CITY OF TORONTO

BY-LAW No. 150-2011(OMB)

To amend former City of Scarborough Oakridge Community Zoning By-law No. 9812, as amended, with respect to lands municipally known as 3520 Danforth Avenue.

WHEREAS the Ontario Municipal Board, by way of Order issued on October 20, 2010, determined to amend the former City of Scarborough Oakridge Community Zoning By-law No. 9812, as amended, with respect to lands municipally known as 3520 Danforth Avenue; and

1. **Schedule "A"** is amended by deleting the Zoning for the lands outlined on Schedule 'l' and adding the following Zoning to the outlined lands:


2. **Schedule "B", PERFORMANCE STANDARDS CHART**, is amended by adding the following Performance Standards:

   39B. Minimum Building Setbacks

   Underground structures, including underground garages, shall be setback a minimum of 0.6 m from abutting "S" or "T" zones, except that portion of the underground garage wall supporting the solid masonry wall at the north property line, to a maximum of 2 m below finished grade at the base of the wall, may extend to the property line.

**MISCELLANEOUS**

155. Minimum first storey height at the first floor at or above grade shall be 3.9 m.

156. (a) The main wall of a building abutting Danforth Avenue for the first storey at or above grade shall be a minimum width of 70% of the lot at the Danforth Avenue street line.

   (b) The main wall building setback at the Danforth Avenue street line shall be a minimum of 0 m and a maximum of 3 m, except that the uppermost storey, not including the mechanical penthouse, of a building containing 5 or more storeys, excluding basements, shall be set back an additional 1.5 m from the first storey above finished grade at the Danforth Avenue street line, and the mechanical penthouse shall be set back a minimum of an additional 1.5 m from the storey beneath it.

157. (a) Minimum main wall building setback abutting the street line of Scotia Avenue shall be 2.4 m, except that the uppermost storey, not including the mechanical penthouse, of a building containing 5 or more storeys, excluding basements, shall be set back an additional 3.3 m from the first storey above finished grade at the Scotia Avenue street line; except that a projection to screen an exterior transformer may project to the street line and extend a maximum of 5 m along the street line, and balconies may project a maximum of 1.5 m into the required setback.
(b) Minimum main wall building setback abutting the street line of Warden Avenue shall be 0.9 m within 15 m of the north property line, and 0 m for that portion of the main wall located more than 15 m from the north property line, and for the 2nd to 6th storeys above finished grade, the main wall of the building abutting the street line of Warden Avenue within 15 m of the north property line shall be setback an additional 1.5 m from the first storey above finished grade, and for the 7th storey above finished grade, the main wall of the building abutting the street line of Warden Avenue within 15 m of the north property line shall be setback an additional 3.2 m from the storey beneath it.

158. Minimum 2 storeys and maximum 7 storeys, excluding basements and mechanical penthouses, is permitted and shall not exceed an overall height of 21.5 m. An additional storey used exclusively for mechanical penthouse purposes, which includes mechanical equipment for the building and elevator machine rooms, not exceeding an overall height of 4.5 m is also permitted.

159. Maximum 95 dwelling units.

160. Minimum 95 parking spaces for all uses, of which 19 parking spaces shall be for visitor and commercial uses.

161. Maximum total gross floor area for all commercial uses including restaurants shall be 367 square metres.

162. Minimum 235 square metres of indoor recreational amenity space shall be provided.

163. CLAUSE VI – GENERAL PROVISIONS FOR ALL ZONES, Section 12, Underground Structures in "NC", "CC", "CR", "HC" and "OU" Zones shall not apply.

INTENSITY OF USE

412. Maximum gross floor area 4.19 times the area of the lot or parcel.

3. Schedule "C", is amended by deleting Exception No. 61 and adding Exception No. 67 to the lands outlined on Schedule ‘2’ as follows:

67. On those lands identified on the accompanying map, the following provisions shall apply:

(a) Notwithstanding the provisions of Clause VIII – ZONE PROVISIONS, Section 17, Commercial-Residential Zone (CR), only the following uses shall be permitted:

- Day Nurseries
- Dwelling Units
- Educational and Training Facility Uses
- Financial Institutions
- Offices
- Personal Service Shops
- Private Home Day Care
- Restaurants
- Retail stores

(b) **Dwelling Units** shall only be permitted on or above the second **storey**, excluding basements.

(c) Maximum **gross floor area** for all restaurants 150 \( \text{m}^2 \).

(d) Notwithstanding the angular plane requirements set out in Performance Standard 146, the allowable minimum building **setbacks** shall be follows:

(i) Minimum 6.0 metre building **setback** abutting "S" or "T" zones, and

(ii) **5th storey above finished grade**: Minimum 8.8 metres abutting "S" or "T" zones for that portion of the building located east of a straight line projected parallel to and 28 metres east of the Warden Avenue **street** line and not including any corner rounding, and minimum 11.0 metres abutting "S" or "T" zones for that portion of the building located between 23 and 28 metres of straight lines projected parallel to and east of the Warden Avenue **street** line and not including any corner rounding, and

(iii) **6th storey above finished grade**: Minimum 15 metres abutting "S" or "T" zones for that portion of the building located east of a straight line projected parallel to and 29.2 metres east of the Warden Avenue **street** line and not including any corner rounding and more than 16 metres west of the Scotia Avenue **street** line. A terrace and planter may project a maximum of 7 metres into the required setback, and

(iv) **7th storey above finished grade**: Minimum 10.3 m abutting "S" or "T" zones for that portion of the building located not more than 16 m west of the Scotia Avenue street line and minimum 7.5 m abutting "S" or "T" zones for that portion of the building located between the Warden Avenue **street** line and a line 23 m east of a straight line projected parallel to the Warden Avenue **street** line and not including any corner rounding.

(e) **Clause VI – PROVISIONS FOR ALL ZONES**, Section 5. **Landscaping Requirements**, shall not apply, except that a 1.5 m strip of land immediately abutting "S" or "T" zones and within 5 m of both the east and west property lines of the site shall not be used for any purpose other than landscaping.
(f) Clause VII – GENERAL PARKING REQUIREMENTS FOR ALL ZONES, 2.1.4, Garages, Carports and Accessory Buildings shall not apply.

(g) Outdoor bicycle parking spaces are not subject to the requirements of Performance Standard 148.

(h) A solid masonry wall having a minimum height of 1.6 m and a maximum height of 3.25 m measured at the south side of the wall, and a minimum height of 1.6 m and a maximum height of 2.85 m measured at the north side of the wall, shall be provided parallel to and within 0.4 m of the north property line, extending from a point 5 m east of the west property line to a point 5 m west of the east property line. The height of the masonry wall shall be measured from the finished grade to the top of the wall.

PURSUANT TO DECISION/ORDER OF THE ONTARIO MUNICIPAL BOARD ISSUED ON OCTOBER 20, 2010 IN BOARD FILE NO. PL080299.