

CITY OF TORONTO

BY-LAW No. 239-2010(OMB)

To amend the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Milliken Employment District), as amended, with respect to the lands municipally known as 4675 Steeles Avenue East.

WHEREAS the Ontario Municipal Board, pursuant to its Orders issued on January 22, 2008 and on May 26, 2009, upon hearing the appeal of the owner under Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, determined to amend By-law No. 24982 with respect to the Milliken Employment District Zoning By-law;

THEREFORE By-law No. 24982 (Milliken Employment District), as amended, of the former City of Scarborough is further amended as follows:

1. **SCHEDULE 'A'** of the Milliken Employment District Zoning By-law is amended by deleting the current zoning for the lands at 4675 Steeles Avenue East, and substituting new zoning on the subject lands as shown on Schedule '1' attached hereto and forming part of this By-law, together with the following letters and numerals:

SDC-496-497-498-913-988-1054-1639-1640-1641-1850-2029-2606-2607-2700

(133) (468) (2380)

2. **PERFORMANCE STANDARDS CHART – SCHEDULE 'B'**, of the Milliken Employment District Zoning By-law, as amended, is hereby further amended by adding the following Performance Standards:

COVERAGE

496. The maximum building **coverage** is restricted to 61%.

REQUIRED PARKING

1639. Notwithstanding the provision of **CLAUSE V – GENERAL PROVISIONS Section 7.2, Table of Required Parking Rates**, parking shall be provided for all uses as follows:

Minimum 5.0 parking spaces per 100 square metres of **gross floor area**. Notwithstanding this requirement, no parking spaces shall be required for 464.5 square metres of **gross floor area** of Community Space.

1641. Notwithstanding the provisions of **CLAUSE V – GENERAL PROVISIONS, Section 7.3, Parking Space and Driveway Dimensions**, parking spaces shall have minimum dimensions of 2.6 metres width by 5.6 metres length.

HEIGHT

1850. Maximum building **height** 3-storeys (excluding basements, stairwells, chimneys, skylights, vents, antennae, elevator machine rooms and parapet wall).

2700. Maximum **height (above grade parking structure)** 21 metres (excluding parapet).

INTENSITY OF USE

2606. The maximum **gross floor area** (all uses) is restricted to 27 265 square metres.
2607. The maximum **restaurant gross floor area** is restricted to 2 950 square metres.
497. The maximum floor space index is restricted to 1.13 times the area of the **lot**.
498. Notwithstanding the maximum permitted **gross floor area** stipulated in Performance Standards No. 2606 and 497 of this by-law, an additional 464.5 square metres of Community Space **gross floor area** is permitted.

3. SCHEDULE 'C' –EXCEPTIONS LIST, of the Milliken Employment District Zoning By-law No. 24982, as amended, is further amended by adding the following Exception Number 468:

468. On those lands identified as Exception Number 468, the following additional uses shall be permitted:

Additional Permitted Uses:

Community Space, operated by the City of Toronto or a non-profit organization.

SECTION 37

2380. On those lands identified as Exception 2380 on Schedule 'C' and matters to be provided pursuant to Section 37 of the *Planning Act*, the following provisions shall apply:

The density of development permitted by this By-law is subject to the Owner of the land, at its expense, and in accordance with and subject to entering into one or more agreements with the City of Toronto, pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, as amended, and that such agreement(s) be registered against the title to the lot, to secure capital facilities and/or cash contributions toward specific capital facilities as follows:

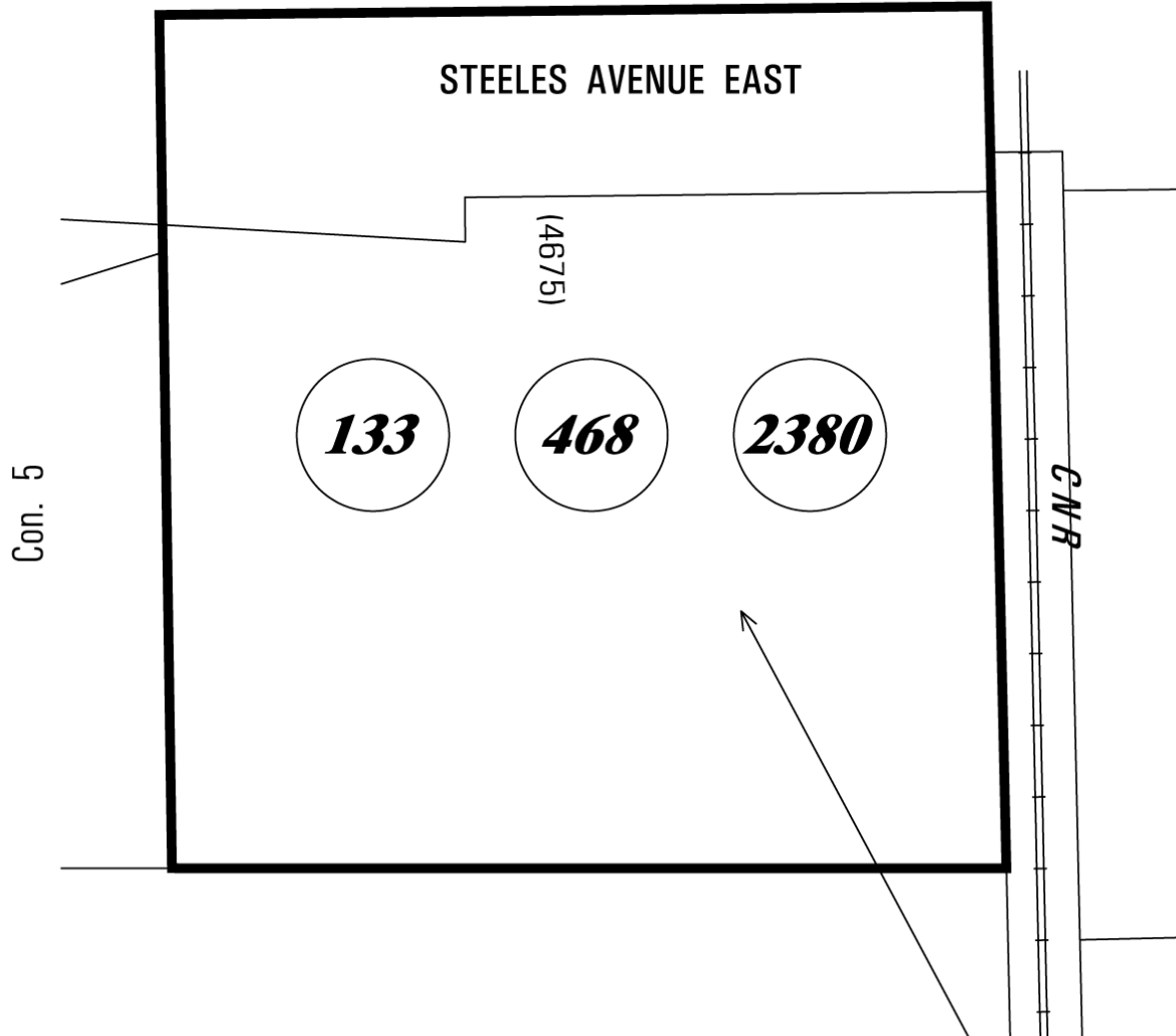
- (i) The building permit plans must show the provision and use of 464 square metres (5,000 sq. ft.) of on-site, on the first storey community space that is to be finished, furnished and equipped for a term of 99 years (no rent or tax) with the City selecting the operator in the proposed development based on the Term Sheet attached as Schedule '2' or an equivalent cash-in-lieu contribution to be used to expand the L'Amoreaux Community Centre;

- (ii) The provision of not less than \$60,000.00 for speed humps in the Heathwood Community;
- (iii) Conveyance of clear title to all land(s) required for the proposed Redlea Avenue extension right-of-way, to the City, free and clear of all encumbrances and to the satisfaction of the Executive Director, Technical Services;
- (iv) Construction or provision of securities equal to 100 percent of the cost of implementation, of the proposed Redlea Avenue extension as a fully serviced municipal road from its present terminus southerly to Passmore Avenue together with the intersection improvements required at the Redlea Avenue and Steeles Avenue intersection;
- (v) Construction or provision of securities equal to 100 percent of the cost of the implementation, of the other transportation improvements identified in the Owner's Traffic Impact Study;
- (vi) The transportation improvements referred to in Subsections (iii), (iv) and (v), must be completed or secured by the Owner prior to the release of building permits; and
- (vii) The transportation improvements referred to in Subsections (iv) and (v) must be completed and operational after building permit issuance and prior to any building permit being issued for interior alterations within a individual unit or any individual unit being occupied.

PURSUANT TO DECISIONS/ORDERS OF THE ONTARIO MUNICIPAL BOARD ISSUED ON JANUARY 22, 2008 AND MAY 26, 2009 IN BOARD CASE NO. PL060827.

Schedule '1'

Lot 28

Town of Markham

SDC-496-497-913-988-1054-1639-1640-
 1641-1850-2029-2606-2607-2700

**Zoning By-Law Amendment**

4675 Steeles Avenue East

File # 05-195356 SA; 05-195360 OZ



Area Affected By This By-Law

Milliken Emp. District Bylaw
 Not to Scale
 11/28/07

