

Authority: Scarborough Community Council Item SC8.25, adopted as amended, by City of Toronto Council on September 30, October 1 and 2, 2015

CITY OF TORONTO

BY-LAW No. 987-2015

To amend former City of Scarborough Birchcliff Community Zoning By-law No. 8786, as amended, with respect to the lands municipally known as 411 Victoria Park Avenue.

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. **SCHEDULE "A"** of the Birchcliff Community Zoning By-law No. 8786, as amended, is further amended for the lands outlined in the attached Schedule '1' by deleting the existing Agricultural Holding (AG) zoning and replacing it with the Commercial-Residential (CR) Zone and Community Commercial Zone (CC) and the Performance Standards as shown on Schedule '1', so that the amended zoning shall read as follows:

CR - 40J - 40K - 80F - 115 - 152 - 153 - 207 - 231 - 274 - 350 - 351 - 352 - 353 - 354 - 355
CC - 40D - 70

2. **SCHEDULE "B", PERFORMANCE STANDARD CHART**, is amended by adding the following Performance Standards:

BUILDING SETBACK FROM THE STREET

40J. Minimum 4.5 metres from the street line of Victoria Park Avenue, except that the **main wall** containing a vehicular access to underground parking shall be set back a minimum of 6.1 metres from the street line.

40K. Minimum 4.8 metres from the street line of the Musgrave Street easterly extension.

FLOOR AREA

80F. **Gross floor area** of all buildings, minus the **gross floor area** of all building areas below **established grade**, shall not exceed 50 percent of the lot area.

BUILDING SETBACK FROM LOT LINES OTHER THAN STREET LOT LINES

152. Minimum 55.0 metres from the east lot line.

153. Minimum 5.5 metres from the north and north-west lot lines, except minimum 2.7 metres permitted within 15.0 metres from the street line of Victoria Park Avenue.

PARKING

207. **Bicycle parking spaces** shall be provided as follows:

- i)
 - (a) Minimum 21 Long Term **bicycle parking spaces** within the building; and
 - (b) Minimum 34 Short Term **bicycle parking spaces** at grade.
- ii) Meaning of Long-Term and Short-Term **Bicycle Parking Spaces**:
 - (a) Long-Term **bicycle parking spaces** are for use by the employees of a building; and
 - (b) Short-Term **bicycle parking spaces** are bicycle parking spaces for use by visitors to a building.
- iii) Where the bicycles are to be parked in a horizontal position (on the ground), the space shall have horizontal dimensions of at least 0.6 metres by 1.8 metres per bicycle and a vertical dimension of at least 1.9 metres;
- iv) Where the bicycles are to be parked in a vertical position, the space shall have a minimum width of 0.6 metres, a minimum length or vertical clearance of 1.9 metres and a minimum horizontal clearance from the wall of 1.2 metres; and
- v) If a stacked **bicycle parking space** is provided, the minimum vertical clearance for each **bicycle parking space** is 1.2 metres.

MISCELLANEOUS

350. Notwithstanding the definition of **height** and **established grade** in **CLAUSE V - INTERPRETATION, Section (f), Definitions**, for the purposes of this By-law, the **height** of a building is measured from the Canadian Geodetic Datum elevation of 128.3 metres (the established grade) and the elevation of the highest point on the building excluding, mechanical penthouse, elevator machine rooms, chimneys, skylights, vents, antennae, and parapet walls.
351. Notwithstanding the definition of **main wall** in **CLAUSE V - INTERPRETATION, Section (f), Definitions**, for the purposes of this By-law:
- i) Permitted projections shall also apply to the subject "CR" Zoned lands;
 - ii) The permitted projection for chimneys, pilasters and projecting columns into a yard required to separate a building from a street is a maximum of 0.85 metres; and

- iii) Canopies and awnings are permitted to project a maximum of 2.0 metres into a yard required to separate a building from a street.
352. Maximum **height** of any building shall not exceed 10.0 metres.
353. Mechanical penthouses, elevator machine rooms, chimneys, vents, skylights, antennae, and parapet walls shall not exceed a height of 3.0 metres above the **height** of the building.
354. Only loading, storage and warehousing uses, administrative offices, employee rooms, washrooms and related service areas not otherwise accessible to the general public for retail shopping purposes are permitted within the northern 12.0 metres of the building.
355. The following **CLAUSE VI - PROVISIONS FOR ALL ZONES** requirements do not apply:
- i) Section 12: **Lands Not Covered by Buildings**, Subsection (2); and
 - ii) Section 19: **Use of Basements**.
3. **SCHEDULE "C", EXCEPTIONS MAP** is amended by deleting Exception No. 34 as it applies to the subject lands.
4. **SCHEDULE "C", EXCEPTIONS LIST** and **EXCEPTIONS MAP** are further amended by adding the following Exception No. 43 to the lands outlined on Schedule '2':
43. On those lands identified as Exception No. 43 on the accompanying Schedule "C" map, the following provisions shall apply:
- (a) The following uses are prohibited:

Fraternal organizations, hotels, municipal parking lots, nursing homes, **private home day care** uses, and public and separate schools within the meaning of the *Public and Separate Schools Act* for the Province of Ontario.

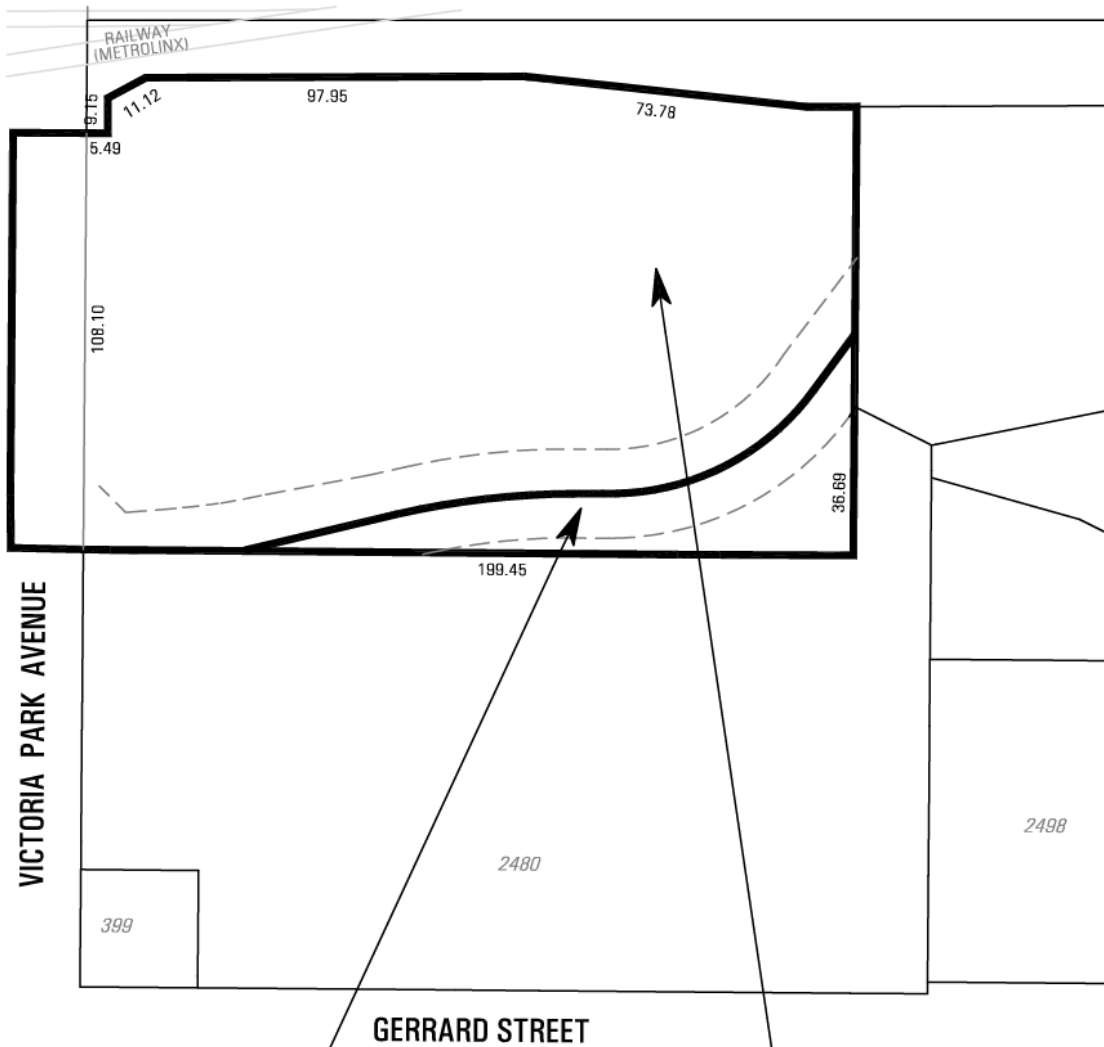
Enacted and passed on October 2, 2015.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Schedule '1'



CC-40D-70
CR-40J-40K-80F-115-152-153-207-
231-274-350-351-352-353-354-355



Zoning By-Law Amendment

411 Victoria Park Avenue

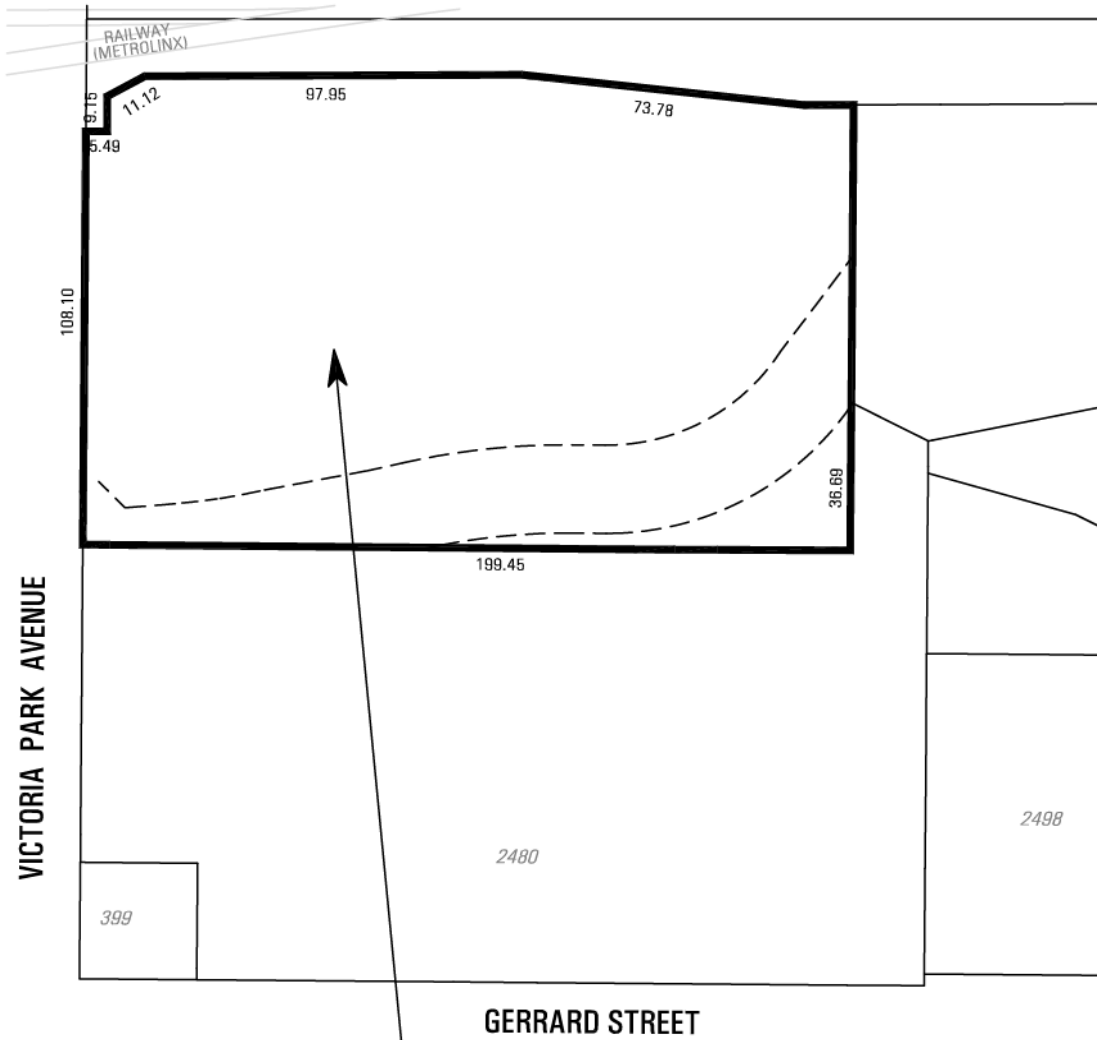
File # 12 297365 ESC 36 OZ, 13 233037 ESC 36 SB

 Area Affected By This By-Law

Birchcliff Community Bylaw
 Not to Scale
 8/26/15



Schedule '2'



Exception No 43

Toronto City Planning Division
Zoning By-Law Amendment

411 Victoria Park Avenue
File # 12 297365 ESC 36 OZ, 13 233037 ESC 36 SB

 Area Affected By This By-Law

Birchcliff Community Bylaw
Not to Scale
8/10/15
