

Authority: Ontario Municipal Board Decision/Order issued May 14, 2014 and January 27, 2015 in Board File No. PL131192

CITY OF TORONTO

BY-LAW No. 339-2015(OMB)

To amend the Township of Pickering Zoning By-law No. 1978 and the former City of Scarborough Centennial Community Zoning By-law No. 12077, as amended, with respect to the lands municipally known as 17 Island Road.

Whereas pursuant to Section 37 of the *Planning Act*, the Council of a municipality or the Ontario Municipal Board on appeal may in a By-law under Section 34 of the *Planning Act*, authorize increases in the 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 the owner of the lands hereinafter referred to has elected to provide the facilities, services and matters, as hereinafter set forth; and

Whereas Council at its meeting of April 1, 2 and 3, 2014 determined not to oppose the coming into force of this By-law; and

Whereas the Ontario Municipal Board, by way of Order PL131192 issued on May 14, 2014, following an appeal pursuant to Section 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, determined to amend Zoning By-law No. 1978, as amended, of the former Township of Pickering with respect to lands known municipally as 17 Island Road; and

Whereas the Ontario Municipal Board, by way of Order PL131192 issued on January 27, 2015, an amending order to correct technical and typographical errors in the by-law attached to the May 14, 2014 order;

Therefore City of Toronto By-law No. 496-2014(OMB) is repealed and the Ontario Municipal Board orders:

1. Amendment to the Township of Pickering By-law No. 1978:

By-law No. 1978, the Township of Pickering By-law shall no longer apply to the lands shown outlined on Schedule "1".

2. Amendments to the former City of Scarborough Centennial Community By-law No. 12077, as amended:

2.1 CLAUSE V - INTERPRETATION, is amended by adding the following definitions to Subsection (f) **Definitions**:

Bicycle Parking Space

means an area used for parking or storing a bicycle.

Loading Space

means an area used for the loading or unloading of goods or commodities from a vehicle.

Amenity Space

means indoor or outdoor space on a lot that is communal and available for use by the occupants of a building on the lot for recreational or social activities.

- 2.2 SCHEDULE "A"** is amended by adding the lands shown outlined on Schedule "1" to this by-law and by adding the following zoning to the lands shown thereon:

M – 163 -166 – 167 – 168 – 169 -170 – 171 – 172 – 177 – 178 – 179

- 2.3 SCHEDULE "B", PERFORMANCE STANDARD CHART**, is amended by adding Performance Standards: 166, 167, 168, 169, 170, 171, 172, 177, 178 and 179:

MISCELLANEOUS

166. A minimum of 1.25 **parking spaces** per **dwelling unit**, to be provided as follows:

- i) For Residents: A minimum of 1.0 surface **parking space**.
- ii) For Visitors: A minimum of 0.25 surface **parking spaces**.

167. Minimum of 38 **bicycle parking spaces** required complying with the following dimensions:

- i) Minimum length of 1.8 metres;
- ii) Minimum width of 0.6 metres; and
- iii) Minimum vertical clearance from the ground of 1.9 metres.

168. Maximum 50 **dwelling units**.

169. One (1) **loading space** shall be required with the following dimensions:

- i) Minimum length of 13 metres;
- ii) Minimum width of 4 metres; and
- iii) Minimum vertical clearance of 6.1 metres.

170. **Gross floor area** of all buildings shall not exceed 5,535 square metres.

171. Maximum **coverage** of all buildings shall not exceed 30% of the lot.

172. A minimum of 535 square metres of outdoor **amenity space** shall be required.

177. Minimum building **setback** of 2.0 metres from the **front lot line**.

178. Minimum **side yard setback** of 1.4 metres from the **side lot line**.

179. Maximum **height** of 12.5 metres.

2.4 SCHEDULE "C" EXCEPTIONS LIST, is amended by adding Exception No. 40 and 41 so that it reads as follows:

40. On those lands identified as Exception No. 40 on the accompanying Schedule "C" map the following provisions shall apply:

(a) Additional Permitted Uses:

Apartment Building

(b) **Apartment Building** shall be defined as a building that has five or more **dwelling units**, with at least one **dwelling unit** entirely or partially above another, and each **dwelling unit** has a separate entrance directly from outside or through a common inside area. A building that was originally constructed as a detached house, semi-detached house or townhouse and has one or more secondary suites is not an **apartment building**.

41. On those lands identified as Exception No. 41 on the accompanying Schedule "C" map the following provisions shall apply:

1. 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 a cash contribution for parkland and streetscape improvements in the vicinity of the development as follows:

(a) Prior to issuance of an above grade building permit the owner shall provide the City with a cash payment of fifty-thousand dollars (\$50,000.00) to be paid by way of certified cheque payable to the Treasurer, City of Toronto, for parkland and streetscape improvements in the ward, to be allocated at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Ward Councillor. Such amount shall be indexed upwardly annually in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of approval of this By-law to the date the payment is made.

2. The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless the cash contribution contemplated herein has been paid.

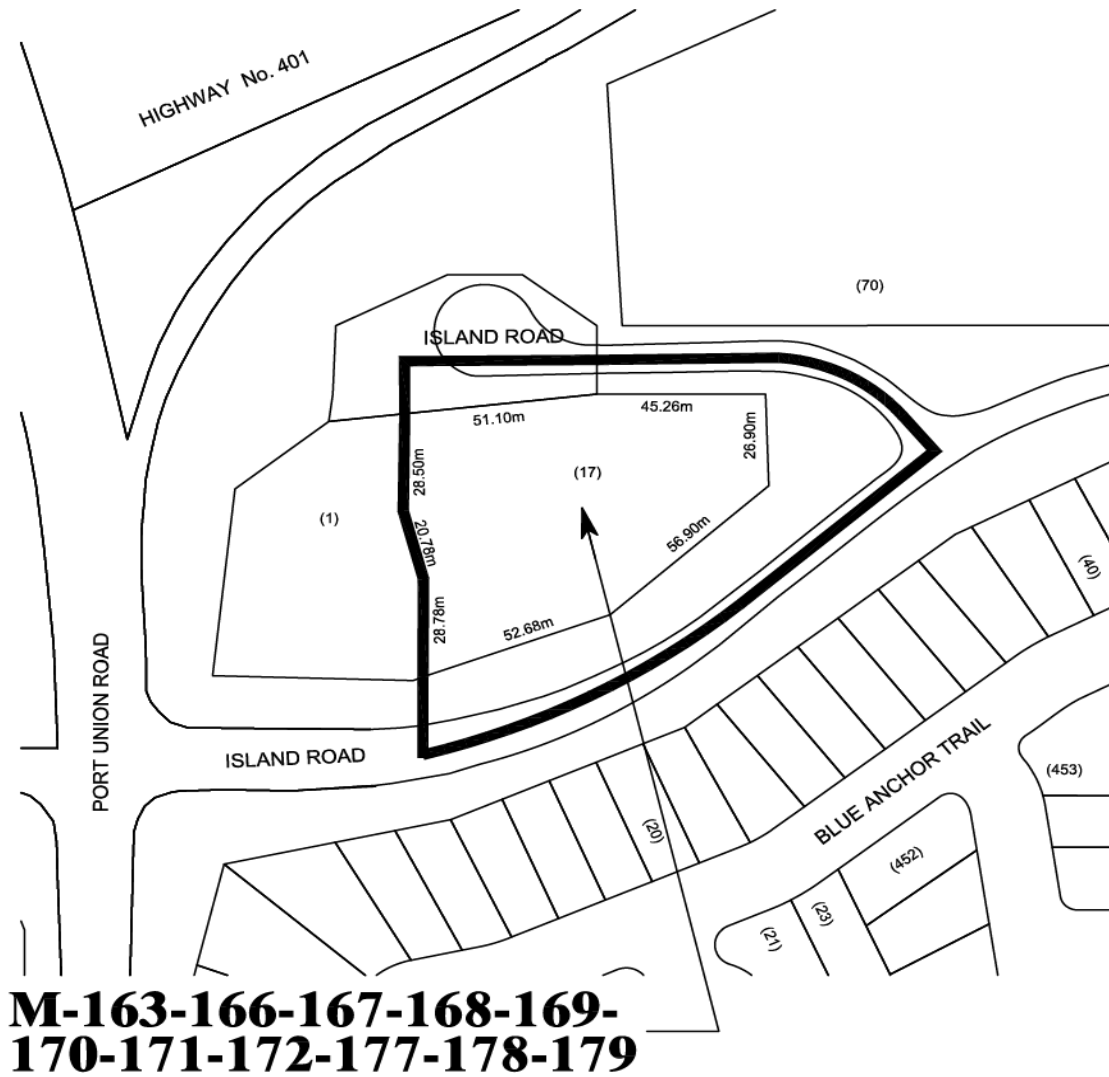
3. In the event the cash contribution referred to in Section 41. 1.(a) has not been used for the intended purpose within three (3) years of

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 Ward 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.

- 2.5 SCHEDULE "C" EXCEPTION MAP**, is amended by adding Exception No. 40 and Exception No. 41 to the property shown outlined on Schedule '2'.

PURSUANT TO THE ORDER/DECISION OF THE ONTARIO MUNICIPAL BOARD
ISSUED MAY 14, 2014 AND JANUARY 27, 2015 IN BOARD FILE NO. PL131192.

Schedule '1'



Toronto City Planning
Division
Zoning By-Law Amendment

17 Island Road
File # 12 139597 ESC 44 0Z

 Area Affected By This By-Law

West Rouge By-law 1978
Not to Scale
12/09/14


Schedule '2'



Exception No. 40 & 41



Zoning By-Law Amendment

17 Island Road

File # 12 139597 ESC 44 0Z



Area Affected By This By-Law

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