

Authority: Scarborough Community Council Item SC15.29, as adopted by City of Toronto Council on July 12, 13, 14 and 15, 2016

CITY OF TORONTO

BY-LAW 307-2017

To amend former City of Scarborough Zoning By-law 9676, as amended, with respect to the lands municipally known in the year 2016 as 65 and 67 Livingston 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. **CLAUSE V-INTERPRETATION**, of former City of Scarborough By-law 9676 (Guildwood Community) is amended by adding the following definitions to Subsection (f) **Definitions**:

Retirement Home

means **premises** used for semi-independent living accommodation for senior citizens primarily in **bed-sitting rooms**, with common dining and lounge areas.

Bed-Sitting Room

means a room used as separate living accommodation that:

- i. has a private entrance from a hallway inside a building; and
- ii. may have sanitary facilities but not food preparation facilities.

Established Grade

means the average elevation of the ground measured at the two points where the projection of the required minimum front yard setback line is 0.01 metres past each side lot line.

Eating Establishment

means **premises** where food or beverages are prepared and offered for sale to patrons for immediate consumption on the **premises** while they are seated and which may include an incidental take-out service.

Premises

means the whole or part of lands, buildings or structures, or any combination of these.

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.

Loading Space

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

Bicycle Parking Space means an area used for parking or storing a bicycle.

2. **SCHEDULE "A"** is amended by deleting the current zoning for the lands outlined in Schedule '1' and replacing it with the following so that the amended zoning shall read as follows:

M-40C-56-80E-80F-126-127-128-129-130-131-201-202-215-216.

3. **SCHEDULE "B"** is amended by adding the following Performance Standards:

BUILDING SEBACKS FROM STREETS

40C. A minimum building **setback** of 3.8 metres from the front **lot line**.

SIDE YARD

56. A minimum north **side yard setback** of 7.5 metres and minimum south **side yard setback** of 24 metres.

FLOOR AREA

80E. Gross floor area shall not exceed 15,200 square metres.

80F. The maximum **floor area** of an **eating establishment** shall not exceed 80 square metres.

MISCELLANEOUS

126. A minimum of 21 **bicycle parking spaces** shall be provided as follows:

- i. 9 long term **bicycle parking spaces**; and
- ii. 12 short term **bicycle parking spaces**.

127. Maximum building **coverage** is 40 percent of the area of the lot.

128. A minimum of 1,810 square metres of indoor **amenity space** shall be provided.

129. A minimum of **rear yard setback** of 7 metres.

130. The following parts of a building may be no closer than 21 metres from the south **side lot line**, 2.5 metres from the north **side lot line**, 2.5 metres from a **front lot line** and 2.5 metres from the **rear lot line**:

- i. a roof, porch, portico, canopy of other similar structure including structural supports;
 - ii. a deck, balcony, terrace, privacy screen, railing, green roof or other similar structure attached to the building; and
 - iii. a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature on the building.
131. One **loading space** shall be provided and shall have the following minimum dimensions:
- i. length of 13 metres;
 - ii. width of 4 metres; and
 - iii. vertical clearance of 6.1 metres.

PARKING

201. Parking spaces must be provided at a rate of 0.3 for each **dwelling unit** and **bed-sitting room**; and
202. 0 parking spaces shall be provided for an **eating establishment**.

HEIGHT

215. Notwithstanding the definition of **Height** in **CLAUSE V - INTERPRETATION, SECTION (f), Definitions**, the height of any building shown on Schedule '2' of By-law 307-2017, as measured from **established grade** to the highest point of the building or structure, shall not exceed the height in metres specified by the numbers following the symbol H and the number of storeys above grade specified by the numbers following the symbol ST on Schedule '2' of By-law 307-2017.
216. The following equipment and structures may exceed the permitted height by 5 metres:
- i. equipment used for the functional operation of the building such as electrical, utility, mechanical and ventilation equipment;
 - ii. structures or parts of building used for the functional operation of the building, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shaft, chimneys, vents and water supply facilities; and
 - iii. structures that enclose, screen or cover the elements listed in i. and ii. above.

4. **SCHEDULE "C" EXCEPTION LIST**, is amended by adding Exception No. 25 and 26 so that it reads as follows:
25. On those lands identified as Exception No. 25 on the accompanying Schedule "C" Map the following provision shall apply:
- i. Additional Permitted Uses:
Retirement Home
Eating Establishment ancillary to **Retirement Home**.
26. On those lands identified as Exception No. 26 on the accompanying Schedule "C" map the following provisions shall apply:
- i. 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, a cash contribution for \$175, 000.00 in the vicinity of the development as follows:
- a. Prior to issuance of the first above grade building permit the owner shall provide the City with a cash payment of One hundred and seventy five thousand dollars (\$175,000.00) to be paid by way of certified cheque payable to the Treasurer. City of Toronto, to be directed towards improvements at the 201 Guildwood Parkway. Guild Park & Gardens, in Ward 43 to the satisfaction of the Chief Planner. All cash contributions, until paid in full by the Owner to the City, are to be indexed upwardly from the date of the registration of the Agreement in accordance with Statistics Canada Non-Residential Construction Price Index for Toronto CMA, reported quarterly by Statistic Canada in the Construction Price Statistic Publication No. 62-007-ZPB or its successor;
- ii. The owner shall not use of 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; and
- iii. In the event the cash contribution referred to in Section 4.26.i.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.
5. **SCHEDULE "C" EXCEPTION MAP**, is amended by adding Exception No. 25 and 26 to the property shown outlined on Schedule '3'.

- 6.** Within the lands shown on Schedule '1' attached to this By-law no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- i. 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
 - ii. all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

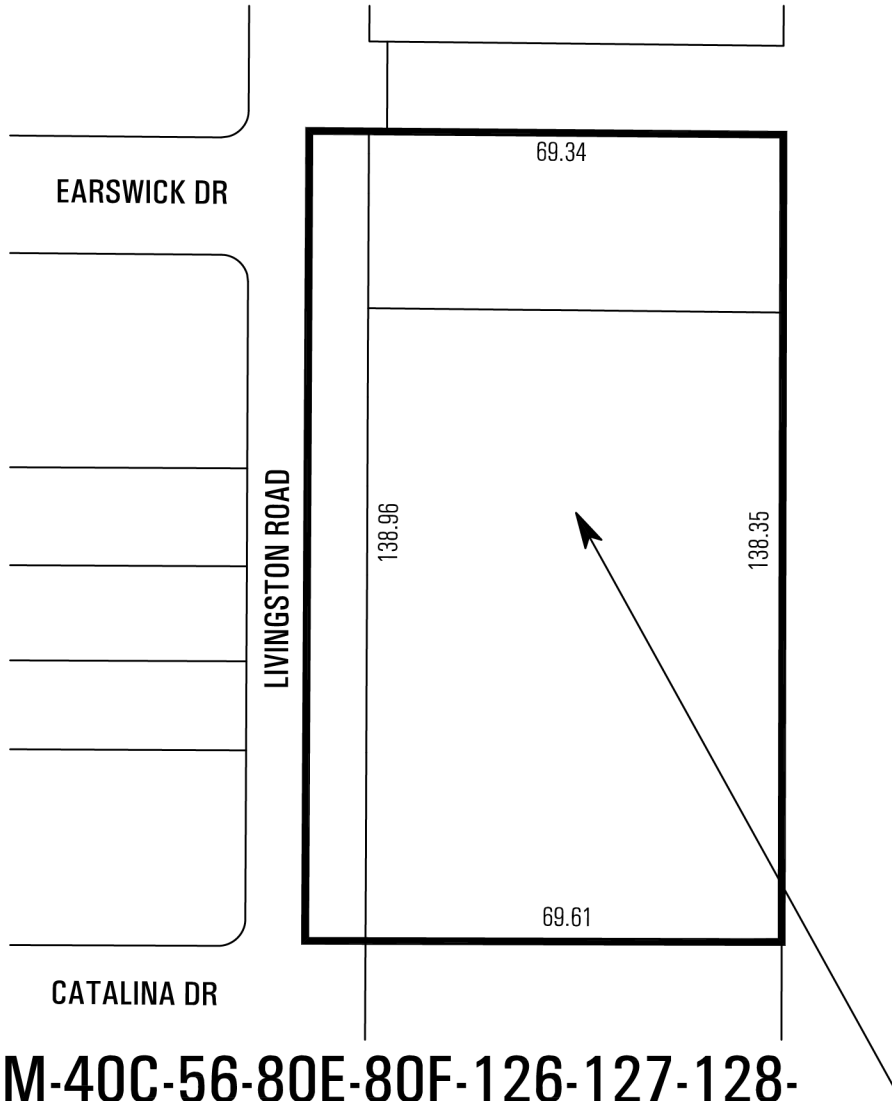
Enacted and passed on March 29, 2017.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Schedule '1'



**M-40C-56-80E-80F-126-127-128-
129-130-131-201-202-215-216**



Zoning By-Law Amendment

65 & 67 Livingston Road

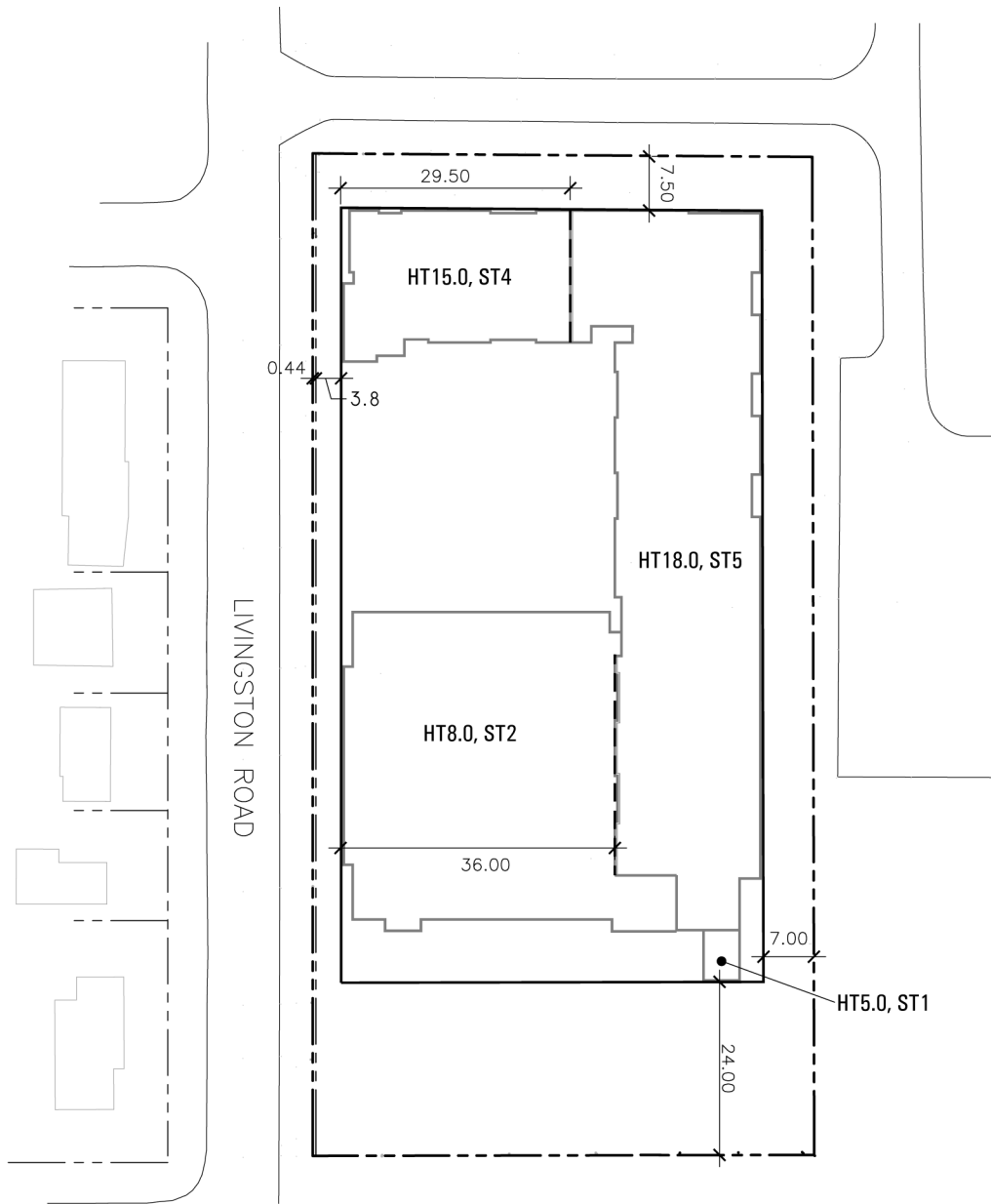
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 Area Affected By This By-Law

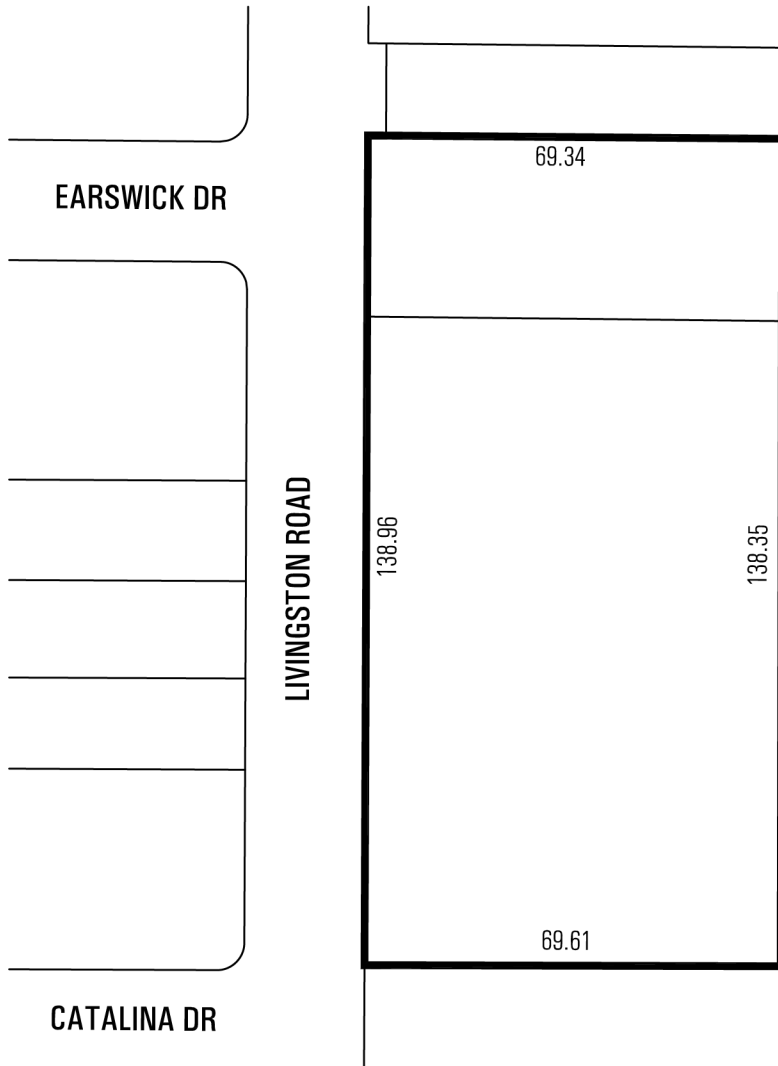
Guildwood Community Bylaw
Not to Scale
5/25/16



Schedule '2'



Schedule '3'



Exception 25 & 26