

Authority: Scarborough Community Council Item 27.24,  
as adopted by City of Toronto Council on August 5 and 6, 2009  
Enacted by Council: August 6, 2009

## CITY OF TORONTO

### BY-LAW No. 739-2009

#### To amend the Scarborough Village Community Zoning By-law No. 10010 as amended, with respect to the lands municipally known as 3201-3227 Eglinton Avenue East.

WHEREAS authority is given to Council by Section 34 and Section 37 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 HEREBY ENACTS as follows:

1. Schedule "A" of the Scarborough Village Community Zoning By-law is amended for the lands outlined in the attached Schedule '1' by deleting the existing Apartment Residential (A) Zone and Community Commercial (CC) Zoning and Performance Standards and replacing them with Apartment Residential (A) Zone, Community Commercial (CC) and Park Zone (P) Zoning and Performance Standards as shown on Schedule '1' so that the amended Zoning shall read as follows:

A and CC -40G -167-183-186-187-188-189-190-191-223-224-225-267-268-269-380 (33)

A and CC -40G -167-184-186-187-188-189-190-191-223-224-225-270-271-272-380 (33)

A and CC -40G -167-185-186-187-188-189-190-191-223-224-225-273-274-275-380 (33)  
P

2. Schedule "B" PERFORMANCE STANDARDS CHART, is amended by adding the Performance Standards 183, 184, 185, 186, 187, 188, 189, 190, 191, 223, 224, 225, 267, 268, 269, 270, 271, 272, 273, 274, 275 and 380 as follows:

#### INTENSITY OF USE

267. **Gross Floor area** shall not exceed 40,435 square metres.
268. Maximum 476 **dwelling units**.
269. Maximum **Gross Floor Area** 1858 square metres for **Community Commercial (CC)** uses.
270. **Gross Floor Area** shall not exceed 30,352 square metres.
271. Maximum 345 **dwelling units**.
272. Maximum **Gross Floor Area** 622 square metres for **Community Commercial (CC)** uses.

273. **Gross Floor Area** shall not exceed 32, 425 square metres.
274. Maximum 310 **dwelling units**.
275. Maximum **Gross Floor Area** 3005 square metres for **Community Commercial (CC)** uses.

### **MISCELLANEOUS**

183. Maximum **height** – 21 **storeys** and 65.5 metres, excluding mechanical penthouse, chimneys, vents, skylights, antennae, elevator machine rooms, and parapet walls, except within 30 metres of the Kingston Road streetline, where the maximum height shall be 9 **storeys** and 31.5 metres.
184. Maximum **height** – 21 **storeys** and 65.5 metres, excluding mechanical penthouse, chimneys, vents, skylights, antennae, elevator machine rooms, and parapet walls.
185. Maximum **height** – 18 **storeys**, excluding mechanical penthouse, chimneys, vents, skylights, antennae, elevator machine rooms, and parapet walls, except within 45 metres of the Eglinton Avenue streetline, where the maximum **height** shall be 9 **storeys**.
186. Minimum interior amenity space to be provided 2.0 square metres per **dwelling unit**.
187. An outdoor balcony or terrace is to be provided for no less than 80% of the total number of **dwelling units**.
188. Minimum ground floor **height** along Kingston Road and Eglinton Avenue frontages of 4.5 metres. This provision does not apply to uses, buildings or structures located on the lot on the date of enactment of this By-law.
189. Within the lands shown on Schedule '1' attached to this By-law, 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 operational.

This provision does not apply to uses, buildings or structures located on the lot on the date of enactment of this By-law.

**PARKING**

190. The provisions of Sub-Clause 13 of CLAUSE VI - PROVISIONS FOR ALL ZONES and Sub-Clause 1.1 and Sub-Clause 1.4 of CLAUSE VII – GENERAL PARKING REGULATIONS FOR ALL ZONES are not applicable.
191. There shall be no setback requirement for underground parking garages.
223. 1.15 **parking spaces** per residential **dwelling unit** shall be provided (1 enclosed **parking space** per unit; 0.15 visitor **parking spaces** per unit).
224. 1 **parking space** per 100 square metres of **gross floor area** for all Community Commercial (CC) uses, excluding Restaurants, Tea Rooms, Cafeterias, Taverns, which will be subject to the **Clause VII – General Parking Regulations for All Zones**.
225. Bicycle **parking spaces** shall be provided at a rate of 0.5 bicycles per **dwelling unit**, of which 80% is for occupant use, and 20% is for visitor use. Bicycle **parking spaces** shall not be provided within a **dwelling unit** or on a balcony associated thereto, and shall be provided as follows:
- a. where the bicycles are to be parked in a horizontal position, 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;
  - b. where the bicycles are to be parked in a vertical position, the space shall have horizontal dimensions of at least 0.6 metres by 1.2 metres per bicycle and a vertical dimension of at least 1.9 metres; and
  - c. in the case of a bicycle rack, it shall be located in an enclosed room or area.

**SECTION 37**

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

In exchange for the increase in density provided herein, the owner of lands shall enter into an agreement pursuant to Section 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to be registered on title to the lands, to secure facilities, services and matters, on the terms set out therein, for each of two phases of development for the lands as identified therein, as follows:

- i) a contribution of funds in the amount of \$350,000.00 prior to the issuance of the first above-grade building permit in Phase 1 for a building addition or other capital facility at the Scarborough Village Recreation Centre or other community programming space;

- ii) a contribution of funds in the amount of \$250,000.00 prior to the issuance of the first above-grade building permit in Phase 2 for a building addition or other capital facility at the Scarborough Village Recreation Centre or other community programming space;
- iii) a contribution of \$250,000.00 prior to the issuance of the first above-grade building permit in Phase 2 for parkland improvements for the park to be provided in Phase 2;
- iv) a contribution of \$250,000.00 prior to the issuance of the first above-grade building permit for the identified phase, for streetscape improvements in Phases 1 and 2 and/or community programming space, at the discretion of the City; and
- v) all such funds to be increased by the Construction Price Index, on an annual basis; provided that any increase in density as provided herein shall be subject to the registration of the agreement pursuant to the Section 37 of the *Planning Act* being registered on title to the lands.

**3. SCHEDULE “C” EXCEPTIONS LIST, Exception No. 33 is amended as follows on the accompanying Schedule ‘2’ Map.**

33. On those lands indicated on the accompanying Schedule “C” map, the following provisions shall apply:
- 1. Community Commercial Uses shall include only the following:
    - Automobile Service Stations
    - Banks
    - Day Nurseries
    - Educational Facilities
    - Funeral Homes
    - Libraries
    - Offices
    - Personal Service Shops
    - Places of Recreation, Entertainment and Assembly
    - Place(s) of Worship
    - Restaurants
    - Retail Stores
    - All other uses as stated in Clause VIII, Section 6, of By-law No. 10010 are prohibited
  - 2. (a) Community Commercial Uses, excluding offices, shall not exceed a gross floor area of 20 500m<sup>2</sup>;
  - (b) The maximum number of dwelling units shall not exceed 350 on Part D and 261 on Part A; and
  - (c) Apartment (A) uses shall be prohibited on Part B.

3. On Part A, the maximum height shall be 57 m, except within 60 m of the Kingston Road streetline the maximum height shall be 46 m. Height is to be measured from the average finished grade around the perimeter of the buildings.
4. The provisions of Clause VI, Section 6, Coverage, shall not apply.
5. The maximum number of **dwelling units** on Part C shall not exceed 1,057.
6. Community Commercial Gross floor area in buildings existing on Part C on the date of enactment of this By-law shall continue to be permitted notwithstanding any other provision of this By-law.
7. Temporary sales offices for the sale of residential dwelling units contemplated by the By-law is permitted on Part C without parking or building setback restrictions for the purpose of selling residential dwelling units.
8. Parking spaces may be located on lands zoned P on Part C to serve Community Commercial gross floor area located in a building existing as of the date of enactment of this By-law.
9. The provisions of this By-law shall apply collectively to this property notwithstanding its division into two or more parcels.

ENACTED AND PASSED this 6th day of August, A.D. 2009.

GLORIA LINDSAY LUBY,  
Deputy Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

Schedule '1'

Lot 17



A & CC-40G-167-185-186-187-188-190  
 -191-189-223-224-225-273-274-275-380

A & CC-40G-167-184-186-187-188-190  
 -191-189-223-224-225-270-271-272-380

A & CC-40G-167-183-186-187-188-190  
 -191-189-223-224-225-267-268-269-380



Zoning By-Law Amendment

3201-3227 Eglinton Avenue East

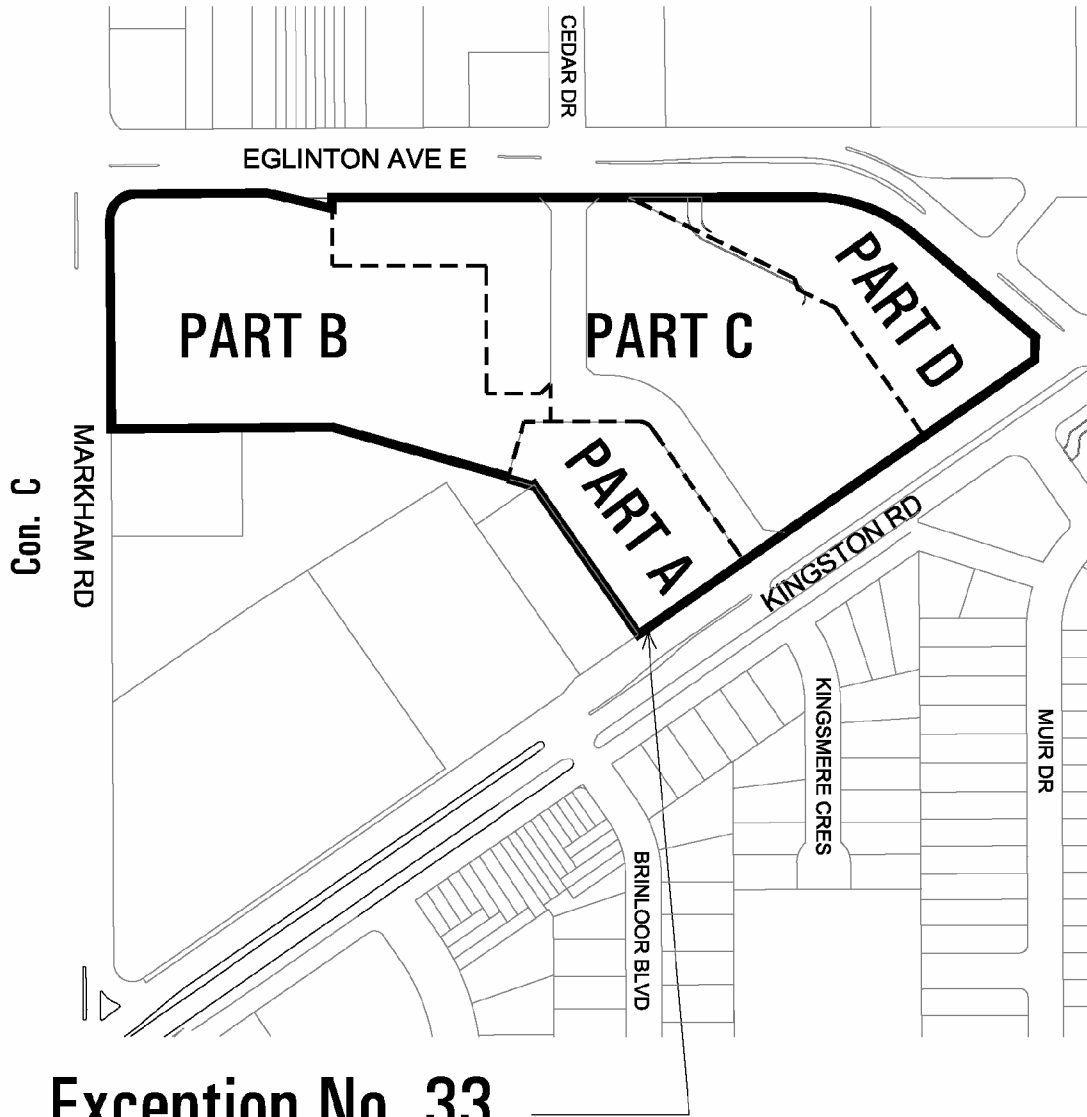
File # 07-272312\_OZ, 07-272331\_SB

 Area Affected By This By-Law

Scarborough Village Community Bylaw  
 Not to Scale  
 8/4/09

### Schedule '2'

Lot 17



## Exception No. 33



**Zoning By-Law Amendment**

**3201-3227 Eglinton Avenue East**

File # 07-272312\_OZ, 07-272331\_SB

 Area Affected By This By-Law

Scarborough Village Community Bylaw  
 Not to Scale  
 5/22/09

