

CITY OF TORONTO

BY-LAW No. 884-2010(OMB)

To amend the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Tapscott Employment District – West) with respect to lands located on the east side of Markham Road between Passmore and Select Avenues.

WHEREAS the Ontario Municipal Board, pursuant to its Order issued on July 21, 2010, 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 former City of Scarborough Employment Districts Zoning By-law No. 24982 with respect to lands located on the east side of Markham Road between Passmore and Select Avenues;

The Ontario Municipal Boards Orders as follows:

1. **Schedule "A"** of the Employment Districts Zoning By-law No. 24982 (Tapscott Employment District – West) is amended by deleting the current **AG-Agricultural Uses** zoning and replacing it with the following:

M – 8 – 263 – 855 – 913 – 936 – 1111 – 1449 – 1522 – 1908 -- 2007 – 2029
Exceptions 232, 342, 432 and 474

as shown on Schedule 'I' to this By-law.

2. **Schedule "B" Performance Standards Chart** is amended by adding the following Performance Standards:

STREET YARDS

936. Notwithstanding the provisions of **CLAUSE V- GENERAL PROVISIONS**, Sub-Clause 5, **Main Wall Projections**, the maximum projections from **main walls** set out therein shall be permitted to extend into a **yard** required to separate a building from a **street**.

PARKING SPACE AND DRIVEWAY DIMENSIONS

1522. Notwithstanding the provision **CLAUSE V- GENERAL PROVISIONS**, Sub-Clause 7.3.1, **Parking Space Dimensions**, as amended by By-law No. 529-2007, no parking space shall be deemed obstructed:

1. By a parking lot light standard pole base having a maximum dimension of 60 cm radius if such pole bases are located at the intersection of four parking spaces; and
2. By a curb having a maximum height of 15 cm and forming any part of a pedestrian walkway or other landscape feature provided such curbs are placed not further than 60cm into the required 5.6 m minimum length of a parking space.

LANDSCAPING

1908. Notwithstanding the Supplementary Regulations of the **CLAUSE V1, SECTION 1, Industrial Zone (M)**, outdoor patios are permitted in association with restaurant uses.

PARKING – YARDS

1449. Notwithstanding the provisions of **CLAUSE V – GENERAL PROVISIONS, Sub-Clause 7.5.1 Parking Spaces In "M", "MG" and "MS" Zones**, a maximum of 47 parking spaces and associated driveways are permitted in the Markham Road **street yard**; and a maximum of 52 parking spaces and associated driveways are permitted in the Passmore Avenue **street yard**.

INTENSITY OF USE – GROSS FLOOR AREA

263. The following gross floor area regulations shall apply:

1. Maximum **gross floor area** per individual **restaurant** tenancy: 550 m².
2. Maximum **gross floor area** per individual retail store tenancy except a Convenience Store tenancy: 475 m².
3. Maximum gross floor area per individual **personal service shop** tenancy: 125 m².
4. The total **gross floor area** of all retail stores, **restaurants**, and **personal service shops** shall not exceed 2,000 m².
5. Maximum total **gross floor area** of all Convenience Stores: 125m².

INTENSITY OF USE – MISCELLANEOUS

855. Buildings containing retail stores, **restaurants**, and **personal service shops** shall be permitted only on the portion of the site bounded by 77 m from the **streetline** of Markham Road and 118 m of the **streetline** of Select Avenue, and shown as PART A on Schedule 'I' to this By-law.

3. **Schedule "C", EXCEPTIONS LIST**, is amended by adding Exception 474 as follows:

Exception 474:

1. **Personal Service Shops** shall be limited to a maximum of three tenancies and restricted to only barber shops, beauty salons, health and beauty spas, and nail salons.
2. Private schools shall be prohibited.

3. For the purposes of this Exception, the term retail stores shall include only the following:

Convenience Store

Pharmacy

Optical Retail Outlet

Sales of Supplies, Equipment, Furniture and Hardware for Offices

Sales of Work Clothing, Footwear, Safety Equipment, Tools and Supplies for Work

Photography Studio, Sales and Service

Florist

Computer and Electronics Sales and Service

Telecommunications Sales and Service

Health Food and Nutritional Supplements

Take-out Food, including Bakery and Caterer's Shop

Print and Copy Store

Post Office / Courier Service

PURSUANT TO THE DECISION/ORDER OF THE ONTARIO MUNICIPAL BOARD
ISSUED ON JULY 21, 2010 IN BOARD CASE NO. PL091109.

Schedule '1'

Lot 17



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Exceptions 232, 342, 432 and 474