

Authority: Scarborough Community Council Item 34.31,
as adopted by City of Toronto Council on August 25, 26, 27 and 28, 2014

CITY OF TORONTO

BY-LAW No. 1022-2014

**To amend former City of Scarborough L'Amoreaux Community Zoning By-law No. 12466,
as amended, with respect to the lands municipally known as 1251 Bridletowne Circle
(southern portion).**

Whereas Council of the City of Toronto has the authority pursuant to Section 34 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*; and

Whereas the Official Plan for the City of Toronto contains provisions relating to the authorization of increases in height and density of development; and

Whereas pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height and density of development beyond those otherwise permitted by the by-law and that will be permitted 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 and matters in return for an increase in the 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 and matters; and

Whereas the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out; and

Whereas the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by By-law No. 12466, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto;

The Council of the City of Toronto enacts:

1. **SCHEDULE "A"** is amended by deleting the current zoning and adding the following zoning as shown outlined on Schedule '1' as follows:

M - 90 - 93 - 99 - 131 - 136 - 176 - 239 - 297 - 298 - 299 - 324
O

2. **SCHEDULE "B" PERFORMANCE STANDARD CHART**, is amended by adding Performance Standard No.'s 90, 93, 131, 136, 176, 239, 297, 298, 299 and 324, as follows:

MISCELLANEOUS

90. Maximum lot **coverage** is 45%.
93. Prior to the conveyance of the lands zoned "O", minimum 46.5% of the lot shall be landscaping. After the conveyance of the lands, minimum 44.5% of the lot shall be landscaping.
- Landscaping shall mean an area used for trees, plants, decorative stonework, retaining walls, patios, decks, walkways, or other landscape or architectural elements. A **circular driveway** of asphalt and **parking spaces** are not landscaping.
131. Maximum number of **storeys** is 4, excluding rooftop mechanical equipment and stairs.
136. For **dwelling units** abutting a "T" zone: maximum number of **storeys** is 3, excluding an underground parking garage that includes a corridor to **dwelling unit** entrances, and adjacent **dwelling unit** foyers, stairs and laundry areas.
176. A minimum 4 m landscape strip immediately abutting a "T" zone shall be used for no other purpose than landscaping for trees, plants, and fencing.

PARKING

239. Minimum of 1.3 **parking spaces** per **dwelling unit**, of which 1.15 **parking spaces** per **dwelling unit** shall be for residents in an underground parking garage, and 0.15 **parking spaces** shall be for visitors. A maximum of 18 **parking spaces** shall be surface **parking spaces** for visitors.

MISCELLANEOUS

297. Minimum building **setback** from a "T" zone is 7.5 metres into which a maximum deck projection of 3.5 m is permitted.
298. Minimum building **setback** from the north lot line and from an "O" zone is 6.5 metres. Minimum building **setback** for an end wall to an "O" zone is 3.5 metres.
299. Minimum building **setback** from the **street** line is 3 m. Within 30 metres of the south lot line, a minimum building setback from an end wall to the **street** line is 2.8 metres. Maximum projection into a **street yard** for unenclosed porches is 0.5 metres.

INTENSITY OF USE

324. Maximum number of **dwelling units** is 282.

3. **SCHEDULE "C" EXCEPTIONS LIST**, is amended by adding Exception Nos. 82 and 85 to the lands shown on Schedule '2' as follows:

82. (a) Additional Permitted Uses:
- (i) **apartments** up to a maximum of 4-storeys, excluding rooftop mechanical equipment and stairs.
 - (ii) a temporary sales office for the sale of residential **dwelling units** on the property, including from a model home.
85. (a) Pursuant to Section 37 of the *Planning Act* and subject to compliance with this By-law, the increase in density of development on the lot contemplated herein is permitted in return for the provision by the owner, at the owner's expense, of the following facilities, services and matters which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form and registered on title to the lot, to the satisfaction of the City Solicitor:
- (i) prior to issuance of the first above-grade building permit for a building or structure on the lot, the owner shall make a cash contribution to the City in the amount of \$150,000.00, to be directed towards capital improvement to the public pedestrian and cycling pathway between Finch Avenue East, and the existing bridge over the channelized watercourse (Highland Creek - Bendale Branch, Section 14), which amount shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the registration of the Section 37 Agreement to the date of payment.
 - (ii) prior to the issuance of the first above-grade building permit for a building or structure on the lot, the owner shall enter into a Municipal Infrastructure Agreement with the City of Toronto, Engineering and Construction Services, to secure the re-construction of the 1.5 metre public pedestrian walkway between Timberbank Boulevard and the existing bridge over the channelized watercourse (Highland Creek - Bendale Branch, Section 14). The estimated re-construction value ranges between \$200,000 to \$250,000 and includes plan preparation and TRCA approvals by the owner.
 - (iii) Where subsections (a)(i) and (a)(ii) above requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.

- (iv) The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of subsections (a)(i) and (a)(ii) above are satisfied.
- (v) In the event the cash contribution referred to in subsection (a)(i) above has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the lot.
- (b) The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - (i) The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009.

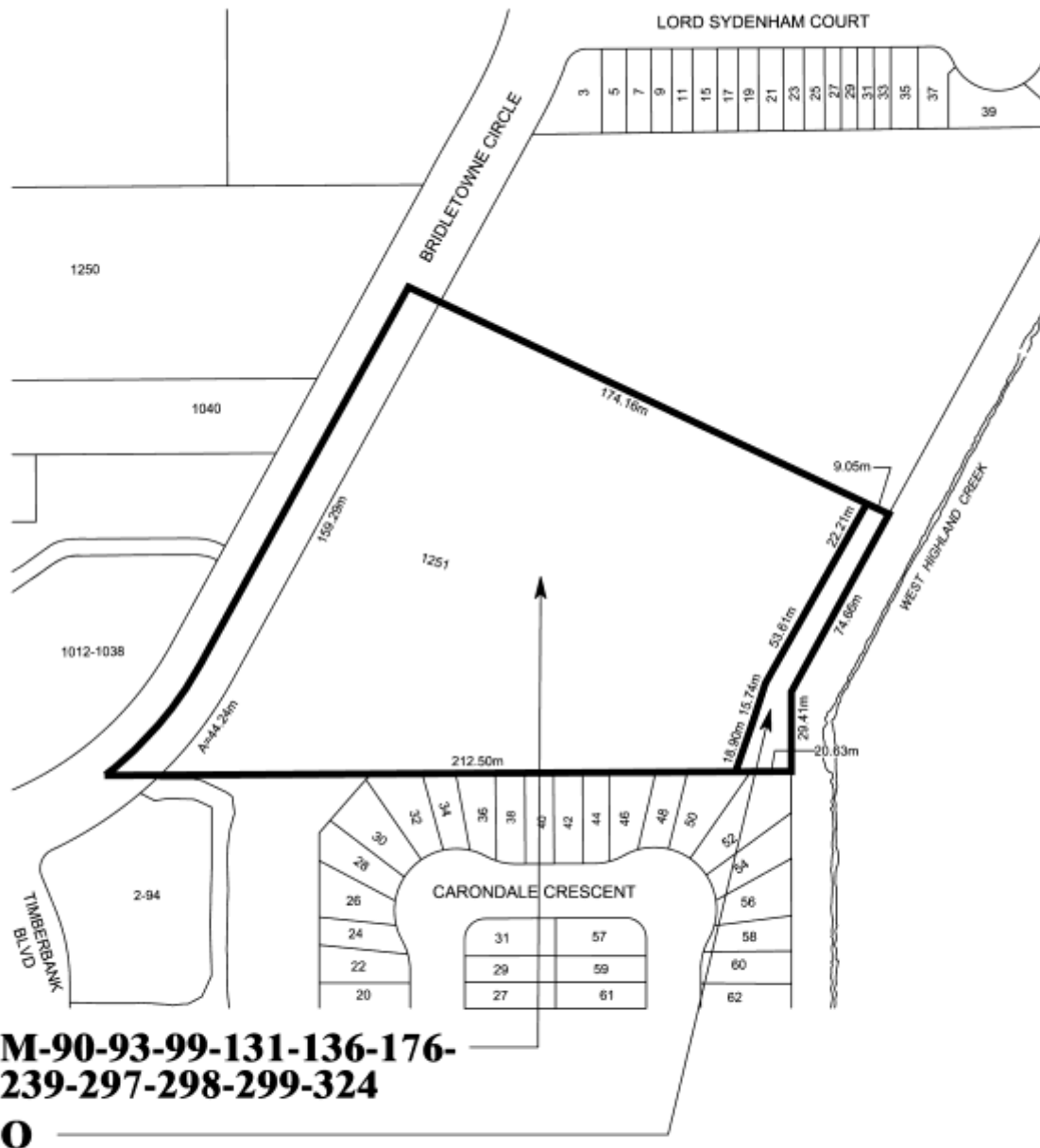
Enacted and passed on August 28, 2014.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Schedule '1'



Toronto City Planning Division
Zoning By-Law Amendment

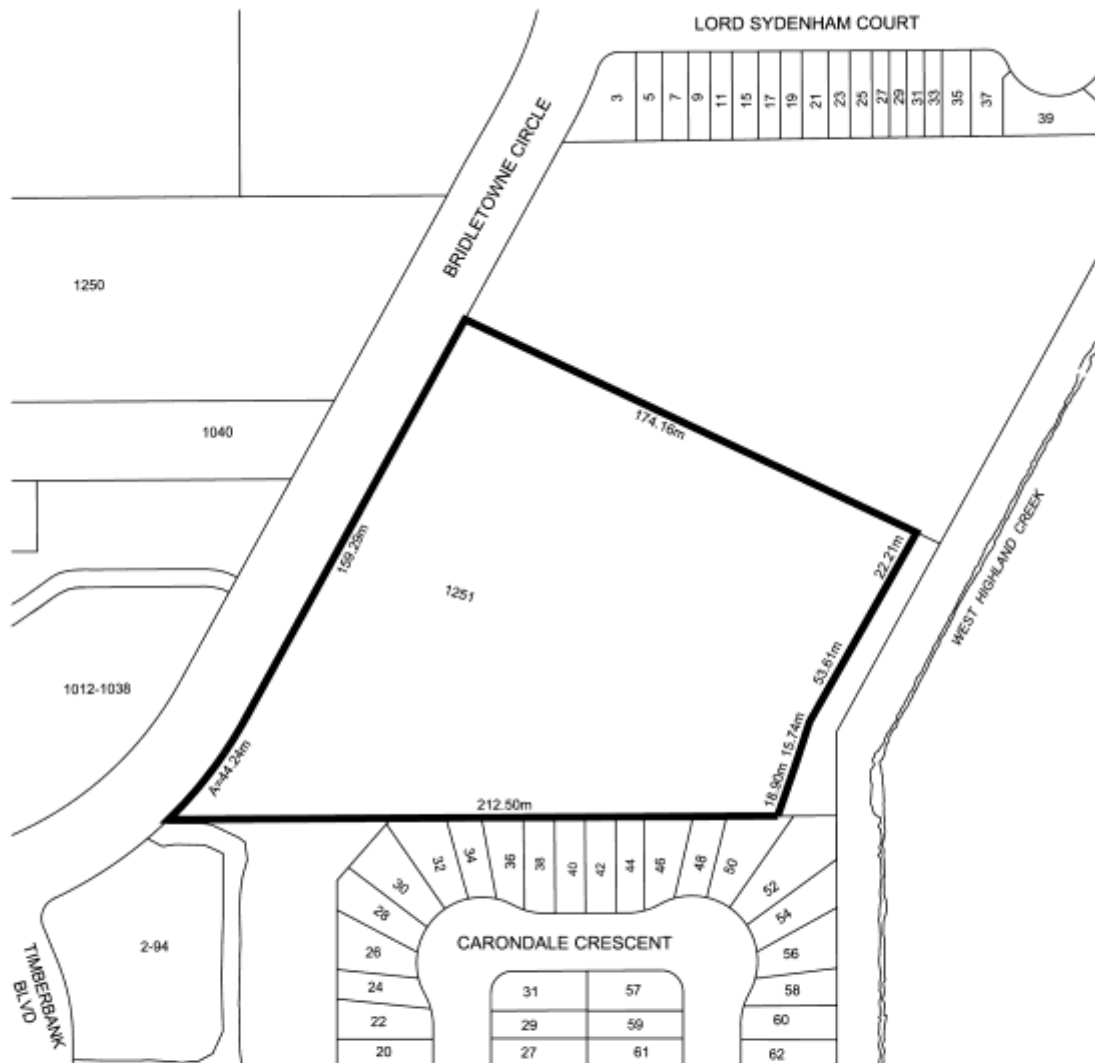
1251 Bridletowne Circle
 File # 12 266748 ESC 40 02

 Area Affected By This By-Law

L'Amoreaux Community By-Law
 Not to Scale
 7/23/2014



Schedule '2'



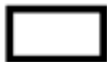
Exception No's 82 and 85

City Planning
Division

Zoning By-Law Amendment

1251 Bridletowne Circle

File # 12 266748 ESC 40 0Z



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