

# CITY OF TORONTO

## BY-LAW No. 456-2005(OMB)

### To amend former City of Scarborough Employment Districts Zoning By-law No. 24982 with respect to the Progress Employment District.

WHEREAS authority is given to the Ontario Municipal Board by Section 34 and Section 37 of the *Planning Act* to enact this By-law; and

WHEREAS the Board, pursuant to its Decision/Order No. 2061, issued on December 18, 2001, upon hearing the appeal of Brimley Progress Development Inc., deems it advisable to enact an amendment to the Employment Districts Zoning By-law No. 24982 with respect to the Progress Employment District;

The Ontario Municipal Board HEREBY ENACTS as follows:

1. **Schedule “A”** of the Progress Employment District By-law No. 24982 is amended by deleting the current zoning and replacing it with the following zoning as shown on Schedule “1”:

CCR - 665 - 692 - 1565 - 1726 - 2029 - 2369

523

CCC - 157 - 343 - 344 - 2029 - 2369

223

440

2. **Schedule “B”, PERFORMANCE STANDARD CHART**, is amended by adding the following Performance Standards:

#### **INTENSITY OF USE**

343. **Gross floor area** of all uses permitted in the **City Centre Commercial (CCC) Zone** shall not exceed 4033 m<sup>2</sup>.

344. **Gross Floor Area** of all **Places of Entertainment** shall not exceed 520 m<sup>2</sup>.

692. Maximum – 762 **dwelling units**, including a maximum of 100 **Residential/Employment Units**.

#### **SECTION 37**

2369. Matters to be provided pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, C.P. 13, as amended.

- (a) The owner of the lands, at its expense and in accordance with, and subject to, the agreements referred to in Section (b) herein, shall provide or fund the following facilities, services and matters, including any provisions for indexing of amounts, in exchange for the increase in density, prior to the issuance of Building Permits, as follows:

- (i) payment to the City of Toronto of \$400,000 to be used by the

City for expenditures in the Scarborough City Centre area for parks and/or recreational purposes and for the purposes of a pedestrian walkway from Brimley Road and Triton Road to Scarborough Centre Rapid Transit Station.

- (b) The owners of the lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to secure the facilities, services, and matters referred to in Section (a)(i) herein, which agreement shall be registered as a first charge on title to the lands to which this By-law applies.

3. **Schedule “C”, EXCEPTIONS LIST**, is amended by adding the following Exception Numbers 223, 440 and 523:

**PROHIBITED USES**

223. (a) Prohibited Uses:

- **Vehicle Service Garages**
- **Vehicle Service Stations**

**ADDITIONAL PERMITTED USES**

440. (a) Additional Permitted Uses:

- In addition to uses permitted in the **City Centre Commercial (CCC) Zone**, offices are also permitted.
- In addition to uses permitted in the **City Centre Residential (CCR) Zone, Residential/Employment Units** are also permitted.

**OTHER**

523. (a) **Residential/Employment Unit** means a **dwelling unit** which may be combined with one or more of the following non-residential uses:

- offices
- **personal service shops**
- **service shops**
- studios
- educational facilities

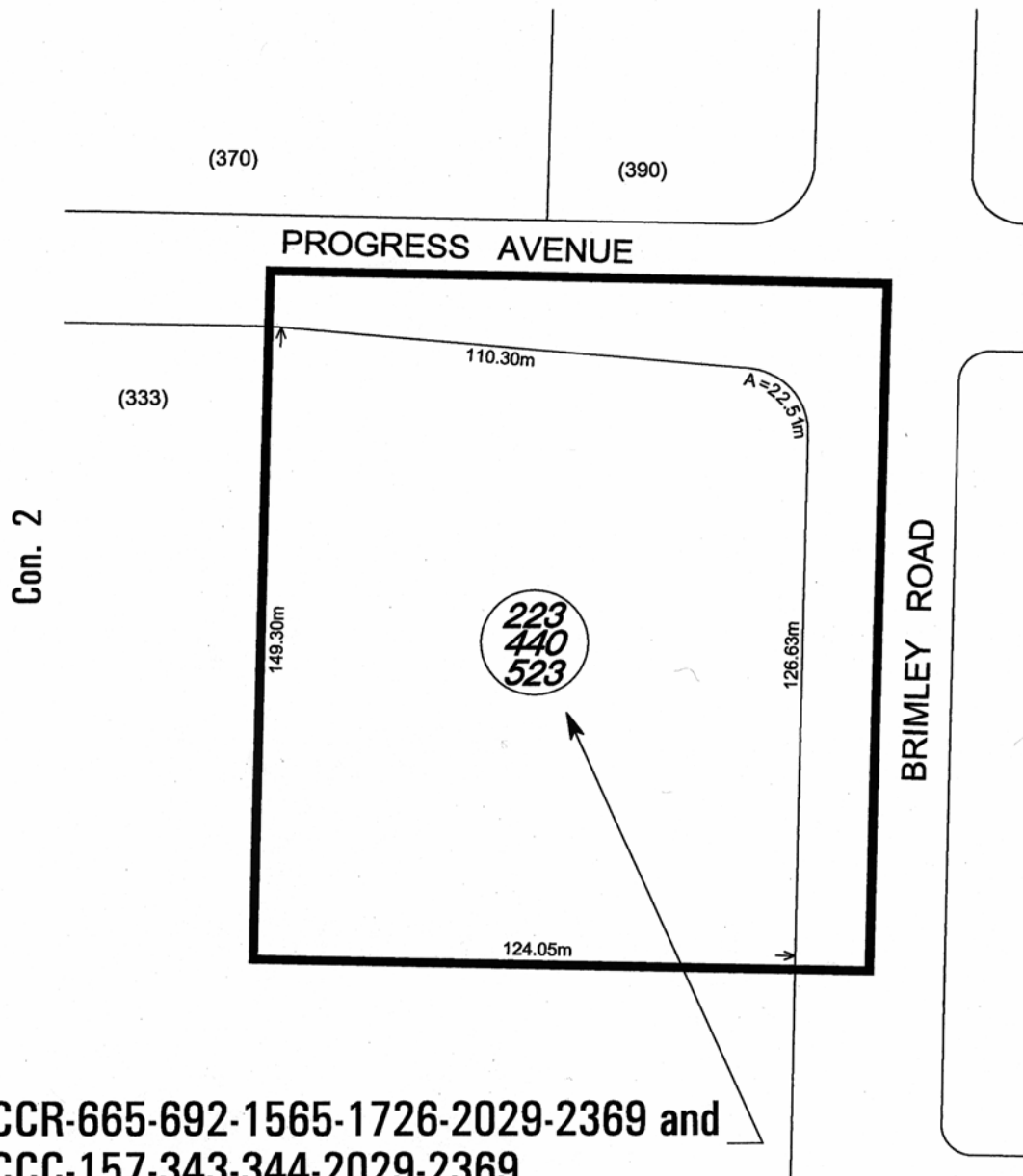
occupied and operated by one or more persons residing in the **dwelling unit**.

- (b) Only **dwelling units** between the 1st and 6th floors may be used as **Residential/Employment Units**.
- (c) **CLAUSE V - GENERAL PROVISIONS, General Parking Regulations for All Zones**, Section 7.2 **Table of Required Parking Rates**, shall not apply to **Residential/Employment Units**.

PURSUANT TO DECISION/ORDER NO. 2061 OF THE ONTARIO MUNICIPAL BOARD  
ISSUED ON DECEMBER 18, 2001 IN BOARD FILE NO. PL010379.

## Schedule '1'

Lot 25



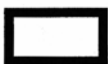
CCR-665-692-1565-1726-2029-2369 and  
CCC-157-343-344-2029-2369



Zoning By-Law Amendment

S/W Corner of Brimley Rd. & Progress Ave.

File # SC-Z19990008



Area Affected By This By-Law



Not to Scale

Progress Employment District By-law  
Extracted 30/11/01 - KP  
Job No. Z19990008-B