

Authority: Scarborough Community Council Item SC6.1,  
as adopted by City of Toronto Council on June 18 and 19,  
2019

## CITY OF TORONTO

### BY-LAW 1199-2019

**To amend the Morningside Heights Community Zoning By-law, as amended, with respect to the lands municipally known in the year 2018 as 2130 Morningside Avenue.**

Whereas Council of the City of Toronto has the authority pursuant to 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 Morningside Heights Community Zoning By-law, is amended by adding the following Schedule 'I' so that the amended zoning shall read as follows:

CC-43-44-45-46-53-66-80-81-82-83-84-100-101-102

8

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

#### **INTENSITY OF USE**

80. The **gross floor area** of all permitted uses within all buildings minus the **gross floor area** of all **basements** shall not exceed 3 250 square metres.
81. The **gross floor area** of the **Vehicle Washing Establishment** shall not exceed 105 square metres.

#### **PARKING**

100. Minimum of 140 **parking spaces** shall be provided on the Lot.
101. Minimum of 6 bicycle **parking spaces** shall be provided on the Lot.
102. Minimum of One **Type B Loading space** shall be provided.

#### **BUILDING SETBACKS**

43. Minimum **Front Yard** (north) setback shall be 3.0 metres from the north **lot line**.
44. Minimum exterior **Side Yard** setback shall be 1.0 metres from the west **lot line**.

45. Minimum **Rear Yard** setback shall be 9 metres from the south **lot line**.
46. Minimum **Side Yard** setback shall be 2.0 metres from the east **lot line**.

### **HEIGHT**

53. Maximum **height** 10 metres, as measured from the average elevation of the ground along all **lot** lines that abut a **street** and the elevation of the highest point of the building.

### **MISCELLANEOUS**

66. Requirement to provide space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681.
3. **CLAUSE V – GENERAL PROVISIONS**, Sub-Clause 10, Landscaping and Sub – Clause 24, Lands Not Covered by Buildings Requirements shall not apply.
4. **CLAUSE VI – GENERAL PARKING REGULATIONS FOR ALL ZONES**, Sub - Clause 1. General Parking Requirements shall not apply.
5. **SCHEDULE "C", EXCEPTIONS LIST and EXCEPTIONS MAP**, is amended by adding Exception 8 to the lands outlined on Schedule '2', so that it reads as follows:

8

On those lands identified as Exception 8, on the attached Schedule '2', the following provisions shall apply:

- a. Only the following additional uses are permitted:

Permitted Uses:

- i. Ambulance Depot
- ii. Artist Studio
- iii. Automated Banking Machine
- iv. Community Centre
- v. Drive-through facilities
- vi. Fire Hall
- vii. Massage Therapy
- viii. Office (including a medical office and a medical clinic)

- ix. Outdoor Sales or Display
- x. Performing Arts Studio
- xi. Personal Service Shop
- xii. Pet Services
- xiii. Police Station
- xiv. Retail Food Store
- xv. Retail Service
- xvi. Take-out Eating Establishment
- xvii. Vehicle Washing Establishment
- xviii. Vehicle Fuel Station
- xix. Vehicle Service Shop
- xx. Veterinary Hospital
- xxi. Wellness Centre
- xxii. **Marketplace Signs**
- xxiii. **Wall Signs** which are **non-accessory**

- b. The following definitions shall apply to the lands encompassed by Exception 8:
  - i. **Artist Studio** shall mean premises used for creating art or craft.
  - ii. **Automated Banking Machine** shall mean a device at which customers can complete self-serve financial transactions.
  - iii. **Community Centre** shall mean premises operated by or on behalf of a government or **non-profit organization** providing community activities, such as arts, crafts, recreational, social, charitable and educational activities.
  - iv. **Financial Institution** means premises used to provide financial services to the public, other than exclusively through an automated banking machine.

- v. **Massage Therapy** shall mean premises providing **massage therapy** by persons who are medical or health professionals licensed or registered under Province of Ontario legislation. A body rub service or **wellness centre** is not a **massage therapy**.
- vi. **Performing Arts Studio** shall mean premises used for the rehearsal of performing arts, such as music, dance or theatre.
- vii. **Personal Service Shop** shall mean premises used to provide personal grooming services or for the cleaning or care of apparel.
- viii. **Pet Services** shall mean **premises** used to provide for the grooming of domestic animals. A **veterinary hospital** or a kennel are not **pet services**.
- ix. **Retail Food Shop** shall mean a **building**, or portion of a **building** or structure where food goods and related wares, merchandise, substances, articles or things are stored, offered or kept for sale. A **retail food store** includes storage on or about the store premises of limited quantities of food goods, wares, merchandise, substances, articles or things sufficient only to service the store.
- x. **Service Shop** shall mean **premises** used for servicing, repairing or refurbishing goods, other than **vehicles**.
- xi. **Vehicle Washing Establishment** shall mean the premises used for washing or cleaning vehicles
- xii. **Vehicle Fuel Station** shall mean the premises where vehicle fuels are sold to the public.
- xiii. **Vehicle Service Shop** shall mean premises used for vehicle service or customizing, such as mechanical, electrical, glass or upholstery service or installation of parts or **accessories**, but excluding:
- A. spray painting or repairing body or fender components; and
- B. the service or customizing of construction or agriculture vehicles.
- xiv. **Veterinary Hospital** shall mean **premises** used by a licensed veterinarian for the medical treatment of animals.
- xv. **Wellness Centre** shall mean **premises** providing services for therapeutic and wellness purposes. A **massage therapy**, medical office or **body rub service** is not a **wellness centre**.

- xvi. **Type B Loading Space:** Means a **loading space** that is a minimum of 3.5 metres wide, 11.0 metres long and has a minimum vertical clearance of 4.0 metres;
- c. Exception 8 shall apply to all of the lands collectively regardless of future severance, partition or division.

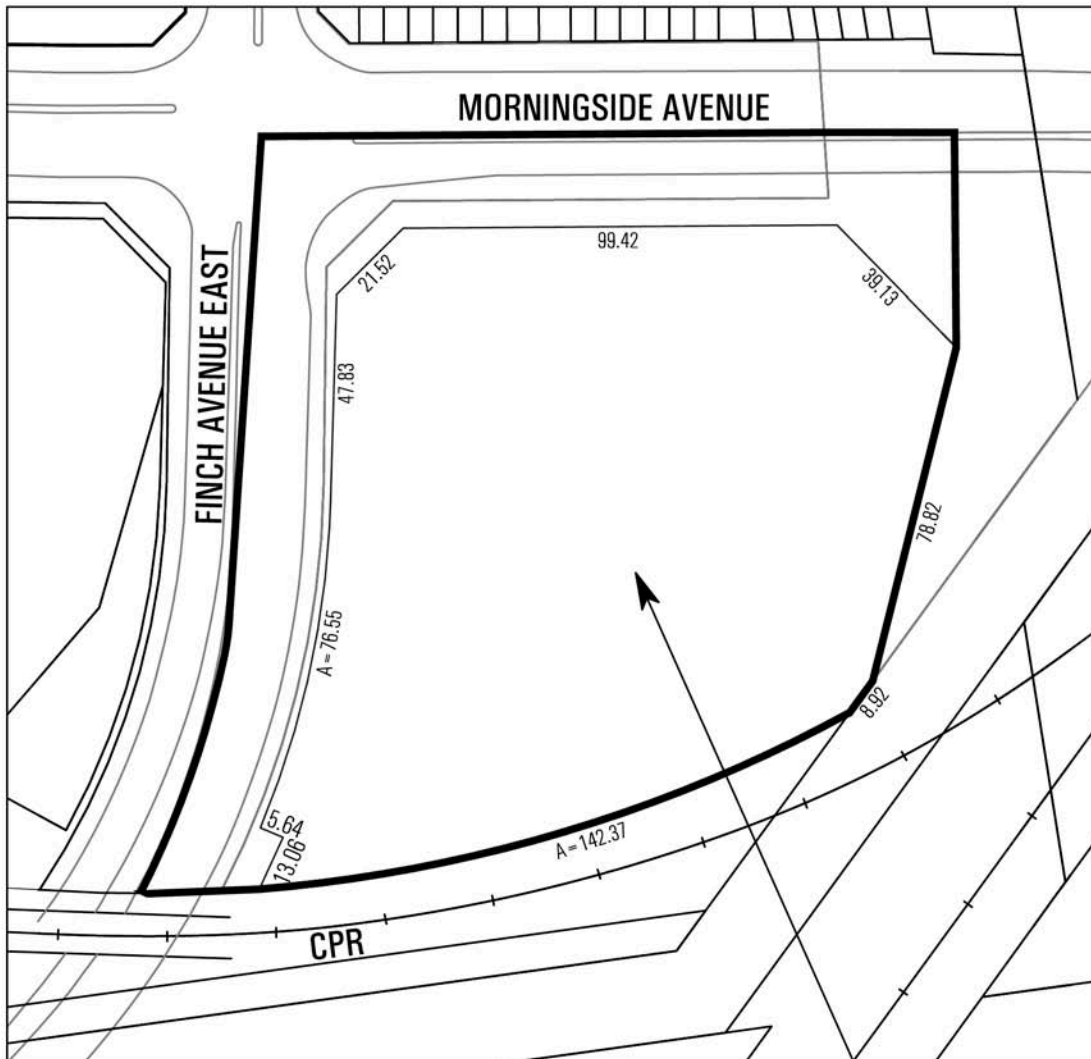
Enacted and passed on July 18, 2019.

Frances Nunziata,  
Speaker

Ulli S. Watkiss,  
City Clerk

(Seal of the City)

### Schedule '1'



**CC-43-44-45-46-53-66  
-80-81-100-101-102**

**Toronto**  
Zoning By-Law Amendment

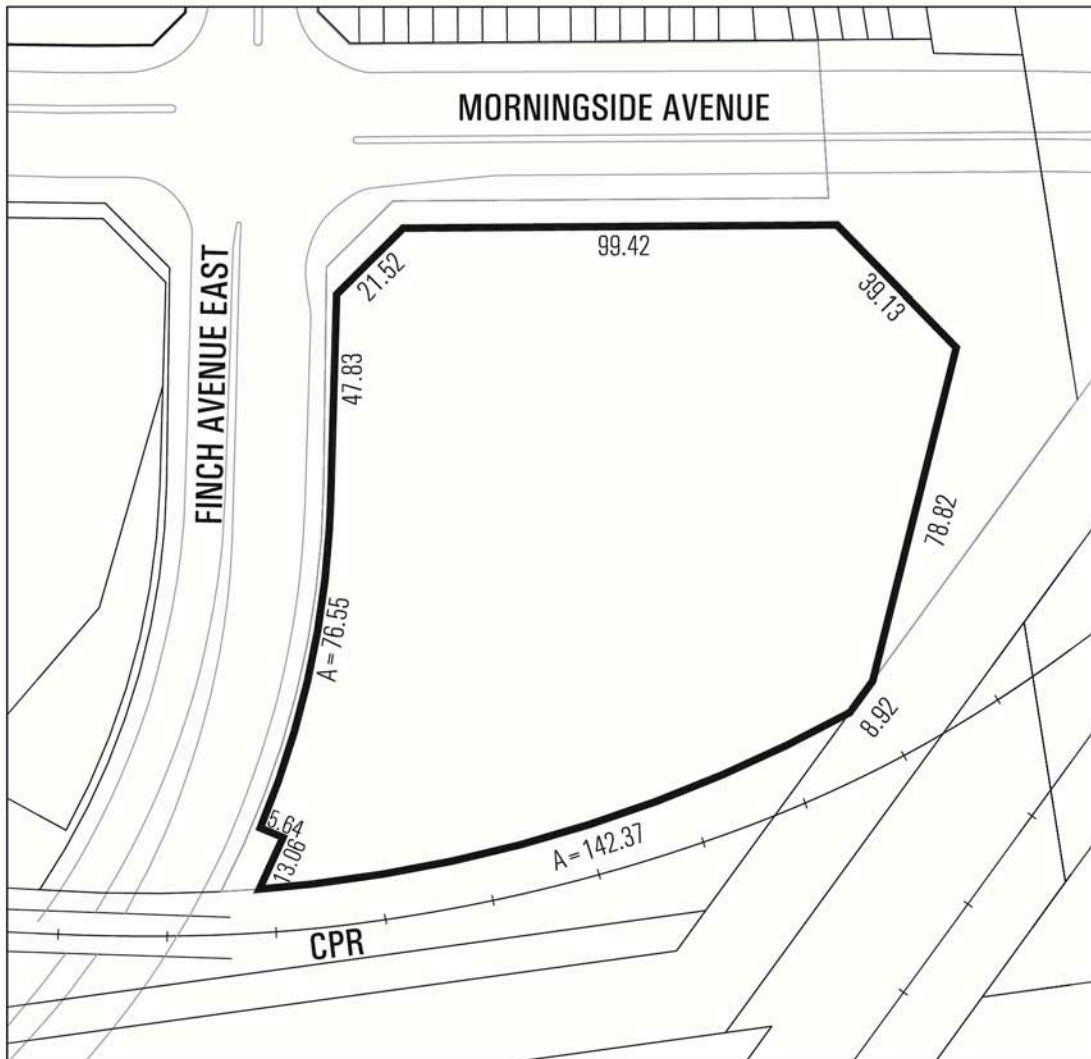
2130 Morningside Avenue  
File # 17 278788 ESC 42 0Z

 Area Affected By This By-Law

Morningside Heights Community Bylaw  
Not to Scale  
05/06/19



### Schedule '2'



### Exception No. 8

**Toronto**  
Zoning By-Law Amendment

2130 Morningside Avenue  
File # 17 278788 ESC 42 0Z

 Area Affected By This By-Law

Morningside Heights Community Bylaw  
Not to Scale  
04/17/19

