

Authority: Planning and Growth Management Committee Item 35.5, adopted as amended, by City of Toronto Council on August 25, 26, 27 and 28, 2014

CITY OF TORONTO

BY-LAW No. 1055-2014

To amend former City of Toronto Zoning By-law No. 438-86, as amended, with respect to the lands known municipally as 150 Symes Road.

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 enacts:

1. That District Map 47K-312 of By-law No. 438-86, as amended, of the former City of Toronto, be further amended by rezoning the lot from "I3" to "(H)I3" as identified on Schedule 1.
2. None of the provisions of Section 2 with respect to the definition of "*lot*", Section 9(1)(f)(b) and 12(1)292 of the aforementioned Zoning By-law No. 438-86, as amended, shall apply to prevent the retention, renovation and use of the existing buildings and the erection of non-residential buildings, provided that:
 - (a) the *lot* comprises at least the lands delineated by heavy lines on Schedule 1 attached to and forming part of this By-law; and
 - (b) the following uses are permitted:
 - all of the uses permitted within the I3 zone by Section 9(1)(f)(b)
 - office
 - *place of assembly*
 - *place of amusement*
 - *private art gallery*

3. Holding Provisions:

The lands zoned with the ("H") symbol delineated by heavy lines on Schedule 1 attached to and forming part of this By-law shall not be used for a commercial school or trade school or an outdoor patio purpose until the ("H") symbol has been removed. An amending by-law to remove the ("H") symbol shall be enacted by City Council when the following condition(s) has been fulfilled to the satisfaction of Council:

(a) Commercial School or Trade School

An amending by-law to remove the ("H") symbol may be enacted by Council when the owner has submitted a noise study to the satisfaction of the City that evaluates to the City's satisfaction, how the commercial school or trade school would affect the ability of the existing industries uses along Glen Scarlett Road

and identify to the satisfaction of the City any required and appropriate mitigation techniques to be incorporated into the development; and

(b) Outdoor Patio

An amending by-law to remove the ("H") symbol may be enacted by Council once the owner has submitted:

- (i) a mitigation plan satisfactory to City which demonstrates that the impact of odour from surrounding industrial facilities on the outdoor patio can be mitigated at the subject lands and that the owner confirms that communication has been initiated with the surrounding industrial facilities develop a strategy to reassure them that the proposed outdoor patio will not compromise the ability of the facilities to operate efficiently; and
- (ii) a noise study to the satisfaction of the City that evaluates to the City's satisfaction, how the outdoor patio would affect the ability of the existing industries uses along Glen Scarlett Road and identify to the satisfaction of the City any required and appropriate mitigation techniques to be incorporated into the development.

4. For the purposes of this By-law, all italicized words and expressions have the same meaning as defined in By-law No. 438-86, as amended, with the exception of the following:
- (a) "*lot*" shall refer to those lands delineated by a heavy black line on Schedule 1, attached to and forming part of this By-law.
5. Despite any existing or future severance, partition or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.
6. 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.

Enacted and passed on August 28, 2014.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

