

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. 1056-2014

To amend former City of York Zoning By-law No. 1-83, as amended, with respect to the lands municipally known 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 Section 6 of By-law No. 1-83, as amended, of the former City of York, be further amended by adding a new Subsection (90) as follows:

"LANDS - 150 Symes Road- Southwest Corner of Symes Road and Glen Scarlett Road

(90) Map 17

By changing the area shown on District Map 17 more particularly shown on Schedule "A" hereto from (BE) - Basic Employment to BE(H) and Section 16(450)."

2. That Section 16 of Zoning By-law No. 1-83, as amended, be further amended by adding a new Subsection as follows:

"(450) Lands - 150 Symes Road - Southwest Corner of Symes Road and Glen Scarlett Road

Notwithstanding the provisions of Section 13.3 of this By-law, the lands described and shown in Areas A and B on the map comprising Schedule "A" to this By-law, may be used for the following non-residential uses:

Area A

- All of the uses permitted within the BE zone pursuant to Section 13.3.1
- Recreational Uses
- Banquet Hall
- Warehouse
- Self-storage warehouse
- Commercial school

Area B

- All of the uses permitted in Area A

- Banquet Hall
- Restaurant uses provided the maximum gross floor area for restaurant uses does not exceed of 300 square metres permitted or the maximum gross floor area does not exceed 10% of the gross floor area of the building up to a maximum of 500 square metres; subject to the following provisions:

(a) Holding Provisions:

The lands zoned with the "(H)" symbol delineated by heavy lines on Schedule "A" attached to and forming part of this By-law shall not be used for an education use 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:

(i) Education Use

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 education use 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.

(ii) 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."

- (b) For the purposes of this By-law, all italicized words and expressions have the same meaning as defined in By-law No. 1-83, as amended, with the exception of the following:
- (i) "*multi-purpose rooms*" or "*multi-purpose area*" shall mean rooms or areas used for display or exhibition of art and cultural and private events, including indoor or outdoor food service and catering.
 - (ii) "*limited recreational facilities*" shall mean indoor recreational, fitness and/or dance related facilities operated for profit.
 - (iii) "*lot*" shall refer to those lands delineated by a heavy black line on Schedule 'A', attached to and forming part of this By-law.
- (c) 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.
- (d) Within the lands shown on Schedule 'A' 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:
- (i) 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
 - (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
- (e) All other provisions of By-law No. 1-83 shall continue to apply except where the provisions of this Subsection are in which case the provisions of this Subsection shall prevail.

Enacted and passed on August 28, 2014.

Frances Nunziata,
Speaker

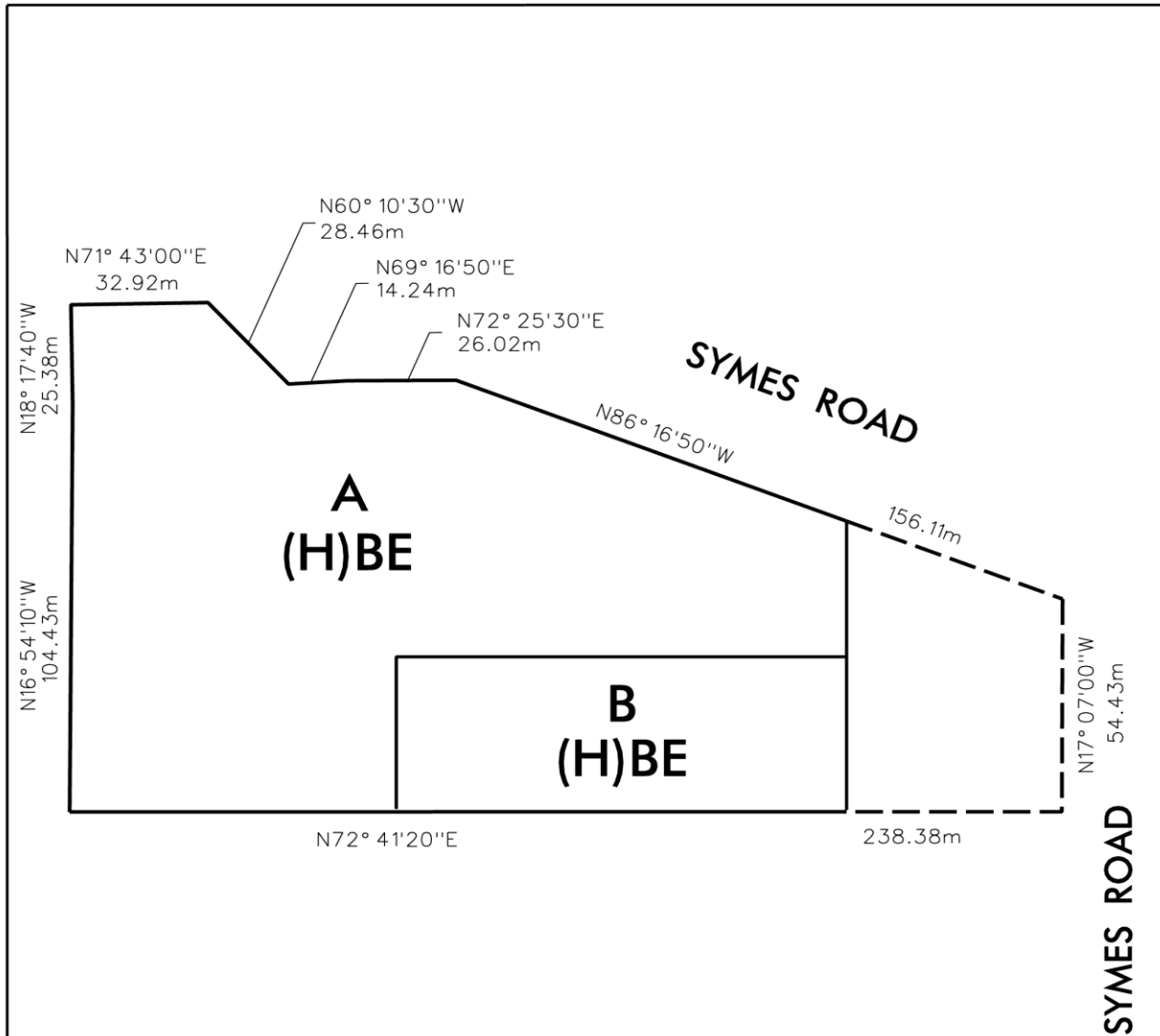
Ulli S. Watkiss,
City Clerk

(Seal of the City)



Schedule 'A' BY-LAW Number
16() of Zoning BY-LAW 1-83

and to



NOTE:
BEARINGS AND DIMENSIONS TAKEN FROM A PLAN OF SURVEY
(Ref. No. 11-096-00) SUBMITTED BY ROUSE SURVEYORS

**BLOCK A, REGISTERED PLAN 2707
BLOCK C, REGISTERED PLAN M-1918 (Formerly City of York)
PART OF LOT 36 CONCESSION 3, FROM THE BAY
CITY OF TORONTO**

Applicant's Name:	BOUSFIELDS INC		
Address: 150 Symes Road	scale:		
File # 13 201931 WET 11 OZ	Dwg No. 13_201931_dz1		