

**1490-1500 Midland Avenue – Zoning By-law Amendment
Application – Final Report**

Date:	May 17, 2016
To:	Scarborough Community Council
From:	Acting Director, Community Planning, Scarborough District
Wards:	Ward 37 – Scarborough Centre
Reference Number:	15 266900 ESC 37 OZ

SUMMARY

This application proposes to amend the Zoning By-laws to delete permissions for industrial uses and permit a wider range of commercial uses on the property than is currently allowed under the Zoning By-laws for the lands at 1490-1500 Midland Avenue. No new development is proposed.

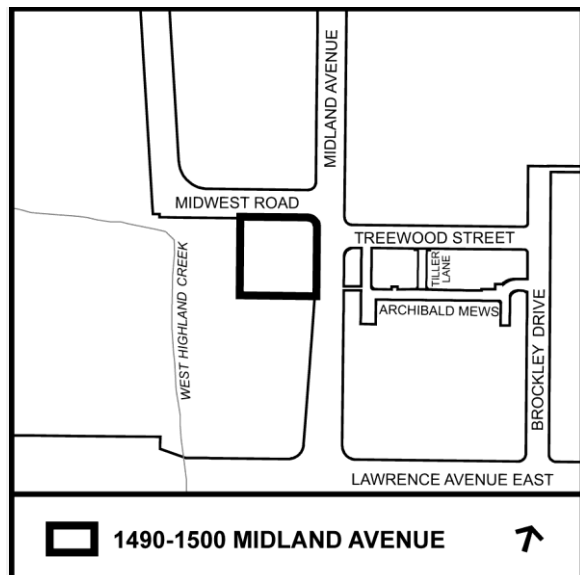
The proposal complies with the Official Plan, conforms to the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.

This report reviews and recommends approval of the application to amend the Zoning By-laws.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend former City of Scarborough Employment Districts Zoning By-law No. 24982 (Dorset Park Employment District), for the lands at 1490-1500 Midland Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment



- 4 to report dated May 17, 2016.
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 1490-1500 Midland Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 5 to report dated May 17, 2016.
 3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On February 23, 2016, Scarborough Community Council adopted a Preliminary Report for the subject application. The report provided background information on the proposal, and recommended that a community consultation meeting be held and that notice be given according to the regulations of the *Planning Act*. The Preliminary Report is available at: <http://www.toronto.ca/legdocs/mmis/2016/sc/bgrd/backgroundfile-87692.pdf>

On March 18, 2015, the Committee of Adjustment deferred consideration of a Minor Variance application to permit the retail sale of fish, birds and aquariums on the site. On May 4, 2015, the owner withdrew the application and instead submitted the subject Zoning By-law Amendment application to establish additional permissions for commercial uses on the site.

ISSUE BACKGROUND

Proposal

This application proposes to amend the Zoning By-law to permit a wider range of commercial uses on the property than is currently allowed under the Zoning By-law, including financial institutions, eating establishments, offices and retail uses. The existing open storage use on the site associated with the vehicle service shops is proposed to remain. Existing permissions for industrial uses would be deleted. No new development is proposed.

For additional details, see Attachment 1: Site Plan and Attachment 3: Application Data Sheet.

Site and Surrounding Area

The site is located in the Dorset Park Employment District, north of Lawrence Avenue East at the southwest corner of Midland Avenue and Midwest Road. The relatively flat site has an area of approximately 5,986 square metres and a frontage of approximately 78 metres on Midland Avenue and 77 metres on Midwest Road.

The site contains a one-storey, five-unit building that includes a furniture store, pet store and vehicle service shop. Surface parking areas are located north and east of the building. An outdoor storage area associated with the vehicle service shop is located west of the building. The existing building is proposed to be maintained.

Surrounding uses include:

- North: one-storey, multi-unit buildings containing commercial uses and a one-storey City of Toronto fire station
- East: three-storey townhouses, two seven-storey apartment buildings and a one-storey commercial plaza containing retail uses, eating establishments, offices and financial institutions
- South: one-storey, multi-unit building containing retail uses and a 22-storey mixed use building containing dwelling units and institutional and commercial uses
- West: one-storey, multi-unit buildings containing commercial uses and West Highland Creek

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the *Planning Act*, to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required, by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

Staff reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated *Mixed Use Areas* in the Official Plan. This designation provides for a broad range of commercial, residential and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities.

The site is located in *Special Policy Area 9* illustrated on Map 11 of the Official Plan, which generally includes lands surrounding Highland Creek between Ellesmere Road and Lawrence Avenue East. Development is prohibited within the floodplain, except for buildings and structures in *Special Policy Areas*, which must be protected from flooding

to at least the 350-year flood level. The *Special Policy Area* policies have been appealed to the Ontario Municipal Board and are not in effect. As noted, no new development is proposed as part of the subject application.

Zoning

The site is zoned Industrial Commercial (MC) in former City of Scarborough Employment Districts Zoning By-law No. 24982 (Dorset Park Employment District), as amended. The MC zoning category permits a range of industrial and commercial uses including dry cleaning plants, lumber yards and building supply warehouses, vehicle repair garages, vehicle sales operations, mechanical or automatic car washes and ancillary sales outlets. An exception to the By-law permits the additional use of a laundromat on the subject property.

The site is excluded from City of Toronto Zoning By-law 569-2013, as amended. The site is excluded from the By-law because the current zoning, which includes permissions for industrial uses, does not comply with the *Mixed Use Areas* designation in the Official Plan. As part of the subject application, the property is proposed to be brought into City of Toronto Zoning By-law 569-2013, as amended.

For additional details, see Attachment 2: Zoning.

Site Plan Control

A Site Plan Control application is not required as no new development is proposed.

Reasons for Application

Amendments to the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Dorset Park Employment District) and City of Toronto Zoning By-law 569-2013 are required to delete permissions for industrial uses, permit a wider range of commercial uses and establish appropriate performance standards for those permitted uses.

Community Consultation

A community consultation meeting was held on October 27, 2015. The meeting was attended by City Planning staff, the Ward Councillor's staff, the applicant and the owner. No members of the public attended the meeting. Issues raised by the public over the course of the application review period included:

- The type and mix of commercial uses permitted on the site
- Desire to add retail permissions for the site
- Desire to have fewer industrial service uses on the site

These issues have been considered in the review of the application and are addressed in the remainder of this report.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. The PPS contains employment policies that seek to promote economic development and competitiveness by, among other matters, providing for an appropriate mix of employment uses and providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses and taking into account the needs of existing and future businesses. It encourages mixed-use development that incorporates compatible employment uses to support liveable and resilient communities. The proposal would provide for employment uses on the site that would be compatible with the surrounding area. It would result in an appropriate range and mix of land uses in the area to meet local needs. Compliance with the PPS is further addressed in the Toronto and Region Conservation Authority section of the report below.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The Growth Plan requires that the City maintain an adequate supply of lands providing locations for a variety of appropriate employment uses. The lands would be maintained for employment purposes and would contribute to creating a community with more options for living, working, learning, shopping and playing.

Land Use

The Official Plan identifies that *Mixed Use Areas* are intended to achieve multiple planning objectives by combining an array of uses including residential, office, retail and service uses. *Mixed Use Areas* are intended to allow residents to live, work and shop in the same area, giving people an opportunity to be less dependent on cars, while creating districts along transit routes that are animated, attractive and safe.

The subject property is at the northern edge of a large area designated *Mixed Use Areas* in the Official Plan. The *Mixed Use Areas*-designated lands extend from the site to south of Lawrence Avenue East and along both sides of Midland Avenue. Lands to the north of the site are designated *Employment Areas* in the Official Plan. These lands are to be comprised of places of business and economic activity. Uses that support this function include manufacturing, warehousing, distribution and research and development facilities. While residential uses would not be permitted on the site, such uses exist and are permitted in much of the area immediately south of the site. In this way, the subject application would help ensure that a balance of uses would be permitted in the area to meet the needs of residents, employees and visitors.

By permitting additional commercial uses and deleting permissions for industrial uses on the site, the lands will continue to be used for economic activity while complying with Official Plan policies in *Mixed Use Areas* that do not allow industrial uses. The changes in use could also reduce potential compatibility issues that can arise when sensitive residential uses directly abut neighbouring employment uses. The land use changes would take advantage of existing public infrastructure and could encourage pedestrian and cycling activity and additional ridership on public transit due to the change from a primarily industrial to evolving commercial character at the site.

The site is excluded from City of Toronto Zoning By-law 569-2013, as amended. The site is excluded from the By-law because the existing zoning under the Scarborough By-law, which includes permissions for industrial uses, does not comply with the *Mixed Use Areas* designation in the Official Plan. With the deletion of permissions for industrial uses, the property can be brought into City of Toronto Zoning By-law 569-2013.

The site is zoned Industrial Commercial (MC) in former City of Scarborough Employment Districts Zoning By-law No. 24982 (Dorset Park Employment District), as amended. Uses permitted under the MC zoning category that would no longer be permitted on the site include dry cleaning plants, lumber yards and building supply warehouses, vehicle repair garages and mechanical or automatic car washes.

Through the subject application, uses that would be permitted on the property under both Zoning By-laws include artist studios, eating establishments, financial institutions, offices, personal service shops, pet services, recreation uses, retail stores, vehicle service shops and veterinary hospitals. Residential uses would not be permitted on the site.

While vehicle service shops would be conditionally permitted on the site, vehicle repair shops would no longer be permitted on the site. Unlike vehicle repair shops, vehicle service shops do not include any spray painting or repairing body or fender components of vehicles or servicing of construction or agriculture vehicles. Vehicle service shops can exist on the property and comply with *Mixed Use Areas* policies in the Official Plan with the elimination of some of the more impactful elements of vehicle repair activity.

Limited open storage uses would be conditionally permitted on the site. Open storage would be permitted only in conjunction with vehicle service shops. Open storage would be restricted to a maximum area of 10 percent of the site, located only at the rear of the building, up to a maximum height of 5.5 metres and would be screened by solid fencing with open gates to allow visibility and access to the rear of the building. In this way, the open storage would not be visible from the streets and would not be allowed to dominate the site.

As outlined further in the Toronto and Region Conservation Authority section of the report below, the site is located in a flood hazard as defined in the PPS. As such, potentially high risk uses such as day nurseries and places of worship would not be permitted on the site. This is intended to reduce the risk to life, health, safety and property during times of flooding.

Toronto and Region Conservation Authority

The site is located within a Toronto and Region Conservation Authority (TRCA) Regulated Area of the Highland Creek Watershed and is regulated with respect to its location in a Regulatory Floodplain associated with the Dorset Park engineered channel. In accordance with Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shoreline and Watercourse Regulation), a permit would be required from the TRCA prior to any future development taking place.

TRCA has been delegated the responsibility for implementing the Natural Hazard policies of the PPS. The subject property is located in a flood hazard as defined in the PPS. The PPS generally directs new development away from the flood hazard where there is an unacceptable risk to public health or safety or of property damage, and does not allow the creation of new or aggravating existing hazards. Any Zoning By-law amendment would need to be consistent with the policies of the PPS.

The TRCA is the City of Toronto's partner in managing the natural environment. Section 3.4 of the Official Plan provides policies for development within or near natural hazards and lands in the natural heritage system. The subject site is located within the flood hazard. Policy 3.4.1 states that any changes to the built environment should occur in a way that will reduce the risks to life, health, safety, property and ecosystem health where they are associated with flooding. In addition, Policy 3.4.6 states, in part, that areas within the floodplain may only be used for activities that do not result in unacceptable risks to life or property.

TRCA's policy document, the Living City Policies (LCP) for Planning and Development in the Watersheds of the Toronto and Region Conservation Authority, guides TRCA's role as an approval authority under the above-noted Ontario Regulation 166/06 and as an advisor to municipalities under the *Planning Act* with respect to natural heritage and natural hazards. As the subject property is located within a flood hazard, the LCP applies to this application.

The overall objective of TRCA's policies and regulations is to prevent new development from occurring within areas that may introduce risk to life and property associated with natural hazards, in this case, flood. From the LCP perspective, change of use falls under the definition of "development". LCP does not support development where new hazards may be created or the risk to public safety and susceptibility to natural hazard may increase.

Based on TRCA's floodplain model, the subject property is located partially within the Regulatory Floodplain of the Dorset Park Interceptor channel. The majority of the site is subject to flooding in the event of Regional Storm.

The proposed Zoning By-law amendment would delete existing permissions for potentially high-risk uses such as day nurseries, dry cleaning plants and places of worship. This change should reduce the risk to life, health, safety and property during times of flooding. From a flood-hazard risk perspective, the proposed site specific by-law

would be an improvement over the existing permissions in the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Dorset Park Employment District), as amended. TRCA staff have indicated that that the proposal is consistent with the natural hazard policies of the PPS, Official Plan and LCP.

Traffic Impact, Access, Parking

A Traffic Impact Study was submitted in support of the proposal. The study concluded that the projected site traffic would have minimal impacts on the area and could be acceptably accommodated on the adjacent road network. Transportation Services staff have reviewed the proposal and have indicated that the proposal is acceptable.

Official Plan policies encourage reduced automobile dependency and promote alternative modes of transportation. The policies attempt to increase the opportunities for better walking and cycling conditions for residents. City of Toronto Zoning By-law 569-2013, as amended, establishes new vehicle and bicycle parking standards across the city in accordance with Official Plan policies. The proposal would comply with these parking standards. The proposal would include a minimum of four long-term bicycle parking spaces for employees working at the site and nine short-term bicycle parking spaces.

Open Space/Parkland

The proposed change in land use from industrial to commercial uses is subject to a two percent cash-in-lieu of parkland dedication payment as required in Chapter 415, Article III of the Toronto Municipal Code. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of a building permit. This parkland payment is required under Section 42 of the *Planning Act*, and is required as a condition of the building permit application process.

Streetscape

The Official Plan requires that new development enhance the existing streetscape and ensure that these areas are attractive, comfortable and functional for pedestrians. An existing row of parking along Midland Avenue would be replaced with new landscape areas that would be large enough to accommodate large-growing shade trees and understory planting that would include a mix of shrubs and ornamental grasses. These new landscape areas would improve stormwater management on the site by reducing the existing hard surface area and would enhance the streetscape by screening some of the parking from the street and creating more comfortable conditions for pedestrians as the planting matures. The general location and minimum landscape area would be secured in the Zoning By-law.

Tree Preservation

The Tree Preservation Plan submitted in support of this application indicates there are two trees within the Midland Avenue right-of-way that qualify for protection under the City's tree protection by-law. No trees are proposed to be removed or injured through this application.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The site specific zoning by-law will secure performance measures for the following Tier 1 development features: Automobile Infrastructure and Cycling Infrastructure.

Conclusion

The proposal is consistent with the Provincial Policy Statement and in conformity with the Growth Plan for the Greater Golden Horseshoe. The proposal also conforms to the policies of the Official Plan. As such, staff recommend that the proposal be approved.

CONTACT

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Fax No. 416-396-4265
E-mail: pjohnso3@toronto.ca

SIGNATURE

Paul Zuliani, Acting Director
Community Planning, Scarborough District

ATTACHMENTS

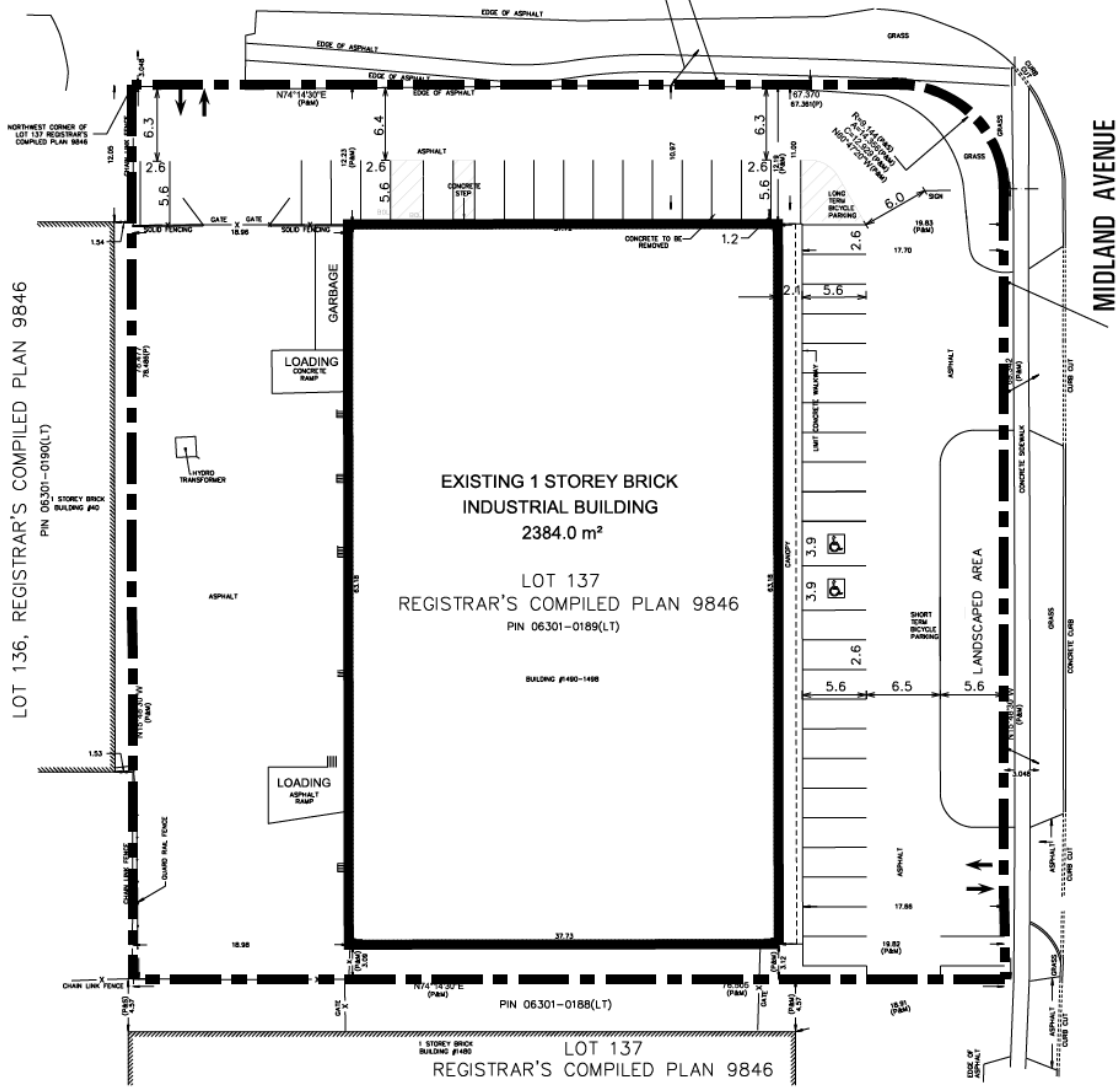
Attachment 1: Site Plan
Attachment 2: Zoning
Attachment 3: Application Data Sheet
Attachment 4: Draft Zoning By-law Amendment to former City of Scarborough
Employment Districts Zoning By-law No. 24982 (Dorset Park
Employment District)
Attachment 5: Draft Zoning By-law Amendment to City of Toronto By-law 569-2013

Attachment 1: Site Plan

(BY BY-LAW 12275, INST. 350506)
PIN 06301-0178(L,T)

MIDWEST ROAD

LOT 134, REGISTRAR'S COMPILED PLAN 9846
WIDENING BY INST. 276779



Site Plan

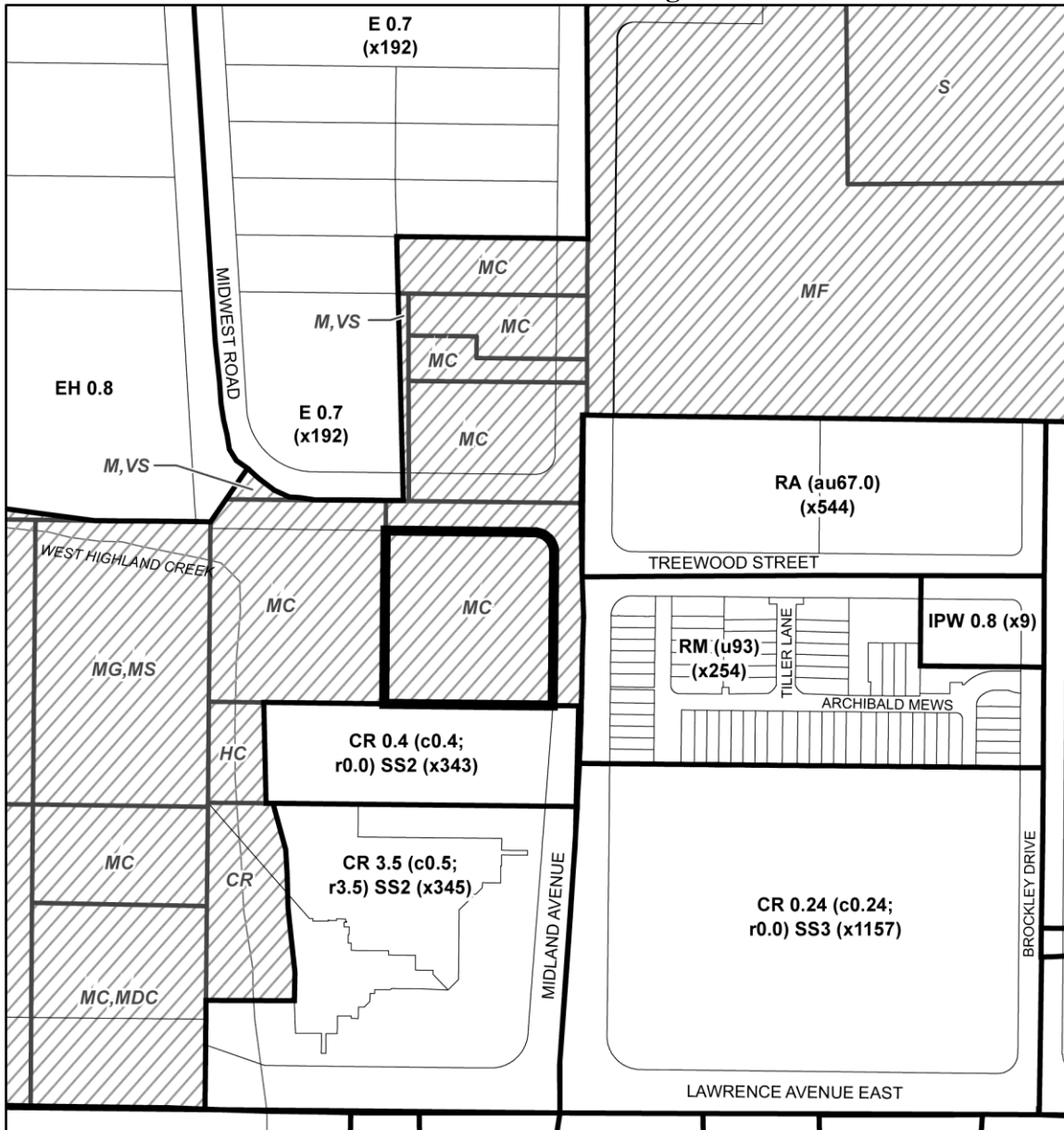
1490-1500 Midland Avenue

Applicant's Submitted Drawing

Not to Scale

File # 15 266900 ESC 37 0Z

Attachment 2: Zoning



Zoning By-Law No. 569-2013

1490-1500 Midland Avenue

File # 15 266900 ESC 37 0Z

Location of Application	See Former City of Scarborough Employment District By-Law No. 24982 (Dorset Park)
RM Residential Multiple	MC Industrial Commercial Zone
RA Residential Apartment	HC Highway Commercial Zone
CR Commercial Residential	CR Commercial/Residential Zone
E Employment Industrial	See Former City of Scarborough Bendale Community Bylaw No. 9350
EH Employment Heavy Industrial	S Single-Family Residential
IPW Institutional Place of Worship	MDC Industrial Commercial Zone
	MG General Industrial Zone
	MS Special Industrial Zone
	VS Vehicle Service Zone
	MF Multiple-Family Residential



Not to Scale
Extracted: 01/06/2016

Attachment 3: Application Data Sheet

Application Type	Rezoning	Application Number:	15 266900 ESC 37 OZ
Details	Rezoning, Standard	Application Date:	December 18, 2015

Municipal Address: 1490-1500 MIDLAND AVE
 Location Description: CON 1 PT LOT 27 PLAN 9846 RCP LOT 137 **GRID E3705
 Project Description: rezoning to add commercial uses

Applicant:	Agent:	Architect:	Owner:
WESTON CONSULTING			ERKINGER INC.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Exception 316
Zoning:	MC-Industrial Commercial	Historical Status:	
Height Limit (m):		Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	5986.1	Height:	Storeys:	1
Frontage (m):	78.5		Metres:	5.2
Depth (m):	76.5			
Total Ground Floor Area (sq. m):	2384			Total
Total Residential GFA (sq. m):	0		Parking Spaces:	41
Total Non-Residential GFA (sq. m):	2384		Loading Docks	2
Total GFA (sq. m):	2384			
Lot Coverage Ratio (%):	39.8			
Floor Space Index:	0.4			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:			Above Grade	Below Grade
Rooms:	0	Residential GFA (sq. m):	0	0
Bachelor:	0	Retail GFA (sq. m):	2384	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0	0
Total Units:	0			

CONTACT:	PLANNER NAME:	Paul Johnson, Planner
	TELEPHONE:	416-396-7658

Attachment 4: Draft Zoning By-law Amendment to former City of Scarborough Employment Districts Zoning By-law No. 24982 (Dorset Park Employment District)

Authority: Scarborough Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend former City of Scarborough Employment Districts Zoning By-law No. 24982 (Dorset Park Employment District), as amended, with respect to the lands municipally known as 1490-1500 Midland Avenue

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 HEREBY ENACTS as follows:

1. **Schedule "A"** of the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Dorset Park Employment District) is amended by deleting the current zoning and replacing it with the following zoning as shown on Schedule '1'.

CR-6-913-991-1640-1669-1670-1909-2078

153

2. **Schedule "B" PERFORMANCE STANDARDS CHART** is amended by adding the following Performance Standards:

PARKING

1669. Parking spaces shall be provided in accordance with the parking rates set out in the following table:

Use	Minimum Parking Rate
Art Gallery	1.3 spaces per 100 m ² of gross floor area
Financial Institution	4.0 spaces per 100 m ² of gross floor area
Funeral Home	6.0 spaces per 100 m ² of gross floor area
Office	1.5 spaces per 100 m ² of gross floor area
Performing Arts Studio	3.0 spaces per 100 m ² of gross floor area

Use	Minimum Parking Rate
Personal Service Shop	If the gross floor area is greater than 200 m ² , provide 1.5 spaces per 100 m ² of gross floor area . If the gross floor area is 200 m ² or less, no parking space is required.
Production Studio	1.5 spaces per 100 m ² of gross floor area
Recreational Use	3.0 spaces per 100 m ² of gross floor area
Restaurant	If the gross floor area in a building is 200 m ² or less, no parking space is required. If the gross floor area in a building is greater than 200 m ² , but less than 500 m ² , provide 3.0 spaces per 100 m ² of gross floor area . If the gross floor area in a building is 500 m ² or more, provide 5.0 spaces per 100 m ² of gross floor area .
Retail Store	If the gross floor area is 200 m ² or less, no parking space is required. If the gross floor area is greater than 200 m ² , but less than 10,000 m ² , provide 1.5 spaces per 100 m ² of gross floor area . If the gross floor area is 10,000 m ² or more, but less than 20,000 m ² , provide 3.0 spaces per 100 m ² of gross floor area . If the gross floor area is 20,000 m ² or more, provide 6.0 spaces per 100 m ² of gross floor area .
Service Shop	If the gross floor area is greater than 200 m ² , provide 1.5 spaces per 100 m ² of gross floor area . If the gross floor area is 200 m ² or less, no parking space is required.
Vehicle Service Shop	3.5 spaces per 100 m ² of gross floor area
Veterinary Hospital	1.0 spaces per 100 m ² of gross floor area

1670. Minimum of 13 **bicycle parking spaces** shall be provided.

LANDSCAPING

1909. Minimum of 398 m² of **landscaping** shall be provided in the **street yard**.

MISCELLANEOUS

2078. Midland Avenue shall be deemed to be the **front lot line**.

3. **Schedule "C"** of the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Dorset Park Employment District) is amended by adding the following Exception No. 153:

153. Only the following uses are permitted:

- art gallery
- automated banking machine
- custom workshop
- **financial institution**
- funeral home
- office
- **open storage** is permitted, subject to the following:
 - **open storage** shall be **ancillary** to a **vehicle service shop**;
 - **open storage** shall not be located in a **front yard** or **side yard**;
 - **open storage** shall be no more than 10% of the **lot** area;
 - the maximum **height** of **open storage** is 5.5 metres; and
 - **open storage** shall be enclosed by a fence.
- outdoor sales or display in conjunction with a permitted non-residential use
- **park**
- performing arts studio
- **personal service shop**
- production studio
- public parking
- **public transportation use**
- **recreational use**
- renewable energy in conjunction with a permitted non-residential use
- **restaurant**
- retail store
- **service shop**
- **vehicle service shop**
- veterinary hospital

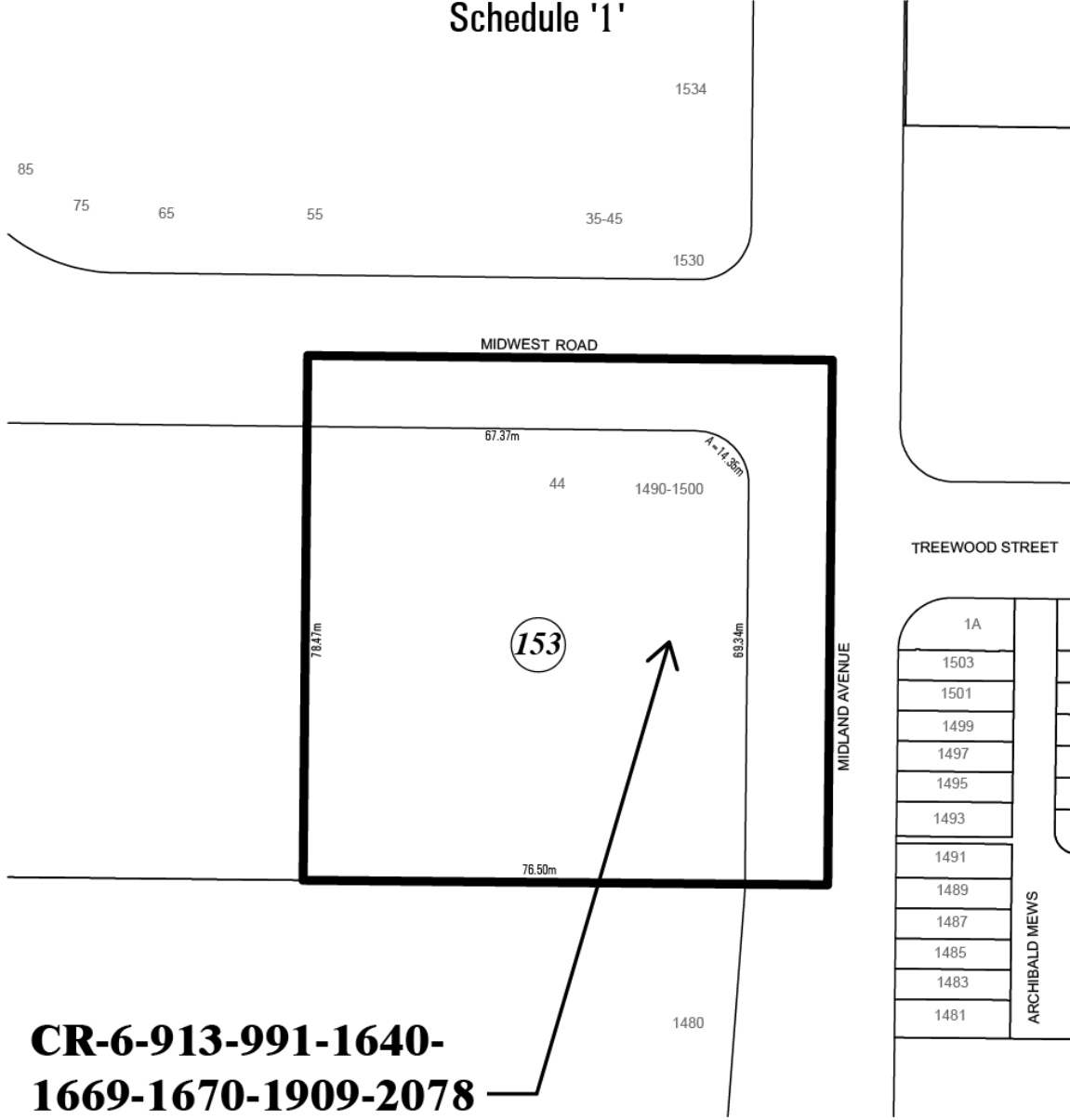
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,
Mayor

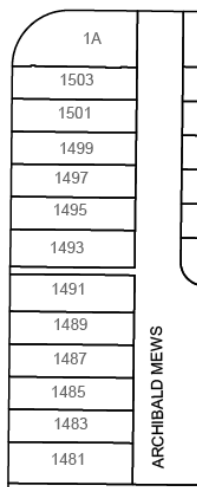
ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule '1'



**CR-6-913-991-1640-
1669-1670-1909-2078**




Zoning By-Law Amendment

1490-1500 Midland Avenue

File # 15 266900 ESC 37 0Z

 Area Affected By This By-Law

Dorset Park Employment
 Not to Scale
 05/16/2016

Attachment 5: Draft Zoning By-law Amendment to City of Toronto By-law 569-2013

Authority: Scarborough Community Council Item ##, as adopted by City of Toronto Council on ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. [XXXX- 2014]

To amend the Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2016 as 1490-1500 Midland Avenue

Whereas Council of the City of Toronto has the authority to 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

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.10, and applying the following zone label to these lands: **CR (c0.4; r0.0) SS3 (x71)** as shown on Diagram 2 attached to this By-law.
4. Zoning By-law No. 569 -2013, as amended, is further amended by adding the lands shown on Diagram 1 to the Policy Area Overlay Map in Section 995.10 and the Rooming House Overlay Map in Section 995.40.
5. Zoning By-law No. 569 -2013, as amended, is further amended by adding the lands shown on Diagram 3 to the Height Overlay Map in Section 995.20.1, and applying the following height and storey label: **HT 6.0, ST 1**.
6. Zoning By-law No. 569 -2013, as amended, is further amended by adding the lands shown on Diagram 4 to the Lot Coverage Overlay Map in Section 995.30.1, and applying the lot coverage label of **40%**.

7. Zoning By-law No. 569-2013, as amended, is further amended by adding Article 900.11.10 Exception Number 71 so that it reads:

Exception CR 71

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) None of the regulations of 5.10.40.1(3), 5.10.40.40(1), 5.10.40.70(6), 5.10.40.80(1), 40.10.50.10(1), 150.94.50, 230.5.1.10(6), 230.5.1.10(9)(A), 230.5.10.1(1) and 400.10.100.10(1) prevent the erection or use of a **building, structure**, addition or enlargement if it complies with the following regulations:
- (B) Despite the uses listed in regulation 40.10.20.10, the only uses permitted are: **art gallery, artist studio, automated banking machine, financial institution, massage therapy, office, park, performing arts studio, personal service shop, pet services, production studio, retail store, software developing and processing, veterinary hospital, wellness centre;**
- (C) Despite the uses listed in regulation 40.10.20.20, the only uses permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 40.10.20.100 are: **custom workshop, eating establishment, funeral home, outdoor patio, outdoor sales or display, public parking, recreation use, renewable energy, retail service, service shop, take-out eating establishment and vehicle service shop;**
- (D) Despite (B) and (C) above, **open storage** is permitted, subject to the following:
 - (i) **open storage** may only be associated with a **vehicle service shop;**
 - (ii) **open storage** may not be located in a **yard** that abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category;
 - (iii) **open storage** may not be located in a **front yard** or **side yard;**
 - (iv) **open storage** may be no more than 10% of the **lot area;**
 - (v) the maximum **height** of **open storage** is 5.5 metres; and
 - (vi) **open storage** must be enclosed by a fence;

- (E) The **front lot line** is the **lot line** abutting Midland Avenue;
- (F) The minimum **building setback** from a **lot line** that abuts a **street** is 3.0 metres;
- (G) A minimum of 13 **bicycle parking spaces** must be provided; and
- (H) A minimum of 398 square metres of **landscaping** must be provided in the **street yard**, of which a minimum 252 square metres must be **soft landscaping**.

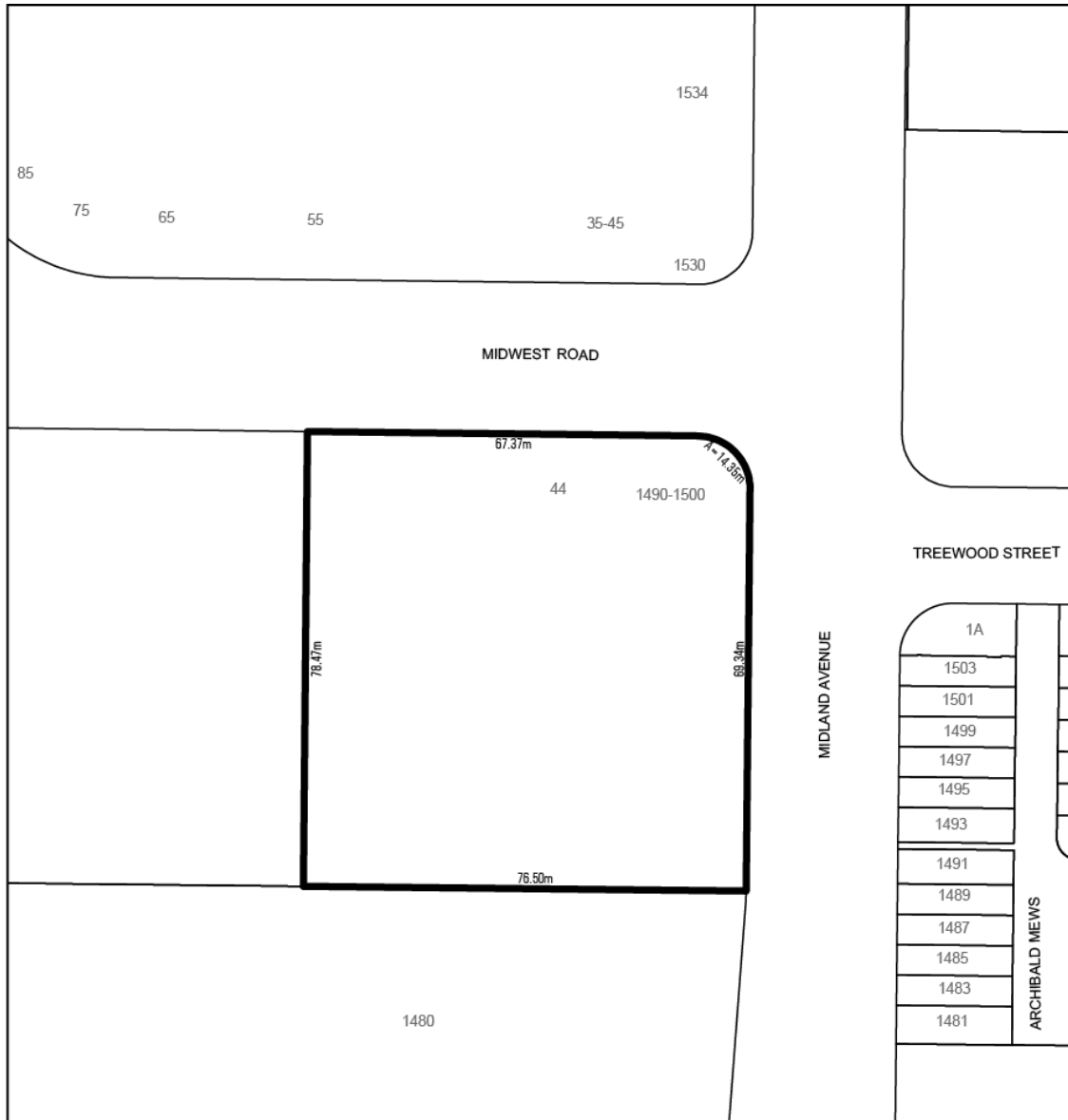
Prevailing By-laws and Prevailing Sections: (None Apply)

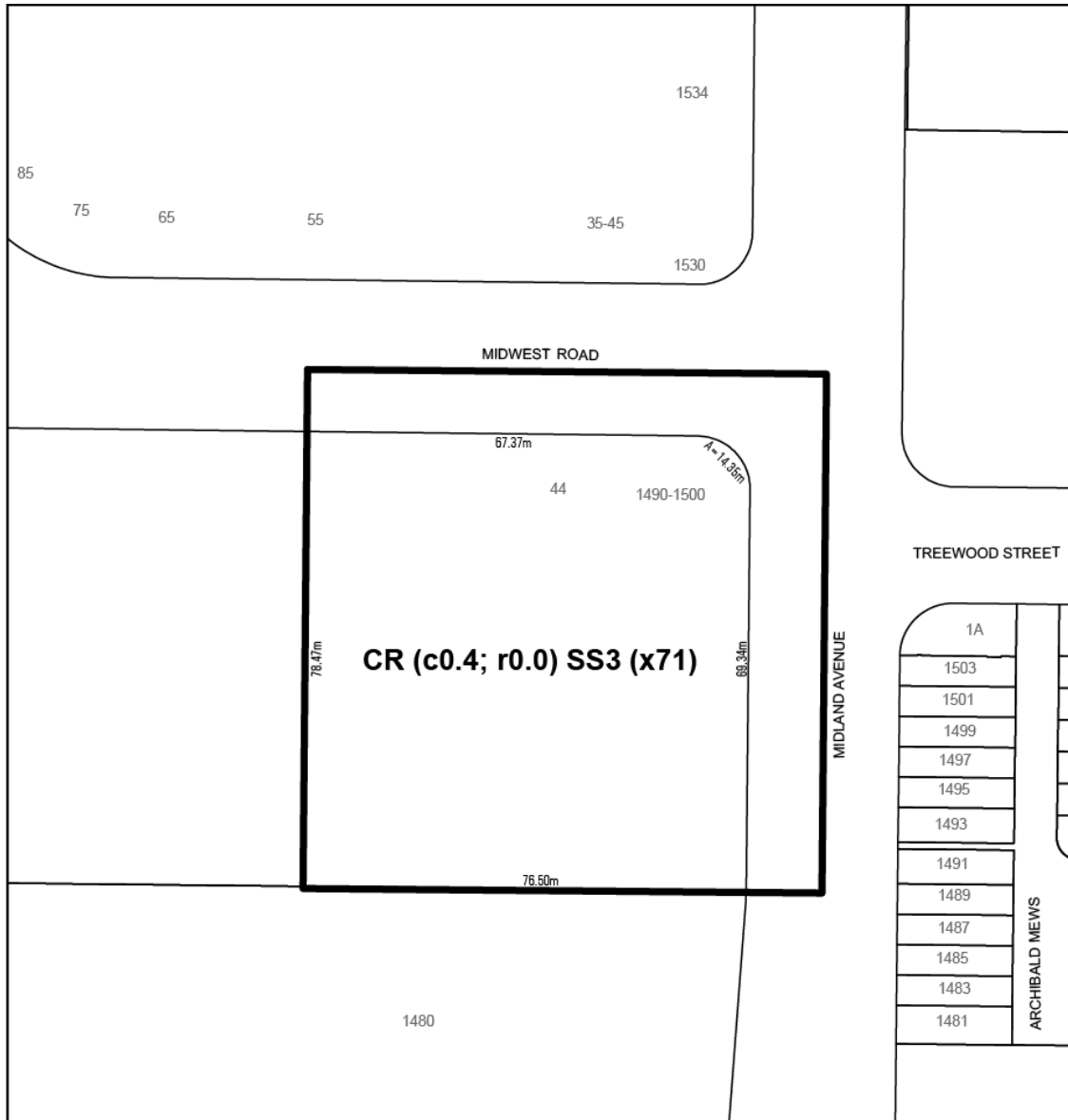
Enacted and passed on month ##, 2016.

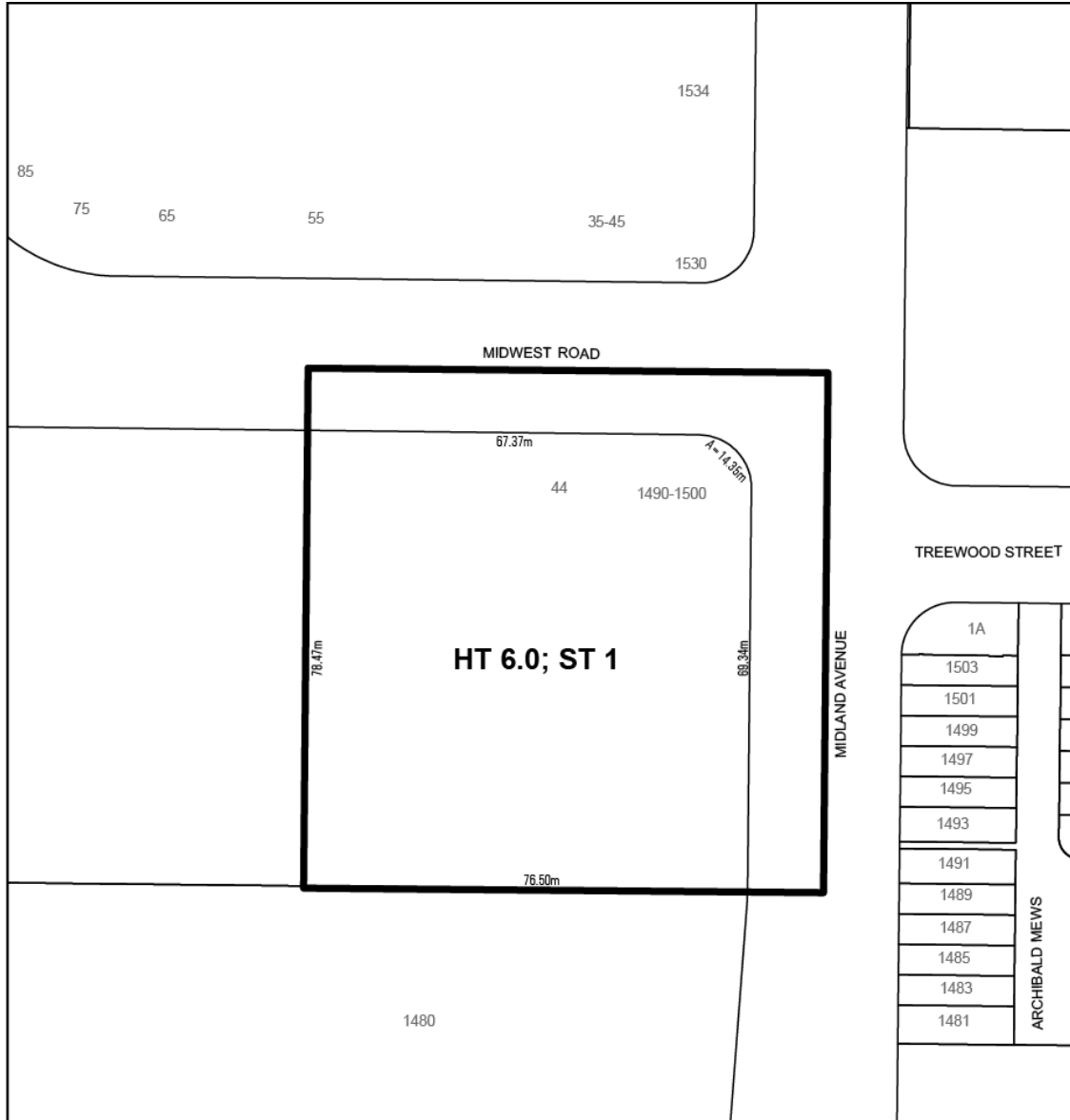
Name,
Speaker

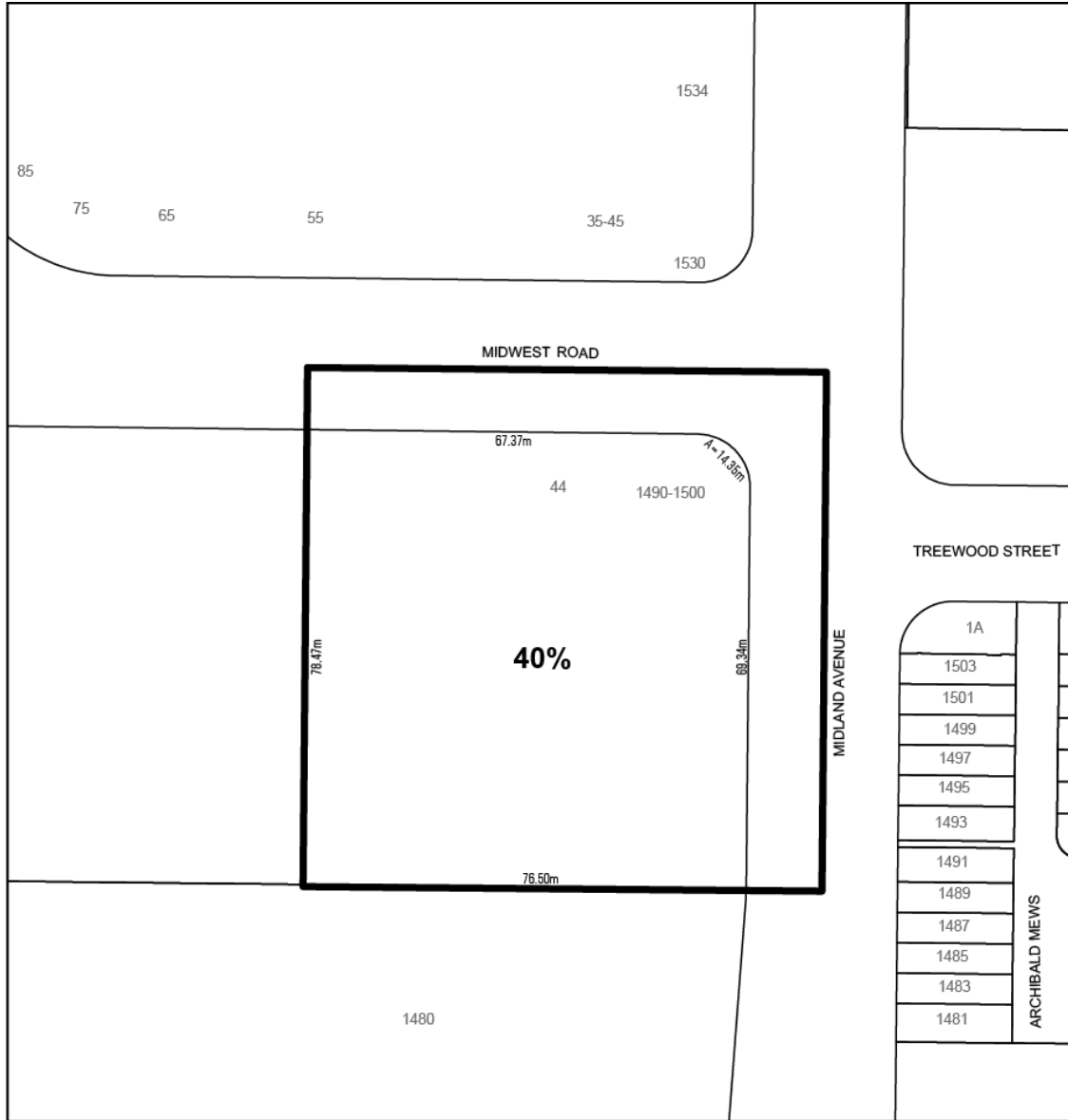
Ulli S. Watkiss,
City Clerk

(Seal of the City)









TORONTO City Planning
Diagram 4

1490-1500 Midland Avenue

File # 15 266900 ESC 37 OZ


 City of Toronto By-Law 569-2013
 Not to Scale
 5/16/2016