

CITY OF TORONTO

BY-LAW 268-2022

To amend the former City of Scarborough Employment Districts Zoning By-law 24982 (Progress Employment District), as amended, with respect to the lands municipally known in 2022 as, 140, 150, 158 and 160 Borough Drive.

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 former City of Scarborough Employment Districts Zoning By-law 24982 (Progress Employment District), as amended, is further amended by deleting the current zoning and replacing it with the following Schedule 1 so that the amended zoning shall read as follows:

CCR – 890-891-892-1198-1199-1694-2029-2239-2240-2241-2242-2243-2244-2716-2717-2904-2905-2906-2907-2908-2909-2910-2911-2912-2913

492

2. **CLAUSE IV – DEFINITIONS** is amended by adding the following definitions:

Ancillary means naturally and normally incidental, subordinate in purpose or floor area, and exclusively devoted to a permitted use, building or **structure**.

Artist Studio means premises used for creating art or craft.

Car-share or car-sharing means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and such car-share motor vehicles are made available to at least the occupants of the building or short term rental, including hourly rental.

Car-share parking space means a parking space exclusively reserved and signed for a car used only for car-share purposes.

Community Centre means 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.

Custom Workshop means premises used for producing or making custom-made goods in limited quantities, using techniques that do not involve mass-production.

Day Nursery means land, buildings or **structures** or parts thereof used for the provision of temporary care or guidance or both temporary care and guidance, for a continuous period not exceeding twenty-four hours to more than five children who are:

1. Not of common parentage, and
2. Under eighteen years of age in the case of children with a developmental handicap, and

Public Parking means premises having an area for the parking of one or more vehicles as a principal use and the parking of a vehicle is available for public use with or without a fee.

Stacked bicycle parking space means a horizontal **bicycle parking space** that is positioned above or below another **bicycle parking space** and equipped with a mechanical device providing floor level access to both **bicycle parking spaces**.

3. **SCHEDULE "B", PERFORMANCE STANDARDS CHART** of the former City of Scarborough Employment Districts Zoning By-law 24982 (Progress Employment District), as amended, is further amended by adding the following Performance Standards:

INTENSITY OF USE

795. Is deleted and replaced as follows:

Gross Floor Area of all buildings minus the **gross floor area** of enclosed malls, walkways, storage areas, and services area, constructed on Part A shall not exceed 0.446 times the total **lot** area of Parts A and B and additional floor space used for storage, utilities, enclosed walkways and malls shall not exceed 0.1329 times the total area of Parts A and B.

890. Gross floor area of all uses shall not exceed 53,000 square metres, measured to the exterior walls, for the lands shown as Part 1 on Schedule 2 (excluding **basements**, which include below-grade parking **structures** and associated parking spaces, ramps, **driveways** and **aisles**; storage rooms, washrooms in common areas, electrical, mechanical and ventilation rooms; **utility rooms**; loading facilities; **bicycle parking spaces** and the entirety of the room separated by demising walls containing those **bicycle parking spaces**; shower and change facilities required for **bicycle parking spaces**; indoor **amenity space**; moving rooms; elevator shafts; garbage handling and storage areas, including garbage shafts; mechanical penthouse; void areas; and exit stairwells in the building), and:
 - a. for permitted non-residential uses a maximum gross floor area of 990 square metres of which:

- i. a minimum gross floor area of 790 square metres if the permitted non-residential use is a **day nursery**; and
- ii. a maximum gross floor area of 200 square metres for gross floor area associated with on-site parking uses.

891. **Dwelling units** to be provided as follows:

- a. a minimum of 15 percent of the **dwelling units** in the building must contain two bedrooms;
- b. a minimum of 10 percent of the **dwelling units** in the building must contain three bedrooms;
- c. **dwelling units** must be located at or below 135 metres; and
- d. if the number of **dwelling units** required in a. and b. above results in a decimal, the number will be rounded down if the decimal is less than 0.5 and will be rounded up if it results in a decimal of 0.5 or greater.

892. Within the area labelled "HT 89.5 and HT 135" on Schedule 3 of By-law 268-2022, the portions of a building or structure located above a height of 24 metres must not exceed a maximum **floor area**, measured from the exterior of the **main wall** of each floor level and inclusive of the entire floor, of 750 square metres.

SETBACKS

1198. The setbacks and stepbacks from the **lot** line(s) to the **main wall**(s) of any building(s) and additional stepbacks from the **main wall**(s) of any building(s) to the **main wall**(s) of any building(s) shall be the minimum distance in metres specified by the numbers on Schedule 3 of By-law 268-2022.

1199. The following building elements and **structures** may encroach into a required minimum building setback from the **main wall** as follows:

- a. balconies, awnings, **canopies**, porches, stoops, lighting fixtures, ornamental elements, trellises, cornices, window sills, stairs, wheelchair ramps, balustrades, landscape features, architectural features, mechanical penthouse and unenclosed structures used to mitigate wind or noise: a maximum projection of 1.8 metres; and
- b. public art features: no projection restriction provided they are approved by City Planning.

PARKING

2905. Parking shall be provided in accordance with the following:

- a. no parking spaces are required for **dwelling units**;
 - b. a minimum rate of 2.0 residential visitor parking spaces plus 0.01 parking spaces for each **dwelling unit** are required;
 - c. a minimum of 2.0 parking spaces for the **day nursery**;
 - d. a minimum of 7.0 parking spaces to be located at-grade and operated as **public parking** of which 2.0 may be accessible parking spaces on 150 Borough Drive to be operated as **public parking**;
 - e. a minimum of 2.0 parking spaces as accessible parking spaces for **public parking** which may be located at grade or below grade in accordance with above;
 - f. Accessible parking will be provided as follows:
 - i. if the number of parking spaces is less than 13, a minimum of 1 accessible parking space;
 - ii. if the number of parking spaces is 13 to 100, a minimum of 1 accessible parking space for every 25 parking spaces or part thereof; and
 - iii. if the number of parking spaces is more than 100, a minimum of 5 accessible parking spaces plus 1 accessible parking space for every 50 parking spaces or part thereof in excess of 100 parking spaces.
 - g. visitor parking stalls may be provided on a non-exclusive basis for the shared use as parking – municipal office and all other non-residential uses based on the following:
 - i. on weekdays between 6:00am and 5:59pm, 60 percent of the parking spaces required by b. above;
 - ii. on weekdays between 6:00pm-5:59am, 20 percent of the parking spaces required by b. above; and
 - iii. on weekends, defined as Saturday 6:00am to Monday 5:59am, 20 percent of the parking spaces required by b. above; and
 - h. No parking spaces are required for other permitted uses.
2906. A maximum of 15 percent of the required parking spaces may be obstructed on one side only without being required to provide an additional 0.3 metres of width.

2907. The minimum dimensions of a parking space, if accessed by a two-way drive **aisle** having a width of 7.0 metres or more measured at the entrance to the parking space, shall be:
- length 5.2 metres
 - height 2.0 metres
 - width 2.6 metres
2908. The minimum dimensions of an accessible parking space, if accessed by a two-way drive **aisle** having a width of:
- a. 7.0 metres or more measured at the entrance to the parking space, shall be:
 - length 5.2 metres
 - height 2.1 metres
 - width 3.4 metres
 - b. between 6.0 and 6.99 metres measured at the entrance to the parking space, shall be:
 - length 5.6 metres
 - height 2.1 metres
 - width 3.4 metres
2909. Accessible parking spaces must:
- a. be adjacent to a 1.5 metre wide accessible barrier free **aisle** or path for the entire length of an accessible parking space; and
 - b. be parking spaces located closest to a pedestrian access to a building or a passenger elevator that provides access to the first storey of the building;
2910. Minimum building setbacks are required for the below-grade parking **structure** follows:
- a. 0.2 metres from Borough Drive street **lot** line; and
 - b. 0.5 metres from all other **lot** lines or from all other boundary lines as shown on Part 1 on Schedule 2.
2911. **Bicycle parking spaces** shall be provided on the **lot** as follows:

- a. at a rate of 0.68 long-term **bicycle parking spaces** for each **dwelling unit**;
 - b. at a rate of 0.07 short-term **bicycle parking spaces** for each **dwelling unit**;
 - c. all long-term **bicycle parking spaces** shall be located indoors in secure controlled-access bicycle parking facilities or purpose-built bicycle lockers, on the first and second **storey** above grade as well as on the first level below grade; and,
 - d. all short term **bicycle parking spaces** shall be located outdoors at grade or indoors on the first **storey** above grade.
2912. **Bicycle parking spaces** shall not be provided within a **dwelling unit** or on a balcony associated thereto, or in a storage locker.
2913. **Bicycle Parking Space Dimensions**
- a. The minimum dimension of a **bicycle parking space** is:
 - i. minimum length of 1.8 metres;
 - ii. minimum width of 0.6 metres; and
 - iii. minimum vertical clearance from the ground of 1.9 metres.
 - b. The minimum dimension of a **bicycle parking space** if placed in a vertical position on a wall, **structure** or mechanical device is:
 - i. minimum length or vertical clearance of 1.9 metres;
 - ii. minimum width of 0.6 metres; and
 - iii. minimum horizontal clearance from the wall of 1.2 metres.
 - c. If a stacked **bicycle parking space** is provided it must be in accordance with the following:
 - i. a stacked **bicycle parking space** may overlap an adjacent stacked **bicycle parking space** on one or both sides on the same tier to a maximum of 0.155 metres per side;
 - ii. the minimum length of a stacked **bicycle parking space** is 1.9 metres; and
 - iii. the minimum vertical clearance for a **stacked bicycle parking space** is 1.2 metres.

HEIGHT

2716. The height of **building** or **structure** is the vertical distance between the elevation of the highest point of the **building** or **structure** measured from established grade, which is the Canadian Geodetic Datum elevation of 166.5 metres, and shall not exceed the height in metres specified by the numbers following the symbol HT on Schedule 3 of By-law 268-2022.
2717. The following elements of a building may project above the permitted maximum height as shown on Schedule 3 of By-law 268-2022:
- a. Equipment used for the functional operation of the building including electrical, utility, mechanical and ventilation equipment, enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys and vents and a mechanical penthouse may project above the height limits to a maximum of 7.0 metres;
 - b. an exit vestibule for a **green roof** located above a mechanical penthouse as noted in a. above, may project an additional 2.0 metres above the height limits noted in a. above;
 - c. architectural features and parapets may project above the height limits to a maximum of 7.0 metres;
 - d. elements and **structures** associated with a **green roof** to a maximum of 1.0 metre;
 - e. building maintenance equipment and window washing equipment may project above the height limits to a maximum of 6.5 metres;
 - f. planters, **landscaping** features, guard rails and divider screens on a balcony and/or terrace to a maximum of 2.5 metres; and
 - g. trellises, pergolas, and unenclosed **structures** providing safety, wind or noise protection to rooftop **amenity space** to a maximum of 3.0 metres.

MISCELLANEOUS

2239. **Amenity space** for each building with 20 or more **dwelling units** shall be provided at a minimum rate of 4 square metres for each **dwelling unit**, of which:
- a. a minimum of 2 square metres for each **dwelling unit** is indoor **amenity space**;
 - b. a minimum of 2 square metres for each **dwelling unit** is outdoor **amenity space**, of which 50 percent of the required outdoor **amenity space** must be in a location adjoining or directly accessible to the required indoor **amenity space**; and

- c. a maximum of 25 percent of the outdoor component may be a **green roof**.
2240. A minimum outdoor area of 311 square metres associated with the **day nursery** use must front onto Borough Drive, be provided contiguous with the interior **floor area** of the **day nursery** and must comply with the setbacks identified on Schedule 3 attached to By-law 268-2022. If a **day nursery** is not provided, this outdoor area must be maintained as publicly-accessible outdoor space.
2241. A minimum of 100 square metres of publicly-accessible space comprising **landscaping** must be provided in the general area shown on Schedule 3 attached to By-law 268-2022.
2242. Publicly-accessible pedestrian connections located in the general areas shown on Schedule 3 attached to By-law 268-2022.
2243. The minimum height of the first **storey**, measured between the floor of the first **storey** and the ceiling of the first **storey**, shall be 7.0 metres.
2244. 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 fully operational; and
 - c. adequate and sufficient water supply is available for fire-fighting purposes.
4. **SCHEDULE "C" EXCEPTIONS LIST and EXCEPTIONS MAP**, as amended, is further amended by adding the following Exception 492:
492. Additional Permitted Use:
- Public Parking
 - Community Centre and Ancillary Uses
 - Artist Studio and Ancillary Uses
 - Custom Workshop and Ancillary Uses
 - Office
 - Retail

Personal service shops

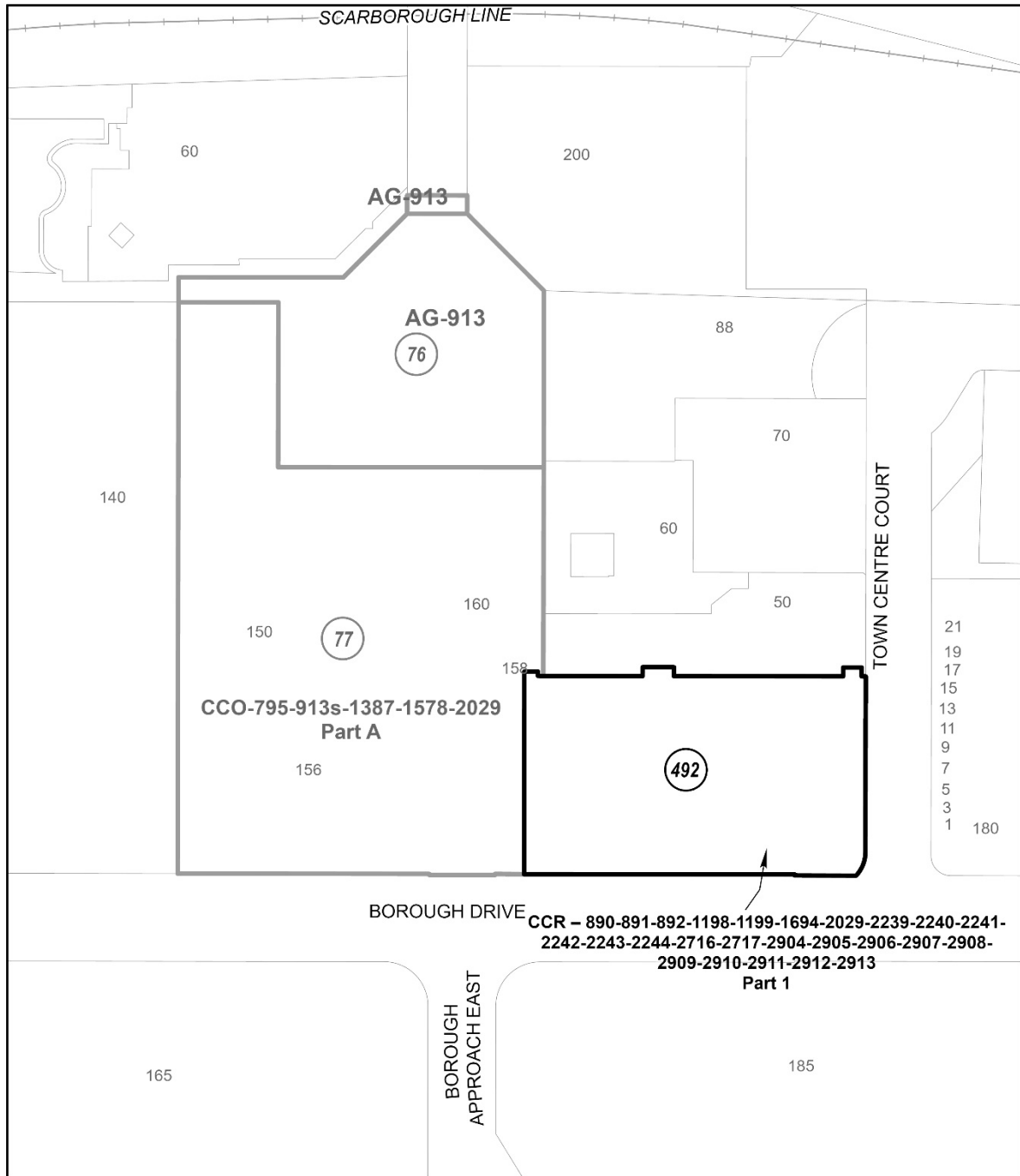
- 5. SCHEDULE "C" EXCEPTIONS LIST and EXCEPTIONS MAP**, as amended, is further amended by deleting Exceptions 531.

Enacted and passed on April 7, 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk


(Seal of the City)



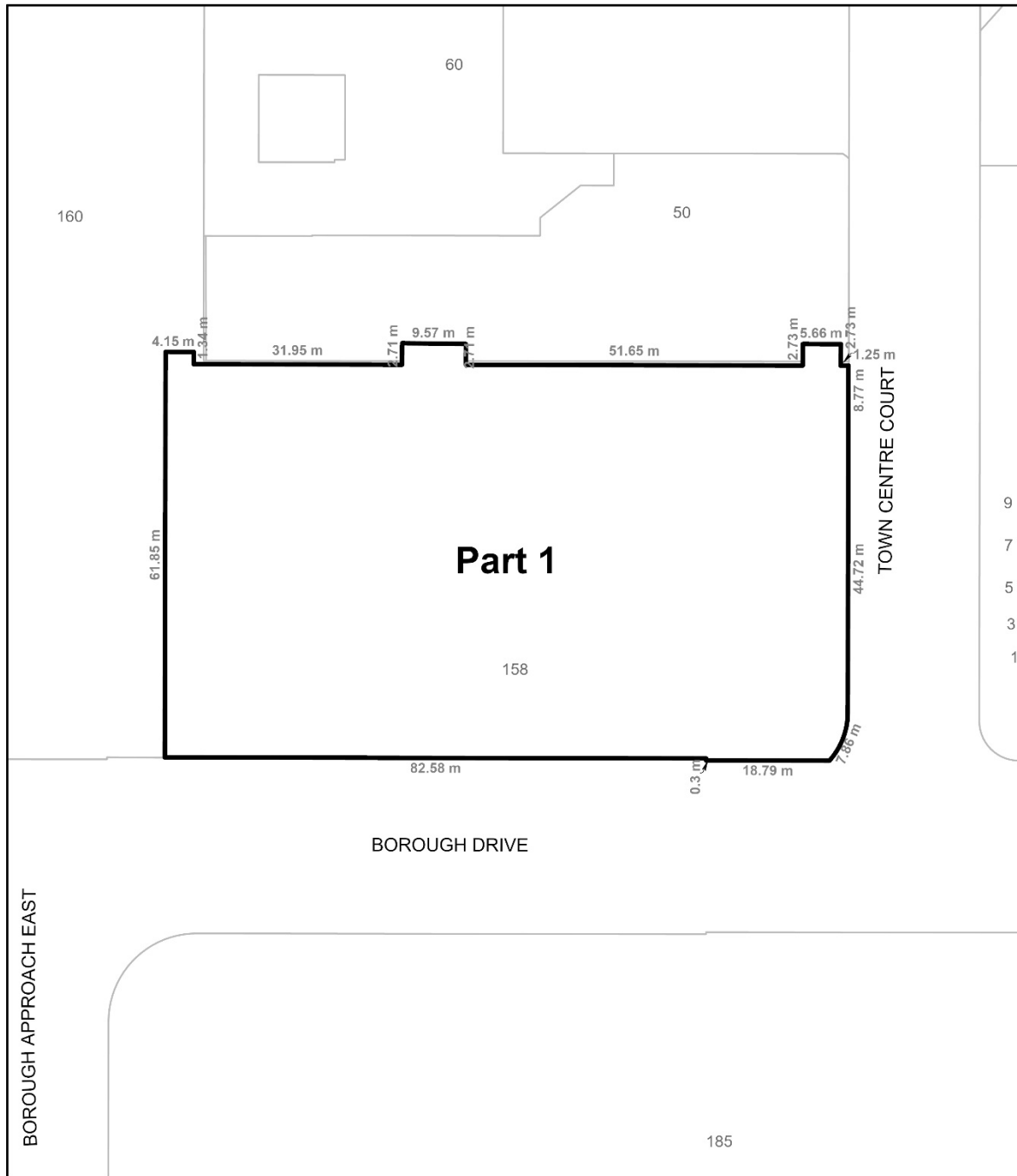
 **TORONTO**
Schedule 1

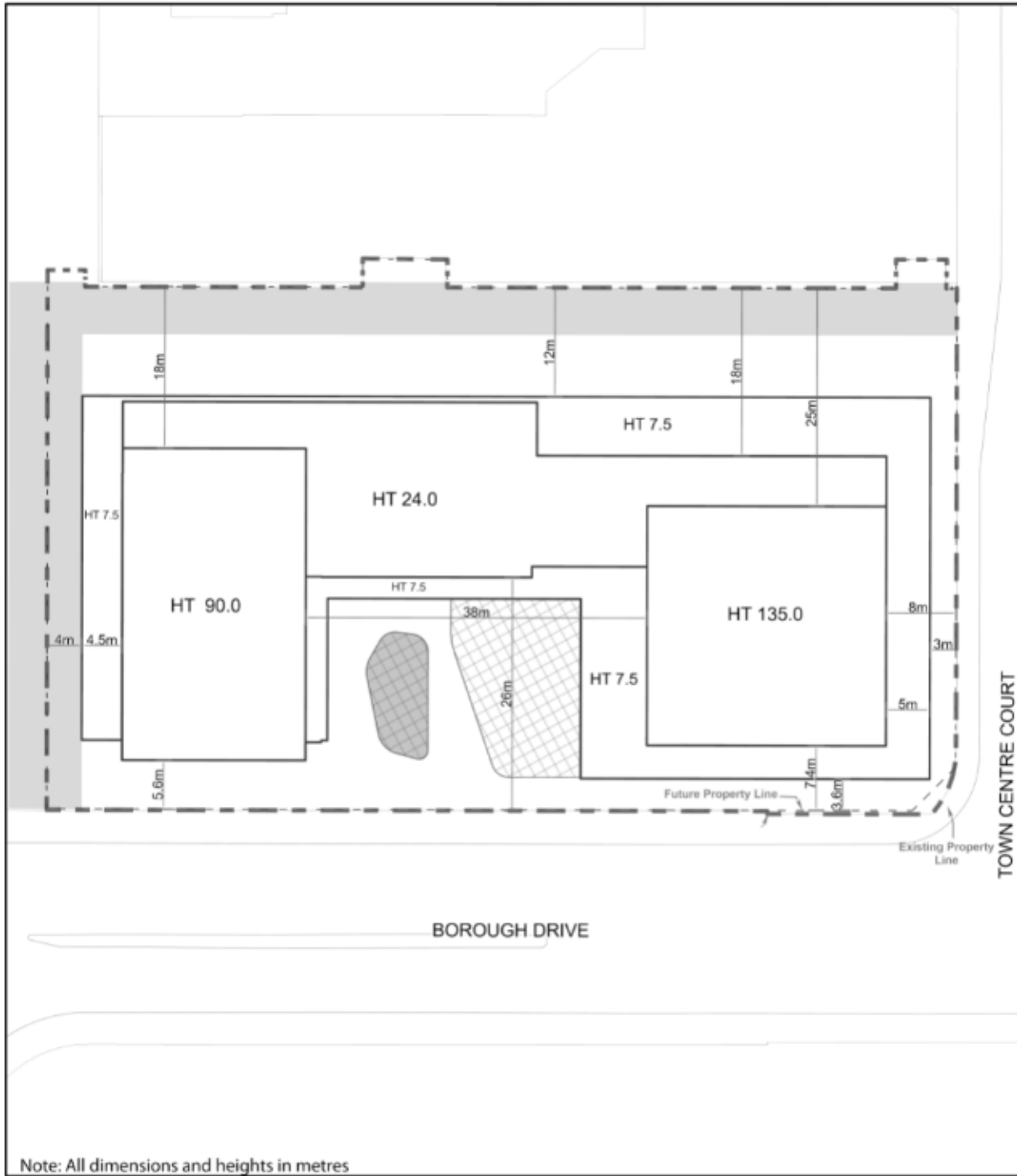
158 Borough Drive

File # 21 176132 ESC 21 0Z

 Subject Site


Former City of Scarborough Employment District By-Law No. 24982
Not to Scale
02/03/2022





TORONTO
 Schedule 3 - Height and Setbacks

158 Borough Drive

File # 21 176132 ESC 21 0Z

-  Outdoor Daycare Space
-  Publicly-Accessible Pedestrian Connection
-  Publicly-Accessible Space


 Former City of Scarborough Employment District By-Law No. 24982
 Not to Scale
 03/01/2022