

Authority: Scarborough Community Council Item SC32.5, as adopted by City of Toronto Council on July 23, 24, 25, 26, 27 and 30, 2018

CITY OF TORONTO

BY-LAW 1157-2018

To amend former City of Scarborough L'Amoreaux Community Zoning By-law 12466, as amended, with respect to the lands municipally known as 3000, 3004, 3008, 3012 and 3020 Kennedy 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 39 of the Planning Act, the Council of the City of Toronto may, in a by-law passed under Section 34 of the Planning Act, authorize the temporary use of land, buildings or structures for any purpose set out therein that is otherwise prohibited by the 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, the Council of a municipality may, in a By-law passed under Section 34 of the Planning Act, authorize increases in the height and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and matters as 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 owners of the lands referred to herein have elected to provide the facilities, services and matters as hereinafter set forth; and

Whereas the increase in density and height of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands in By-law 12466, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owners of such lands and the City of Toronto;

The Council of the City of Toronto enacts:

- 1. SCHEDULE "A"** of the L'Amoreaux Community Zoning By-law 12466, is further amended by deleting the current **Agricultural Use (AG) Zone** and **Single-Family Residential (S) Zone** and replacing it with a **Single-Family Residential (S) Zone** as shown outlined on Schedule '1' attached and forming part of this By-law, together with the following letters and numerals:

S-1-40M-59R-60G-182-280-326-510-512-513-514

S-1-40M-59L-60G-182-280-326-510-512-513-514

S-1-40M-59Q-60G-182-280-326-510-512-513-514

S-1-40M-59L-60-182-280-326-510-512-513-514

S-1-40Q-59M-60-280-326-509-512-513-514

S-1-40P-59T-60-280-326-511-512-513-514

S-1-40N-59L-60-182-280-326-510-512-513-514

S-1-40N-59S-60-280-326-510-512-513-514

S-1-40M-59P-60-280-326-510-512-513-514

S-1-40M-59L-60-280-326-510-512-513-514

S-1-40N-59L-60-182-280-326-510-512-513-514

S-1-40N-59O-60-182-280-326-510-512-513-514

S-1-40N-59N-60-182-280-326-510-512-513-514

2. **SCHEDULE "B", PERFORMANCE STANDARD CHART**, of the L'Amoreaux Community Zoning By-law 12466 is further amended by adding the following Performance Standards:

INTENSITY OF USE

326. For the lot as shown on Table 1 below to Performance Standard 326 of By-law 1157-2018, and shown on Schedule '2' attached and forming part of this by-law, the minimum lot frontages and minimum lot areas shall be as shown:

Table 1

Lot	Minimum Lot Frontage (metres)	Minimum Lot Area (square metres)
1	10.5	372
2	10.5	338
3	11.5	476
4	16	438

Lot	Minimum Lot Frontage (metres)	Minimum Lot Area (square metres)
5	9	262
6	9	262
7	9	262
8	9	262
9	9	262
10	9	262
11	9	262
12	9.5	276
13	9.5	275
14	9	262
15	9	262
16	9	262
17	9	262
18	9	262
19	9	258
20	9	244
21	9.5	300
22	11	359
23	9	275
24	9	265
25	9	262
26	9	262
27	9	262
28	9	262

Lot	Minimum Lot Frontage (metres)	Minimum Lot Area (square metres)
29	9	262
30	9	262
31	9	262
32	9	262
33	9	255
34	12	336
35	9	200
36	9	205
37	9	205
38	9	206
39	9	206
40	9	206
41	9	207
42	8.7	199

BUILDING SETBACKS FROM STREETS

- 40M. Minimum **front yard setback** 6 metres.
- 40N. Minimum **front yard setback** 5.6 metres.
- 40P. Minimum **front yard setback** 6.7 metres.
- 40Q. Minimum **front yard setback** 7 metres.

REAR YARD

- 60G. Minimum 3 metres **rear yard building setback** to Kennedy Road street line.

SIDE YARD SETBACK

- 59L. Minimum **side yard setbacks** of 0.9 metres on one side only and 0.6 metres on the other side but not for attached garage.
- 59M. Minimum **side yard setbacks** of 1.2 metres on one side only and 0.9 metres on the other side.
- 59N. Minimum **flankage side yard** of 1.5 metres and minimum **side yard setback** of 0.6 metres on the other side but not for garage.
- 59O. Minimum **flankage side yard** of 3.0 metres and minimum **side yard setback** of 0.6 metres on the other side but not for garage.
- 59P. Minimum **side yard setback** of 2.0 m for level 1 and level 2 of **Single-Family Dwelling** and 2.4 metres for level 3 of **Single-Family Dwelling** and minimum **side yard setback** of 0.6 metres on the other side.
- 59Q. Minimum **flankage side yard setback** of 0.8 metres and **minimum side yard setback** of 0.6 metres on the other side but not for attached garage.
- 59R. Minimum **side yard setback** of 0.6 metres on one side only and minimum **side yard setback** of 0.5 metres on the other side but not for attached garage.
- 59S. Minimum **side yard setback** of 4 metres from south lot line and minimum **side yard setback** of 0.6 metres from east lot line and minimum **side yard setback** of 2.6 metres from west lot line.
- 59T. Minimum **side yard setback** of 1.2 metres on one side only and minimum **side yard setback** of 0.6 metres on the other side.

MISCELLANEOUS

509. Maximum building **height** of 9.5 metres and 2 storeys, excluding basements.
510. Maximum building **height** of 11 metres and 3 storeys, excluding basements.
511. Maximum building **height** of 9 metres and 2 storeys, excluding basements.
512. For the lot as shown on Table 2 below to Performance Standard 512 of By-law 1157-2018 and shown on Schedule '2' attached and forming part of this By-law, the maximum lot **coverages** shall be as shown:

Table 2

Lot	Maximum Lot Coverage (percent)
1	46

Lot	Maximum Lot Coverage (percent)
2	51
3	36
4	28
5	48
6	48
7	48
8	48
9	48
10	48
11	48
12	46
13	47
14	48
15	48
16	48
17	48
18	49
19	42
20	45
21	43
22	42
23	45
24	47
25	47
26	47

Lot	Maximum Lot Coverage (percent)
27	47
28	47
29	47
30	47
31	47
32	47
33	47
34	39
35	53
36	52
37	52
38	51
39	51
40	51
41	51
42	53

513. For the lot as shown on Table 3 below to Performance Standard 513 of By-law 1157-2018 and shown on Schedule '2' attached and forming part of this By-law, the maximum **floor area** per dwelling unit shall be as shown:

Table 3

Lot	Maximum Floor Area (square metres)
1	420
2	418
3	411
4	315

Lot	Maximum Floor Area (square metres)
5	304
6	304
7	309
8	307
9	304
10	304
11	307
12	307
13	307
14	304
15	307
16	307
17	304
18	304
19	239
20	257
21	239
22	282
23	294
24	294
25	297
26	297
27	294
28	294
29	297

Lot	Maximum Floor Area (square metres)
30	294
31	294
32	294
33	288
34	314
35	241
36	239
37	239
38	257
39	239
40	239
41	239
42	257

514. A minimum of 28 percent of the **front yard** shall be maintained as landscaping of which 75 percent of the **front yard** shall be maintained as soft landscaping.

3. SCHEDULE "C", EXCEPTIONS LIST, is amended by adding the following **EXCEPTION 96** to the lands as shown outlined on the attached Schedule '3':

96. On those lands identified as Exception No. 96 on the accompanying Schedule "C" map, the following provisions shall apply:

(a) **CLAUSE VI – PROVISIONS FOR ALL ZONES, Sub-Clause 6**
Coverage shall not apply.

(b) **Permitted Projections:**

Notwithstanding the definition of **Main Wall** in **CLAUSE V – INTERPRETATION**, the following Projections and their supporting structural members, to the maximum distances shown below, shall not be considered part of the **main wall**, and may extend into the required, **street yard, rear yard, side yard** and **flankage yard**, including **main wall** separation distances, except as otherwise specified;

Projections	Distance
Deck, porch, balcony or similar structure	1.5 metres
Decorative or screen wall	1.0 metres
Exterior steps or ramps	3.0 metres
Bay window or other window projections	0.6 metres
Roof overhang, eave or roof of dormer window	0.6 m provided they are no closer to a lot line than 0.3 m
Chimney, pilaster and projecting columns	0.6 metres

- (c) In the case of a corner lot with a corner rounding, the exterior side lot line shall be deemed to extend to its hypothetical point of intersection with the extension of the front lot line for the purposes of measuring the required setbacks.
- (d) Matters to be provided pursuant to Section 37 of the Planning Act, R.S.O. 1990, c. P.13, as amended:
- i) The density of development permitted by this By-law is permitted subject to the owner of the lands, at its sole expense and in accordance with and subject to the execution and registration of the agreements referred to in Section (ii) herein, providing or funding the following facilities, services and matters, as follows:
 - a) \$450,000.00 to be used towards various park improvements in Ward 39, including the installation of a new skatepark in Fundy Bay Park, paid prior to the issuance of an above grade building permit, other than a building permit for a temporary sales office.
 - ii) Prior to the issuance of any building permit, the owner of the lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act, R.S.O., 1990, c. P.13 as amended, to secure the facilities, services and matters referred to in Section (i) herein, which agreement shall be registered as a first priority on title to the lands to which this By-law applies, all to the satisfaction of the City Solicitor.
 - iii) Any cash or letter of credit contributions shall be indexed upwardly from the date of the registration of the Section 37 Agreement to the date the payment is made in accordance with the "Single Detached House Construction Price Index for the Toronto Census Metropolitan Area", reported quarterly by Statistics

Canada in Building Construction Price Indexes Publication
No. 327-0058, or its successor.

- iv) The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - a) 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 held on October 26 and 27, 2009 through the adoption of Item PG32.3 of the Planning and Growth Committee, as further amended by City Council from time to time.

(e) **Additional Permitted Use**

A temporary sales office for the sale of **single-family dwelling** units on the **lot**, including sales from a model home.

4. **SCHEDULE "C" EXCEPTIONS MAP**, is amended by deleting Exception Number 89 as outlined on the attached Schedule '3'.

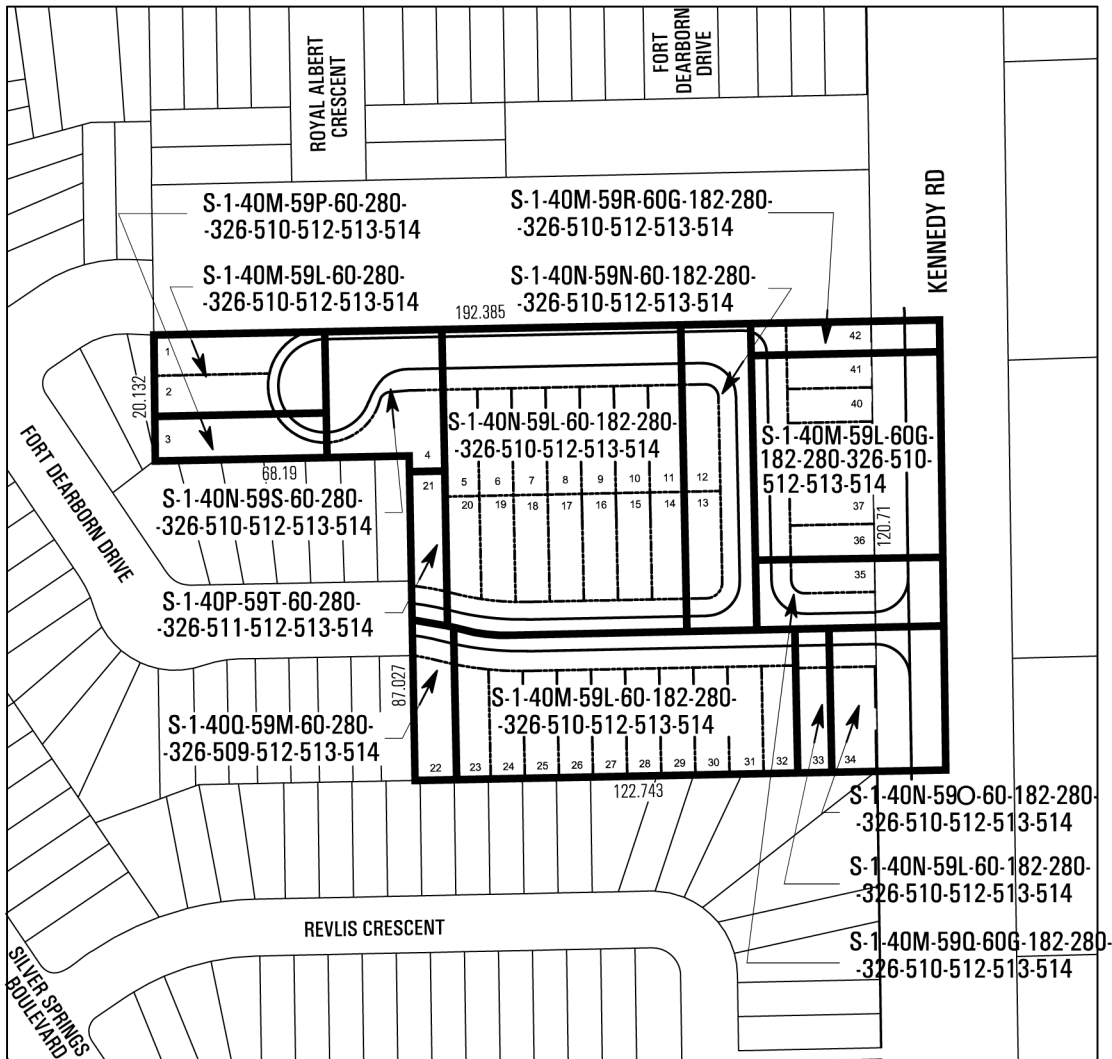
Enacted and passed on July 27, 2018.

Glenn De Baeremaeker,
Deputy Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)

Schedule '1'



Zoning By-Law Amendment

3000-3020 Kennedy Road

File # 16 256248 ESC 39 OZ, 16 256254 ESC 39 SB

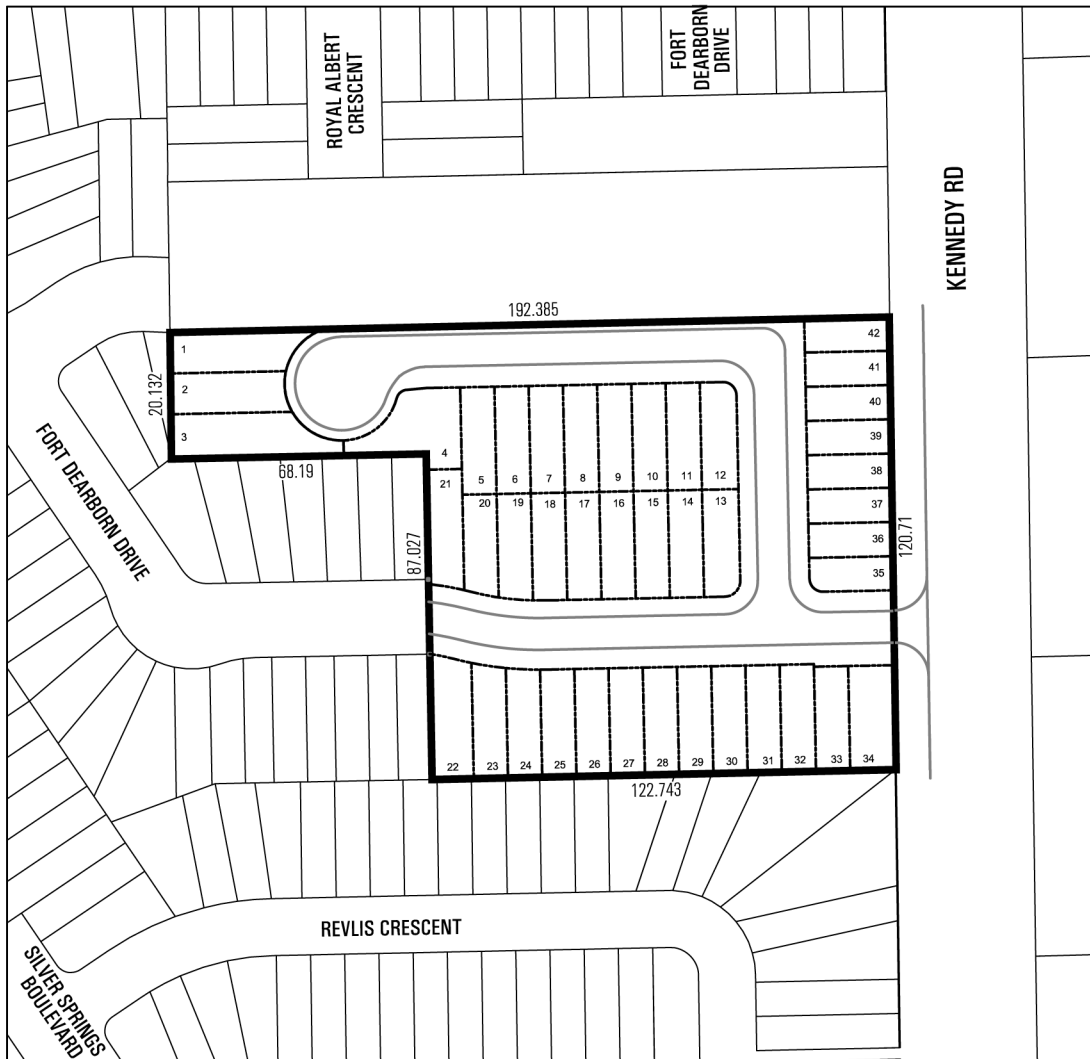


Area Affected By This By-Law

L'amoreaux Community Bylaw
Not to Scale
06/27/18



Schedule '2'



Zoning By-Law Amendment

3000-3020 Kennedy Road

File # 16 256248 ESC 39 OZ, 16 256254 ESC 39 SB

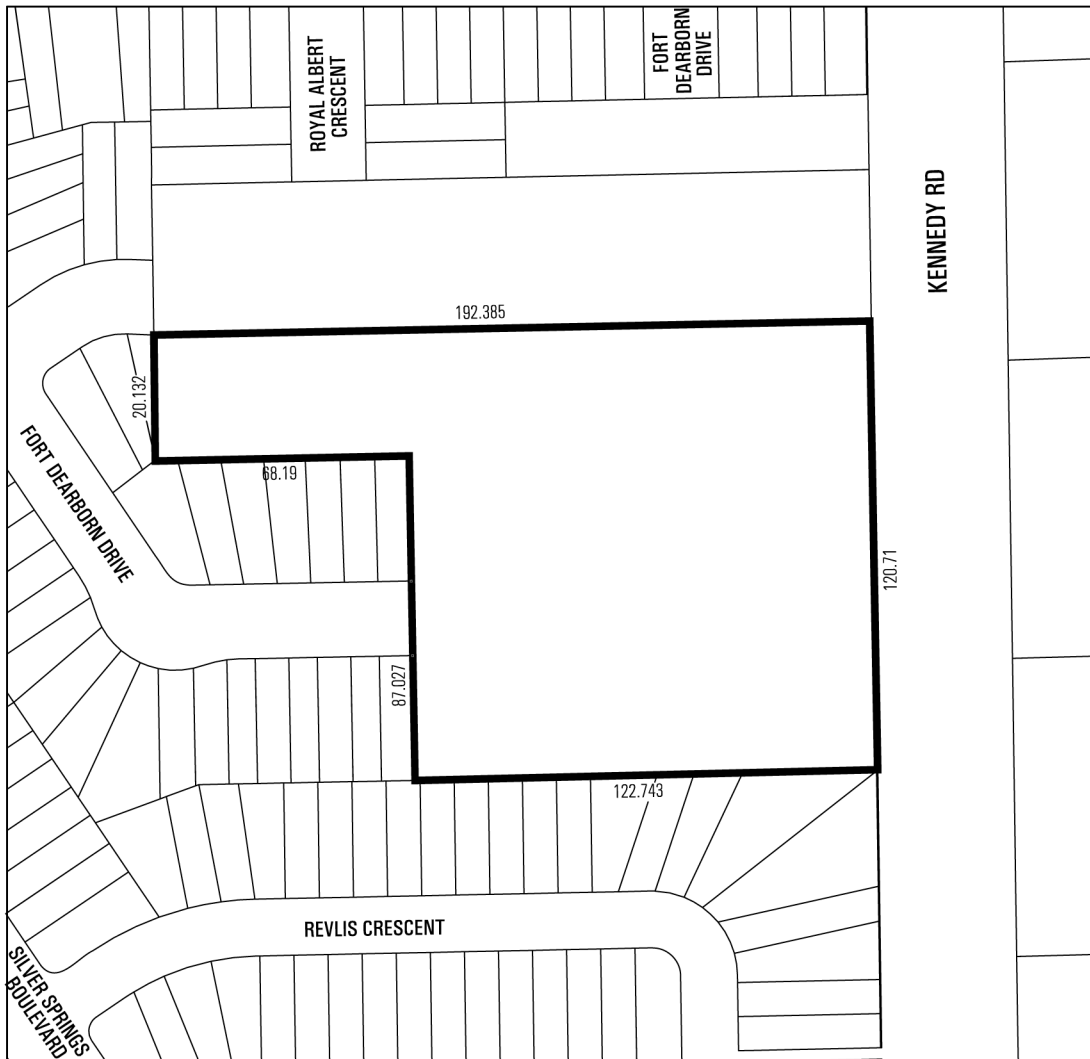


Area Affected By This By-Law

L'Amoreaux Community Bylaw
Not to Scale
06/08/18



Schedule '3'



Exception No. 96
Exception No. 89 to be removed



Zoning By-Law Amendment

3000-3020 Kennedy Road

File # 16 256248 ESC 39 OZ, 16 256254 ESC 39 SB



Area Affected By This By-Law

L'Amoreaux Community Bylaw
Not to Scale
06/14/18

