

Authority: Scarborough Community Council Item 11.28,  
as adopted by City of Toronto Council on November 29, 30 and  
December 1, 2011  
Enacted by Council: December 1, 2011

**CITY OF TORONTO**

**BY-LAW No. 1358-2011**

**To amend the former City of Scarborough Employment Districts Zoning By-law No. 24982, (Oakridge Employment District) as amended, and the Warden Woods Community Zoning By-law No. 950-2005, as amended, with respect to the lands municipally known as 80 Bell Estate Road.**

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 pursuant to Section 37 of the *Planning Act*, the Council of a municipality may in a By-law under Section 34 of the *Planning Act*, authorize increases in height or density of development beyond those otherwise permitted by the by-law in return for the provision of such facilities, services or matters as are set out in the by-law; and

WHEREAS Subsection 37(3) of the *Planning Act*, provides that, where an owner of land elects to provide facilities, services or matters in return for an increase in height or density of development, the municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services or matters; and

WHEREAS the owner of 80 Bell Estate Road (the "Lands") has elected to provide the facilities, services and matters, as hereinafter set forth, in return for the increases in height and density provided by this By-law, beyond those otherwise permitted; and

WHEREAS Council of the City of Toronto has required the owner to enter into one or more agreements with it to address the facilities, services and matters to be provided in return for the increases in height and density as permitted in this By-law, and the owner has agreed to do so; 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 Employment Districts Zoning By-law No. 24982 (Oakridge Employment District), as amended, is hereby further amended by deleting the existing zoning applying to the lands as shown on Schedule 'I', attached hereto.
2. Schedule "A" of the Warden Woods Community Zoning By-law No. 950-2005, as amended, is hereby further amended by adding the lands shown on Schedule 'I', attached hereto, and applying the following letters and numerals to said lands:

TH – 19I – 53 – 69 – 70 – 87 – 123 – 142 – 176 – 206 – 218 – 224 – 225

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

**INTENSITY OF USE**

- 19I. One suite (individual **dwelling unit**) per 300 square metres of lot area, to a maximum of 13 **dwelling units**.

**REAR YARD SETBACK**

53. 1.8 metres

**SIDE YARD SETBACK**

69. 15 metres from the easterly side lot line.
70. 5 metres from the westerly side lot line.

**STREET YARD SETBACK**

87. 15 metres

**PARKING**

176. Minimum 1.3 spaces per **dwelling unit**, provided at a minimum rate of:
- (a) Resident – 1.0 spaces per unit, and
  - (b) Visitor – 0.3 spaces per unit.

**MISCELLANEOUS**

224. A minimum 3.6 metre wide strip of land abutting the east property line shall only be used for **landscaping** for the length of the east property line.
225. The provisions of this By-law shall apply collectively to this land, notwithstanding its future division into two or more parcels of land.
4. **Schedule 'C' of the Warden Woods Community Zoning By-law No. 950-2005, EXCEPTIONS LIST**, is amended by adding the map attached hereto as Schedule '2' and the following provisions shall apply to the lands identified in Exception No. 18:
18. On those lands identified as Exception No. 18 on the accompanying Schedule 'C' map, the following provisions shall apply:
- 1. Pursuant to Section 37 of the *Planning Act*, the height and density of development permitted in this By-law are permitted subject to compliance with all of the conditions set out in this By-law including the provision by the owner of the facilities, services and matters set out below, to the City

at the owner's sole expense and in accordance with and subject to the agreement referred to in this, Exception 18.

2. Upon execution and registration of an agreement or agreements with the owner of the lot, pursuant to Section 37 of the *Planning Act*, securing the provision of the facilities, services and/or matters set out below, the lands are subject to the provisions of this By-law, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirements.
3. Pursuant to Section 37 of the *Planning Act* and subject to compliance with the provisions of this By-law, the increase in height and density of development on the lands is permitted in return for the provision by the owner of the following at the owner's sole expense:
  - (a) the owner is to provide a financial contribution to the City of \$50,000 to be used for improvements to Maywood Park and/or local park improvements paid prior to the issuance of the first building permit; and
  - (b) the payment set out in (a) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment of the funds by the owner to the City.
4. A maximum of one (1) **semi-detached dwelling** is also permitted, subject to the Performance Standards set out in SCHEDULE 'A' of By-law No. 950-2005, and Sections 11 and 19 of CLAUSE VI – PROVISIONS FOR ALL ZONES shall not apply.

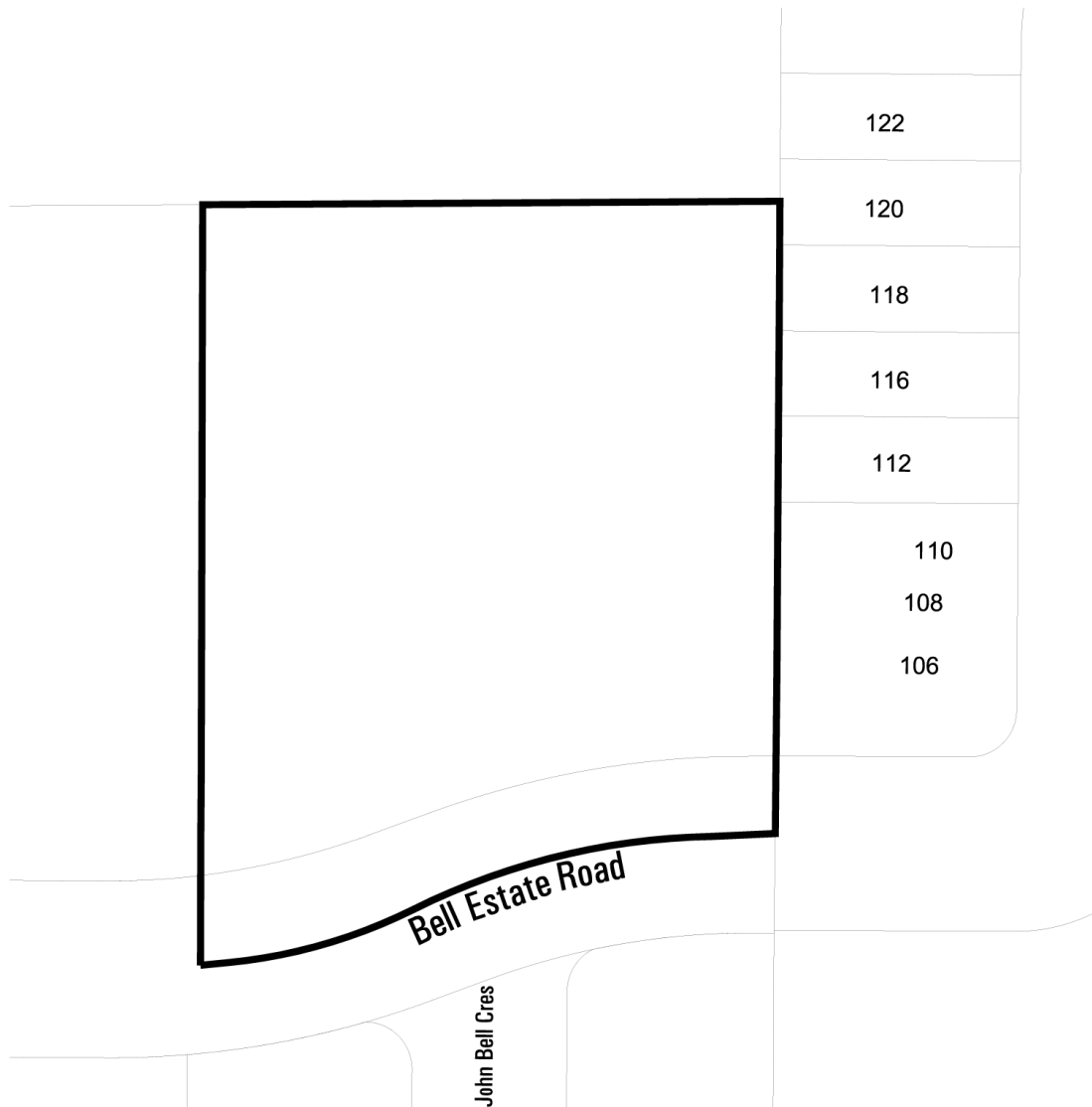
ENACTED AND PASSED this 1st day of December, A.D. 2011.

FRANCES NUNZIATA,  
Speaker

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

## Schedule '1'



TH-19I-53-69-70-87-123-142-176-206-218-224-225



Zoning By-Law Amendment

80 Bell Estate Road

File # 10 225039 02



Area Affected By This By-Law

Warden Woods Community Bylaw  
Not to Scale  
11/23/11



## Schedule '2'



## Exception No. 18



Zoning By-Law Amendment

80 Bell Estate Road

File # 10 225039 OZ



Area Affected By This By-Law

Warden Woods Community Bylaw  
Not to Scale  
9/29/11

