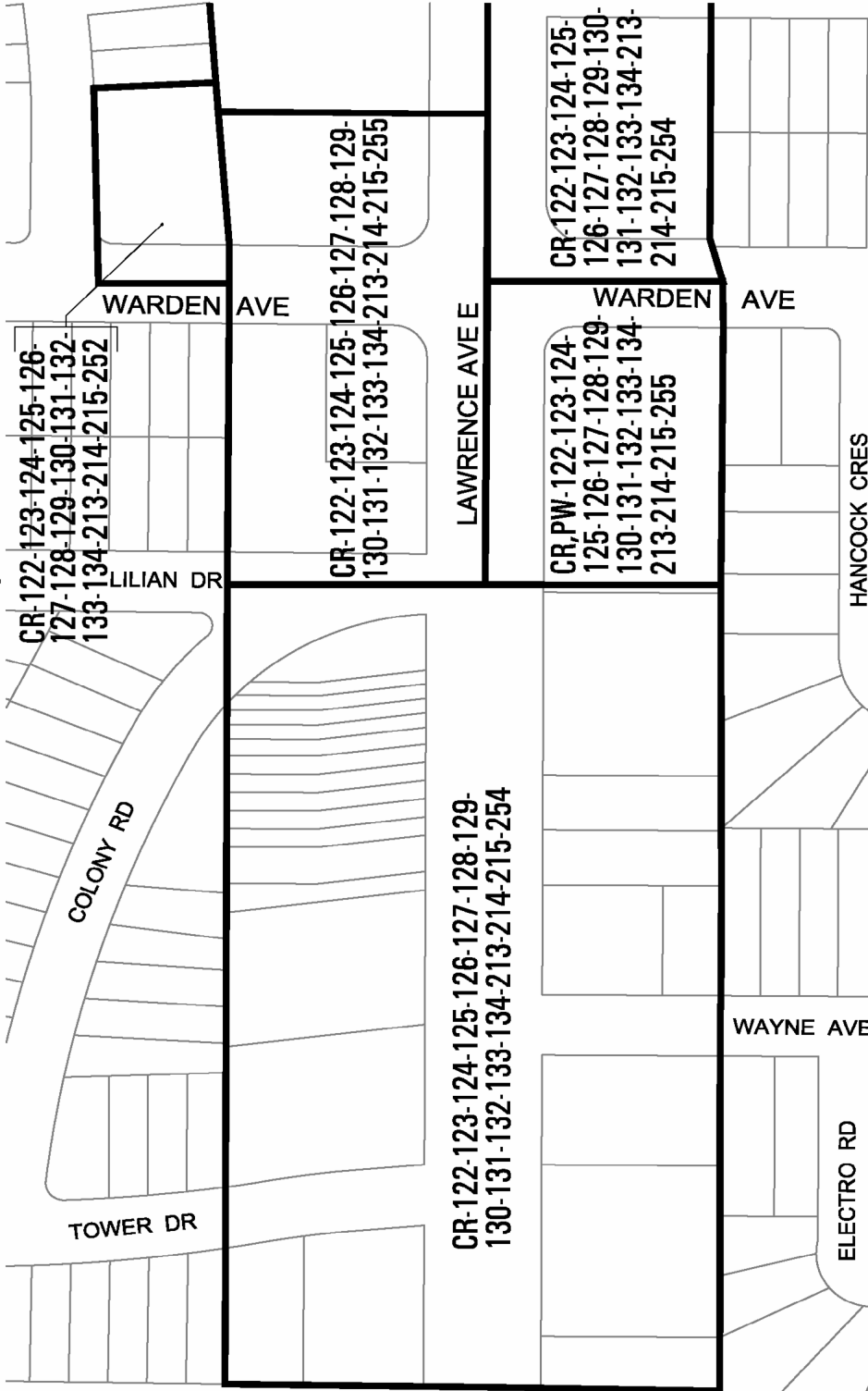


Area Affected By This By-Law

Wexford Community Bylaw
Not to Scale
6/20/08



Schedule '1', Map 3



Zoning By-Law Amendment

Lawrence Avenue Study



Area Affected By This By-Law

Wexford Community Bylaw
Not to Scale
6/20/08



Schedule '1', Map 4



Zoning By-Law Amendment



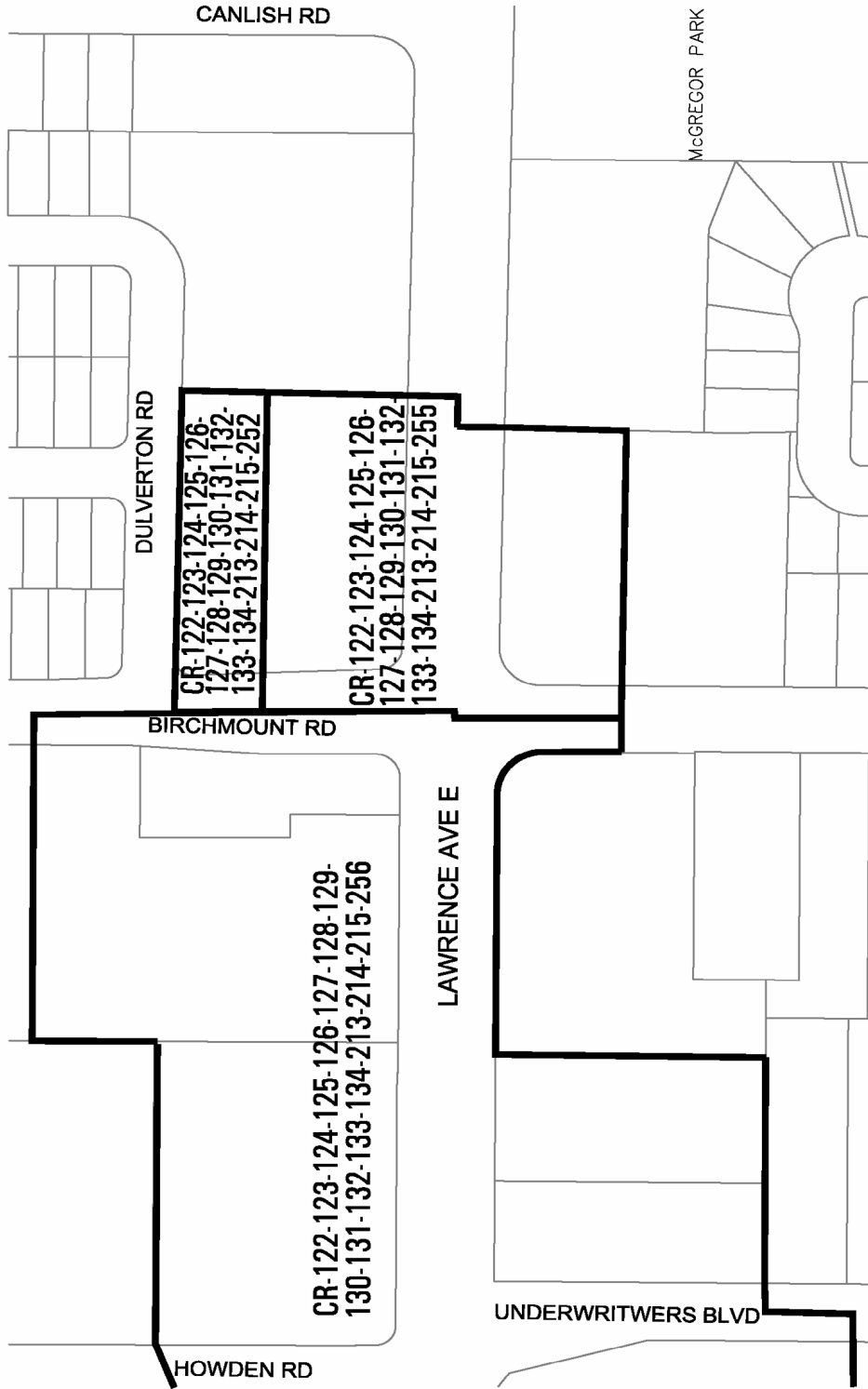
Area Affected By This By-Law

Lawrence Avenue Study

Wexford Community Bylaw
Not to Scale
9/19/08



Schedule '1', Map 5



Zoning By-Law Amendment

Lawrence Avenue Study

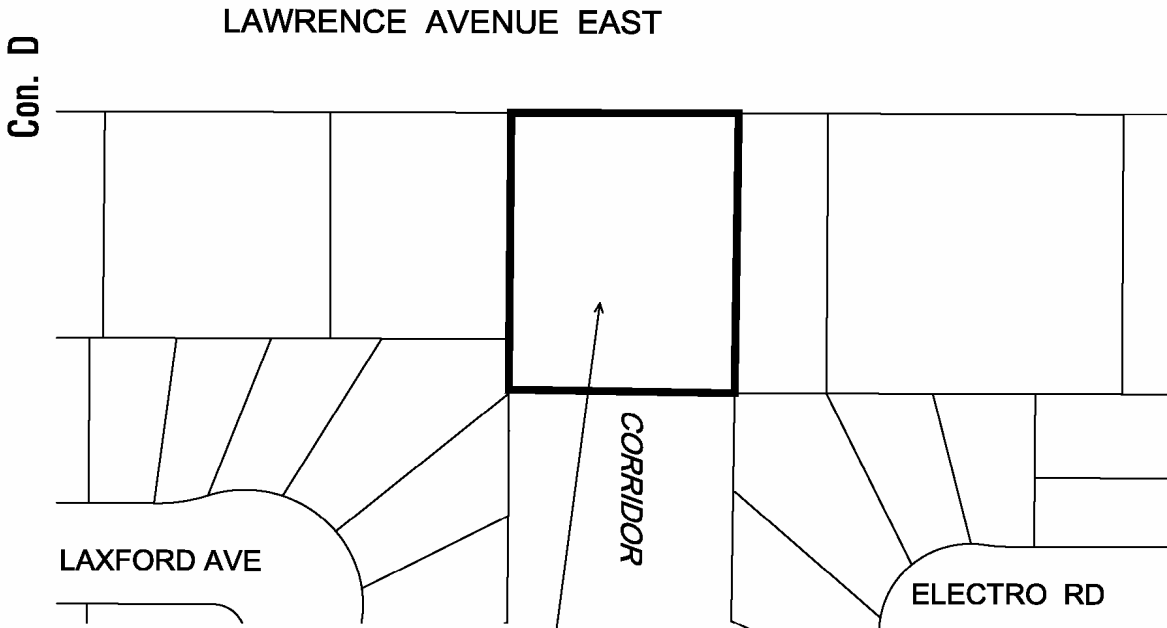
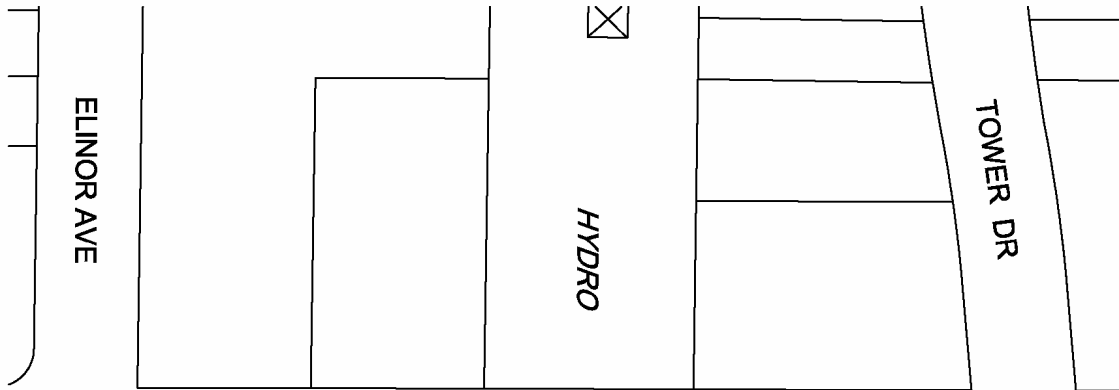


Area Affected By This By-Law

Wexford Community Bylaw
Not to Scale
6/20/08
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Schedule '2', Map 1

Lot 34



Exception No. 48



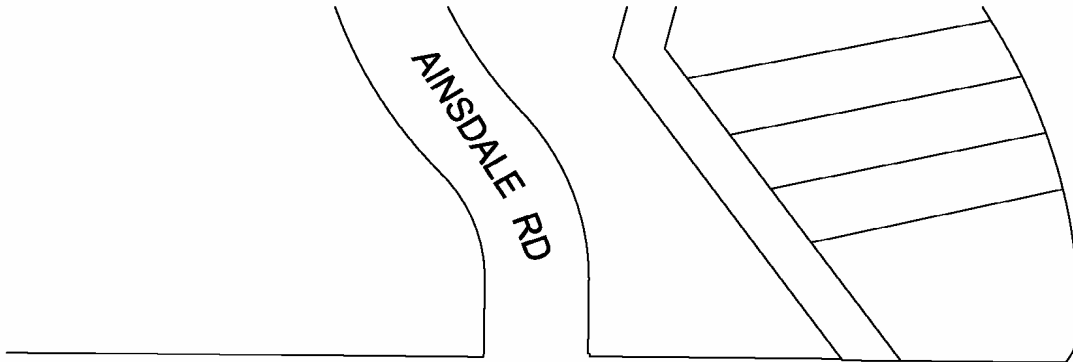
Zoning By-Law Amendment

Lawrence Avenue Study

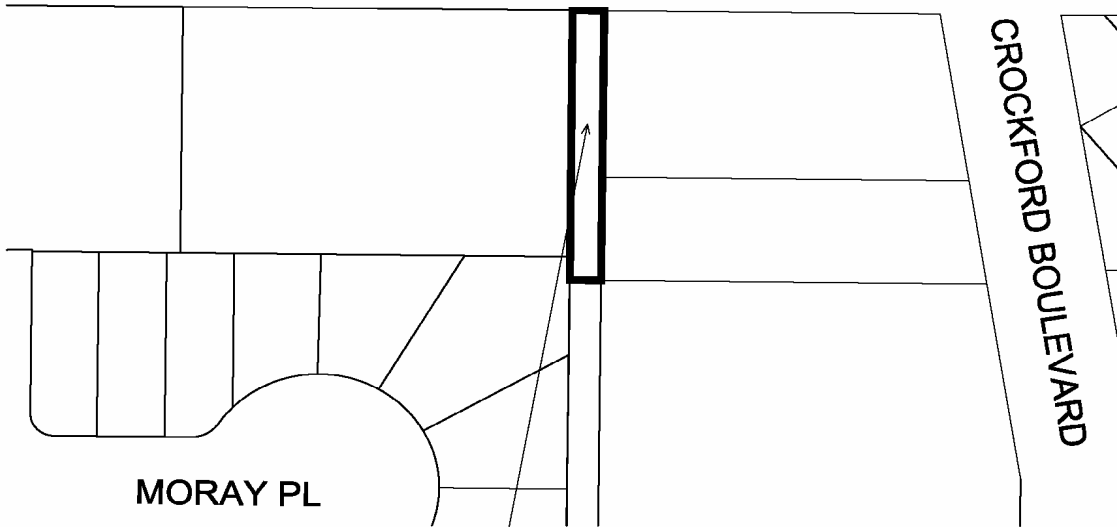
 Area Affected By This By-Law

Wexford Community Bylaw
Not to Scale
6/23/08


Schedule '3'
Lot 34

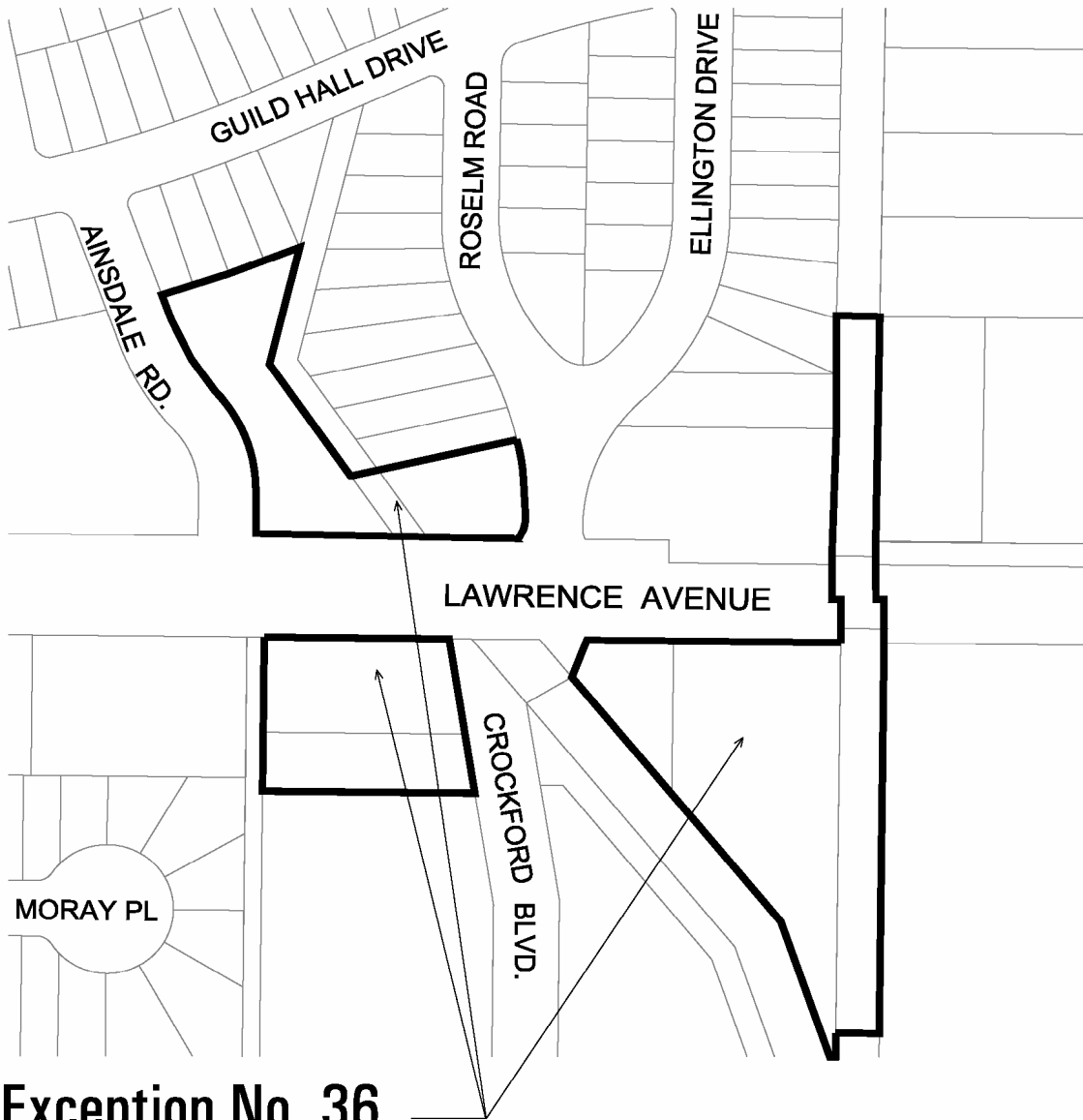


LAWRENCE AVENUE



Exception No. 31

Schedule '4'
Lot 34



Exception No. 36