

Authority: Scarborough Community Council Item SC7.22, as adopted by City of Toronto Council on July 7, 8 and 9, 2015

CITY OF TORONTO

BY-LAW No. 797-2015

To amend former City of Scarborough Malvern Community Zoning By-law No. 14402, as amended, respecting the lands known municipally as 1370 Neilson 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 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 enacts:

1. **SCHEDULE "A"** is amended for the lands known as 1370 Neilson Road by adding deleting the current zoning and replacing it with the following provisions shown on the attached Schedule '1' attached hereto and forming part of this By-law:

A - 66-144-357-651-653-688

CC - 75-144-685-686-687-688-717-803-804-904-905-906

O

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

INTENSITY OF USE

75. **Gross floor area** shall not exceed 1,150 square metres for all commercial uses of which a maximum of 500 square metres shall be used for restaurants, tea rooms, cafeterias, taverns and take-out restaurants.

MISCELLANEOUS

685. Maximum coverage for all buildings and structures shall be 24 percent of the area of the lot.
686. Minimum 3 metre strip of land abutting the street line of McLevin Avenue and the street line of Neilson Road shall be used for landscaping purposes including plantings, pedestrian walkways and excluding **driveways**.
687. The lot must have a minimum of 43 percent of the area of the **lot** for **landscaping**.

688. No person shall use any land or erect any building or structure unless the following public 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.

HEIGHT

717. Maximum **height** of 8.0 metres or 1 storey, whichever is the lesser, excluding rooftop mechanical equipment and parapet walls which may exceed the permitted **height** for the building by a maximum of 2.15 metres.

PARKING

803. A minimum of 3.0 **parking spaces** per 100 square metres of **gross floor area** shall be provided for all uses permitted in Exception No. 44 of this By-law.
804. **Parking spaces** shall not be located in the Nielson Road and Mclewin Avenue **street yard**.

MINIMUM BUILDING SETBACK

904. For the building located closest to the west property line, building **setbacks** shall be provided as follows:
- (a) Minimum building setback of 15.0 metres from the abutting "O" Zone.
905. For the building located closest to the east property line, building **setbacks** shall be provided as follows:
- (a) Minimum building **setback** of 3.0 metres from the south property line.
 - (b) Minimum building setback of 29.0 metres from the abutting "O" Zone.
906. The minimum building separation distance between the **main wall** of the building closest to the west property line and the **main wall** of the building closest to the east property line shall be 6.0 metres.

3. SCHEDULE "C" EXCEPTIONS MAP and EXCEPTIONS LIST, is amended by adding Exceptions 44 and 45 to the lands shown on the attached Schedule '2':

44. On those lands identified as Exception 44 on the attached Schedule "C" map, the following provisions shall apply:

ADDITIONAL PERMITTED USES

- (a) Notwithstanding Clause VIII(8)(b), Community Commercial shall include one or more of the following uses:

- Laundry and Dry Cleaning Pick-ups
- **Marketplace Signs**
- Medical Offices
- Personal Service Shops
- Banks
- Business and Professional Offices
- Custom Work Shop for sale of goods on premises
- Restaurants
- Take-out Restaurants
- Service Shops and Agencies
- Artist Studios
- Educational Facilities
- Retail Stores
- Art Galleries
- **Day Nurseries**
- **Recreational Use**
- Tea Rooms
- Cafeterias
- Taverns

45. On those lands identified as Exception 45 on the attached Schedule "C" map, the following provisions shall apply:

- (a) The provisions of this By-law shall apply collectively to this land notwithstanding its future division.

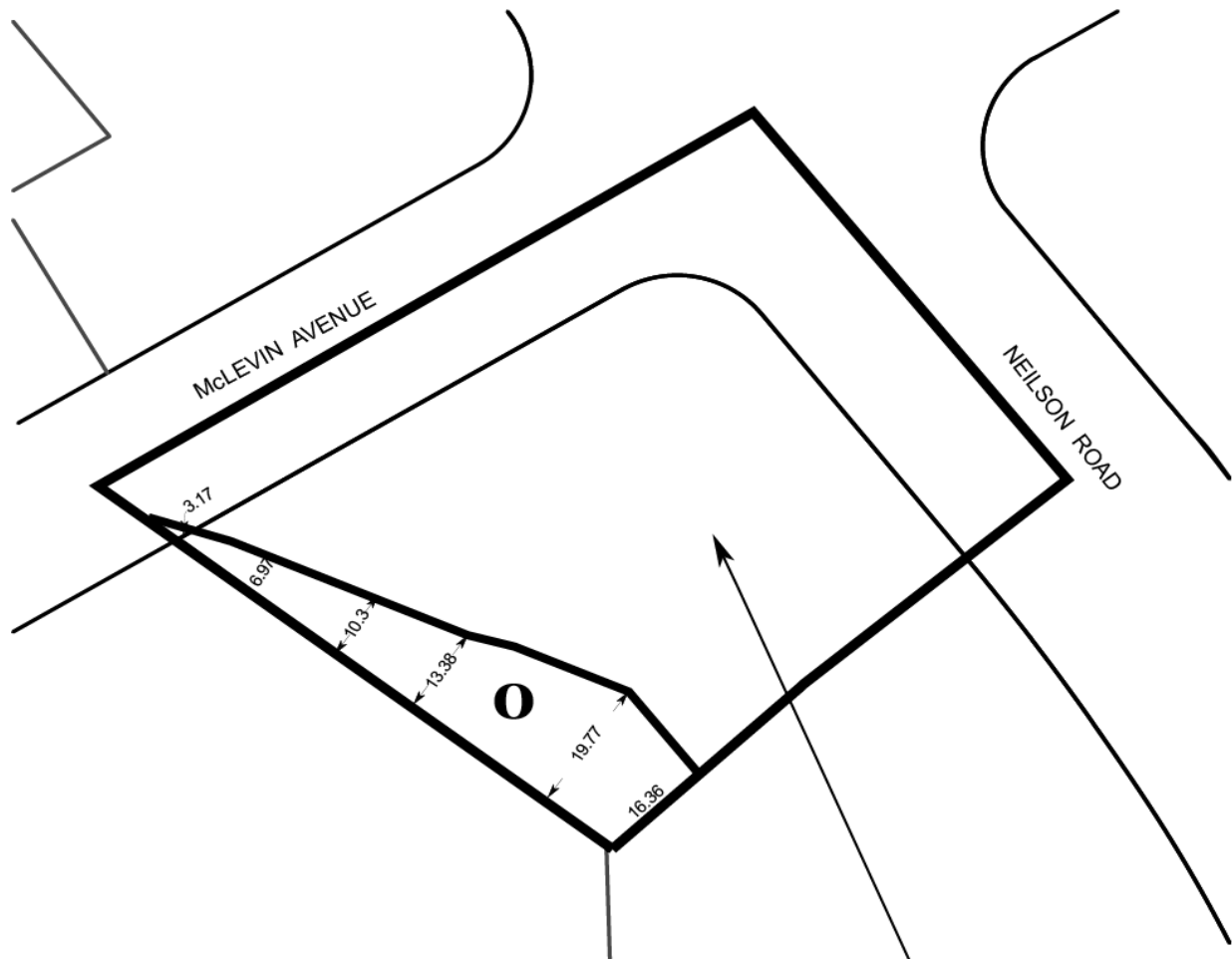
Enacted and passed on July 9, 2015.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Schedule '1'



**A-66-144-357-651-653-688 and
CC-75-144-685-686-687-688
-717-803-804-904-905-906**



Zoning By-Law Amendment

1370 Neilson Road

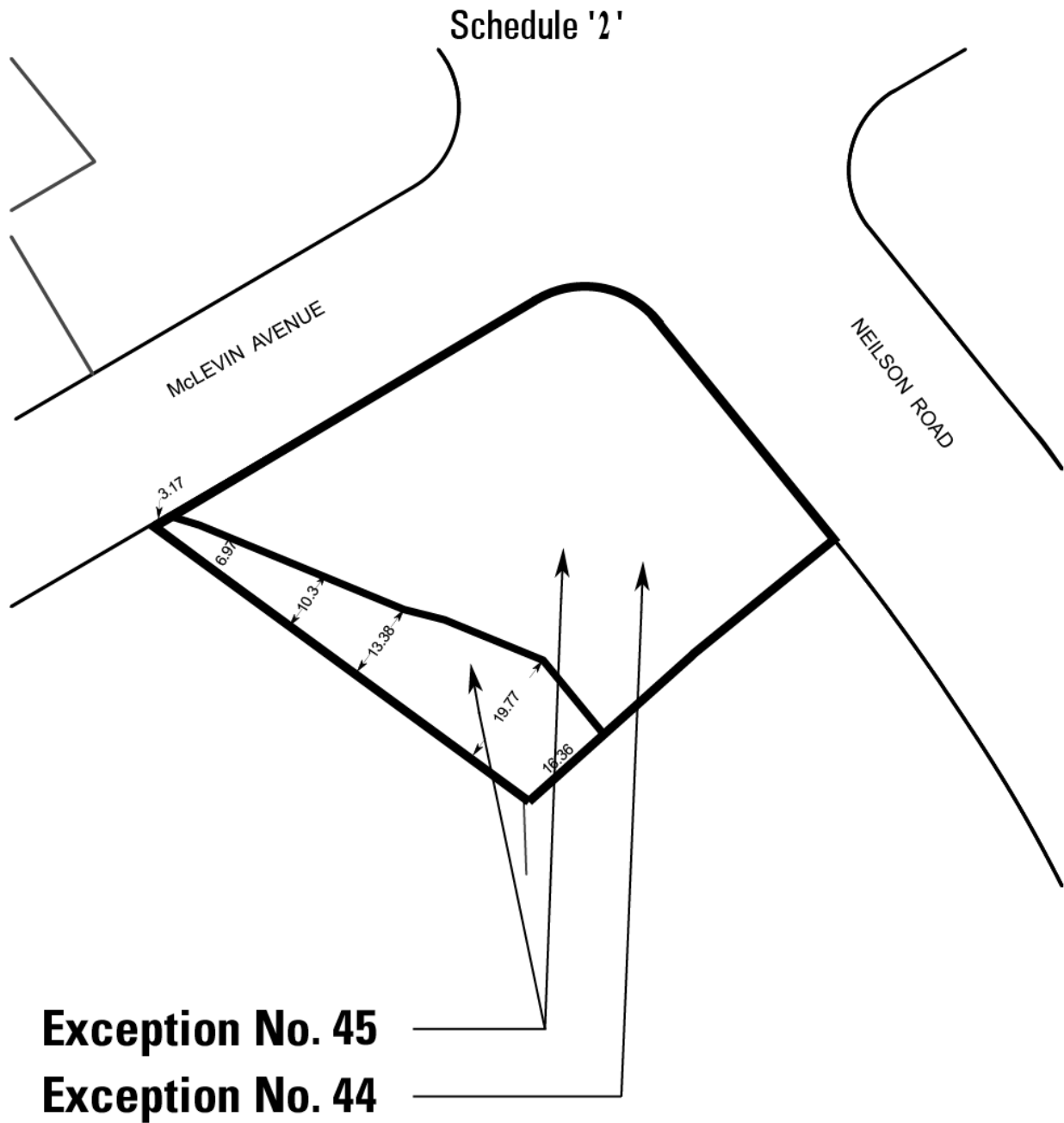
File # 14 145312 ESC 42 0Z



Area Affected By This By-Law

Malvern Community Bylaw
Not to Scale
6/11/2015





 **TORONTO** City Planning Division
Zoning By-Law Amendment

1370 Neilson Road

File # 14 145312 ESC 42 0Z

 Area Affected By This By-Law

Malvern Community Bylaw
Not to Scale
6/11/2015
