

CITY OF TORONTO

BY-LAW No. 156-2007(OMB)

To amend the Employment Districts Zoning By-law No. 24982 (Tapscott Employment District), as amended, of the former City of Scarborough with respect to lands municipally known as 3290, 3310 and 3330 Markham Road.

WHEREAS authority is given to the Ontario Municipal Board by Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, the Ontario Municipal Board orders as follows:

1. **SCHEDULE “A”** of the Employment Districts Zoning By-law No. 24982 (Tapscott Employment District) is amended by deleting the current zoning and replacing it with the following, so that the amended zoning shall read as follows on Schedule ‘1’:

SDC(H) 6 – 913 – 1111 – 1517 – 1519 – 1520 – 1637 – 1638 – 1902 – 2001 – 2029 – 2379

232 – 466 – 834

2. **SCHEDULE “B” - PERFORMANCE STANDARDS CHART** of the Employment Districts Zoning By-law No. 24982, is hereby amended by adding the following Performance Standards:

1517. Notwithstanding the provisions of **CLAUSE V – GENERAL PROVISIONS**, article 7.10.1, **Mechanical or Automatic Car Wash – Vehicle Stacking Spaces**, a minimum of 10 vehicle stacking spaces shall be provided for a stationary mechanical car wash.

1519. Notwithstanding the provisions of **CLAUSE V – GENERAL PROVISIONS**, Section **7.2, Table of Required Parking Rates**, parking shall be provided for all uses as follows:

- Minimum 4.0 parking spaces per 100 m² **gross floor area** and maximum 5.0 parking spaces per 100 m² **gross floor area**.

1520. Notwithstanding the provisions of **CLAUSE V – GENERAL PROVISIONS**, Section **7.3, Parking Space and Driveway Dimensions**, parking spaces shall have minimum dimensions of 2.6 m width by 5.6 m length.

1637. Parking spaces shall be prohibited within 16 m from the **street line** of Steeles Avenue.

1638. Parking spaces shall be prohibited within 10 m from the **street line** of Markham Road.

1902. Minimum 3.0 m wide strip of land abutting the **street line** of Markham Road and Steeles Avenue East shall be used for **landscaping**, retaining walls and driveways only.

2379. Matters to be provided pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended:

- (a) The density of development permitted by this By-law is permitted subject to the owner of the lands, at its expense and in accordance with and subject to the execution and registration of the agreements referred to in Section (b) herein, providing or funding the following facilities, services and matters, as follows:
 - (i) the creation of a gateway feature at the south-west corner of Markham Road and Steeles Avenue East;
 - (ii) the design and installation of one or more pieces of public art to the satisfaction of the Chief Planner of the City of Toronto or their designate, which art shall be located on the property to which this Performance Standard applies and shall be visible from the public sidewalk at the intersection of Markham Road and Steeles Avenue East, and shall form part of the gateway feature as specified in (a) (i) above. The owner's cost to select, design, acquire and install the art shall not be less than \$200,000.00;
 - (iii) The agreement shall contain provisions relating to the phasing of development including a requirement that a minimum of 2,300 m² of development along the frontage of Steeles Avenue East shall be commenced within three years of the issuance of the building permit for the first building on the lands to which this Performance Standard applies, which will include the construction of the Markham Road and Steeles Avenue East gateway feature and corner buildings. The agreement shall contain further provisions respecting the commencement of development that will complete the Steeles Avenue frontage of the lands within five years of the issuance of the building permit for the first building on the lands to which this Performance Standard applies;
 - (iv) The agreement shall contain landscape plan drawings satisfactory to the City of Toronto, which show an interim landscape treatment for the site.
- (b) the owner 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) 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** of the Employment Districts Zoning By-law No. 24982, is further amended by adding the following Exception Numbers 232, 466 and 834:

232. On those land identified as Exception Number 232, the following uses shall be prohibited:

Prohibited Uses

- **Place of Worship**

466. On those lands identified as Exception Number 466, the following additional uses shall be permitted:

Additional Permitted Uses:

- **Open storage** and a display of goods ancillary to a retail store, provided however that **open storage** and display areas shall be located a minimum of 140 m from the **street line** of Steeles Avenue East and a minimum of 10 m from the **street line** of Markham Road;
- **Vehicle Service Garage** ancillary to a retail store;
- **Vehicle Service Stations** located a minimum of 150 m from the **street line** of Markham Road; and
- **Mechanical or Automatic Car Wash.**

834. On those lands identified as Exception Number 834, the following provisions shall apply:

- (a) Prior to the removal of the Holding Provision (H) from the zoning of the lands subject to this Exception, only the following Zone Provisions and Performance Standards shall apply:

AG – 913 – 1159

508

The Holding Provision (H) used in conjunction with the **Special District Commercial Zone (SDC)** shall be removed, in whole or in part, by amending By-law when Council is satisfied as to the availability of all infrastructure and servicing requirements necessary to accommodate the proposed development, and that all necessary transportation improvements have been secured to the satisfaction of the City of Toronto;

whereupon the lands shall be restricted to the following
Zone Provisions, Performance Standards and Exceptions:

SDC 6 – 913 – 1111 – 1517 – 1519 – 1520 – 1637 – 1638 – 1902 –

2001 – 2029 – 2379

232 – 466

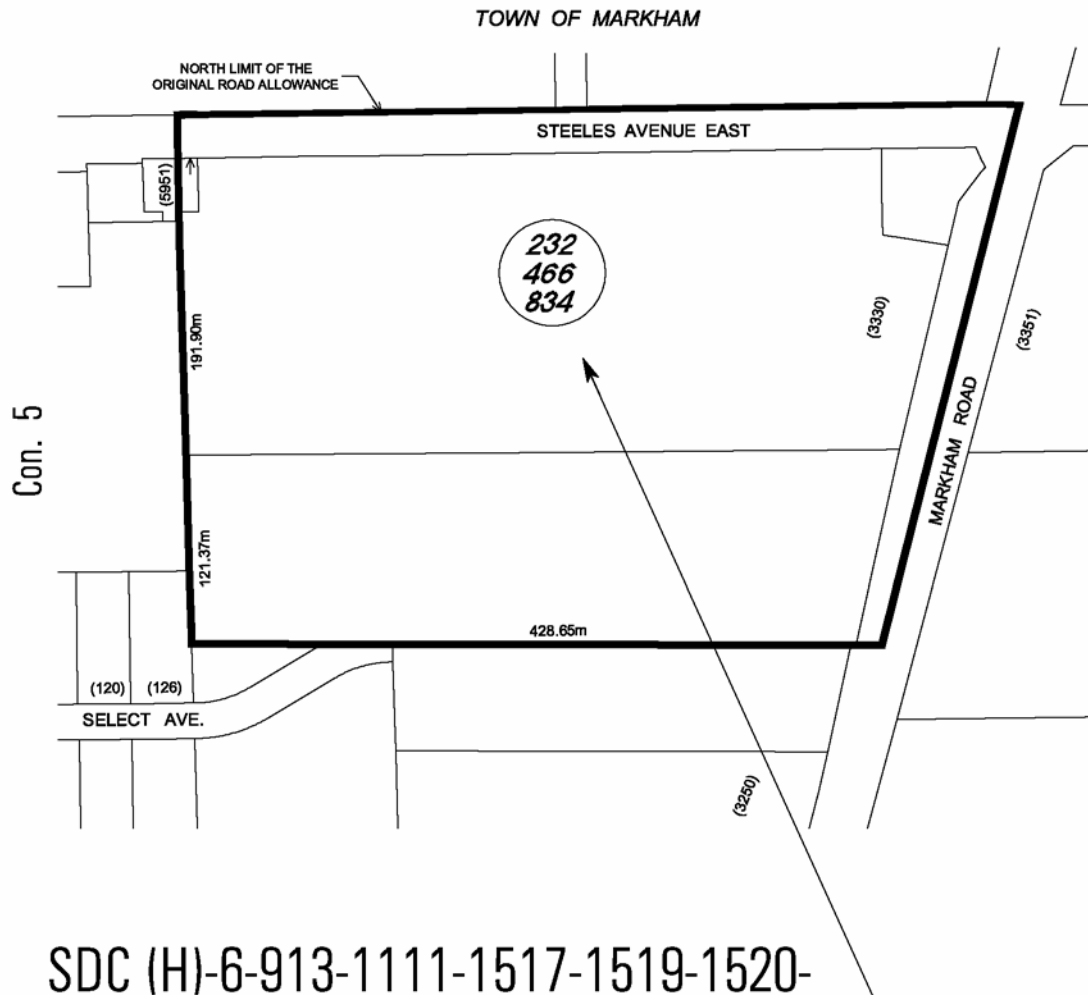
PURSUANT TO THE DECISION/ORDER NO. 3184 OF THE ONTARIO MUNICIPAL
BOARD ISSUED ON NOVEMBER 10, 2006 IN BOARD FILE NO. PL051180 and PL060314.

Schedule '1'

Lot 19 |

Lot 18 |

Lot 17



SDC (H)-6-913-1111-1517-1519-1520-
1637-1638-1902-2001-2029-2379



Zoning By-Law Amendment

3310, 3290 and 3330 Markham Road

File # 03-035184 OZ



Area Affected By This By-Law

Tapscott Employment District By-law
Not to Scale
10/18/06

