

Authority: Humber York Community Council Report No. 9, Clause No. 6
adopted as amended, by City of Toronto Council on June 18, 19 and 20, 2002
Enacted by Council: June 20, 2002

CITY OF TORONTO

BY-LAW No. 526-2002

To amend former City of York By-law No. 1-83 in respect of lands on the southwest corner of St. Clair Avenue West and Runnymede Road (2525 to 2535 St. Clair Avenue West).

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:

SECTION 6 AMENDED

1. That Section 6 of Zoning By-law No. 1-83, as amended, of the former City of York, be further amended by adding a new Subsection (69) as follows:

“(69) MAP 18

By changing the area shown on District Map 18, municipally known as Lands - Southwest Corner of St. Clair Avenue West and Runnymede Road (2525 to 2535 St. Clair Avenue West) and shown outlined by broken lines in Schedule “A” hereto, from a SI District to a CE District and Section 16(411) as shown on Schedule “B” hereto and by changing District Map 18 accordingly”.

SECTION 16 AMENDED

2. That Section 16 of Zoning By-law No. 1-83, as amended, of the former City of York, is hereby further amended by adding the following as a new Subsection (411):

“(411) LANDS – 2525 to 2535 St. Clair Avenue West

Notwithstanding any provisions of Section 13 and any other provisions of this By-law, the lands municipally known as the southwest corner of St. Clair Avenue West and Runnymede Road, 2525 to 2535 St. Clair Avenue West, shown outlined by broke lines in Schedule “A” to this Subsection and shown on the plans attached as Schedule “B” and Schedule “C” hereto, (hereinafter referred to as “the Lands”) may be used for one or more of the following purposes:

- (i) a retail store or stores but not including a flea market; office; theatre; restaurant; restaurant, licensed; take-out eating establishment; and accessory buildings, uses and structures including associated parking, outdoor display and sales, and outdoor eating areas;

subject to the following provisions:

- (a) The buildings excluding exits, shall be located within the area shown on the Site Plan attached as Schedule “C” to this By-law. The minimum setbacks to the building shall be those shown on the site plan and the setback shall include any lands conveyed to the City for municipal purposes.
- (b) The maximum height of the buildings shall be 12 metres, exclusive of mechanical floors, walls or structures to screen mechanical equipment, roof stairwell enclosures, parapet walls, and the basement floor.
- (c) Canopies, awnings and roof overhangs may extend into the front yard a maximum of 3.0 metres but any projecting part of a building shall not:
 - (i) encroach onto lands conveyed to or granted as an easement to the City for municipal purposes; or
 - (ii) interfere with the use of a driveway required for access to a parking or loading area.
- (d) The maximum total gross floor area all permitted principal uses shall be 14 700 square metres, the maximum gross floor area of a garden centre component shall be 2 000 square metres, and the maximum gross floor area for accessory buildings shall be 100 square metres.
- (e) Off-street parking shall be provided and maintained for commercial uses at a minimum rate of 1 parking space for each 47 square metres of gross floor area.
- (f) Off-street parking shall not encroach into the front yard. For the purposes of this paragraph, “front yard” shall mean the portion of the area of the lands marked as “Front Yard Area” on Schedule ‘C’ to this By-law.
- (g) Vehicular access to St. Clair Avenue West shall be restricted to one full turns access point opposite Mould Avenue, one right-out access point opposite Castleton Avenue and one minor access point between the retail store and the office building. Vehicular access to Runnymede Road consisting of one full turn access point shall be provided and maintained by way of an easement with a minimum width of 6 metres on the abutting lands to the south.
- (h) For buildings abutting the St. Clair Avenue West right-of-way, the primary entrance shall be located within 35 metres of the street.
- (i) All rooftop mechanical units, flues and vents shall be screened.

- (j) Bicycle parking spaces shall be provided and maintained in accordance with the following minimum standards:
- (1) 1 bicycle parking space for every 1 250 square metres of gross leasable commercial floor area and with each building being provided with the required bicycle parking within 30 metres of a primary front entrance to the building;
 - (2) a bicycle parking space is an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles, and:
 - (a) where bicycles are parked on a horizontal surface, such space has horizontal dimensions of at least 0.6 metres wide by 1.8 metres long and a vertical dimension of at least 1.9 metres high; and
 - (b) where bicycles are parked in a vertical position, such space has horizontal dimensions of at least 0.6 metres wide by 1.2 metres long and a vertical dimension of at least 1.9 metres high; and
 - (3) all bicycle parking spaces shall be provided and maintained a highly visible weather protected area.
- (k) Outdoor storage and display is permitted, subject to the following provisions:
- (a) no outdoor storage shall be located within 2 metres of the St. Clair Avenue west or Runnymede Road right-of-ways;
 - (b) the only form of outside storage permitted shall be related to the storage of associated garden centre and yard products and packaged materials, lumber and building supplies;
 - (c) outdoor storage shall be screened by fencing, walls and/or landscape treatments with a minimum height of 3.7 metres in order to screen the storage area from view by a person standing at grade at those locations;
 - (d) the outdoor storage of lumber and building supplies shall be located within 40 metres of the rear wall of the retail building; and
 - (e) all loose building materials that are not packaged and are stored on site shall be fully enclosed, excluding lumber.
- (l) On site landscaping shall include the provision and maintenance of trees planting at a minimum rate of 1 tree for every 5 parking spaces shall be provided on site.

- (m) All other provisions of this By-law shall continue to apply except in the case where provisions of this Subsection are in conflict in which case the provisions of this Subsection shall prevail.

For the purpose of this Subsection the following definitions shall apply:

“FLEA MARKET” means a building or portion thereof where floor space is made available to two or more individual retail operators where such operator is allocated space and where such allocated space is not physically separated from space made available to other operators by floor to ceiling walls;

3. Subject to the provisions of Section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, this By-law shall come into force and effect on the date of its passing.

ENACTED AND PASSED this 20th day of June, A.D. 2002.

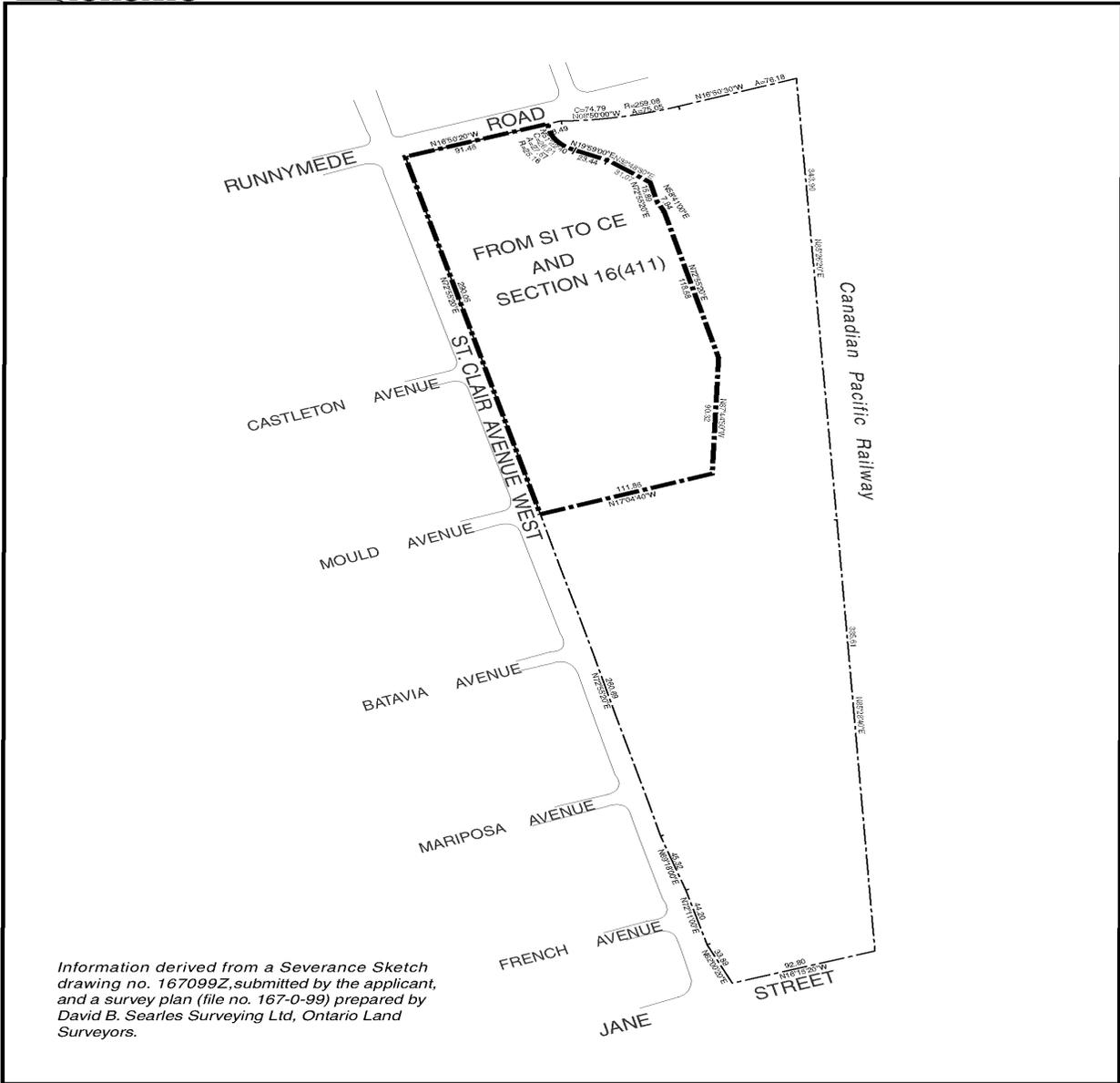
CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)



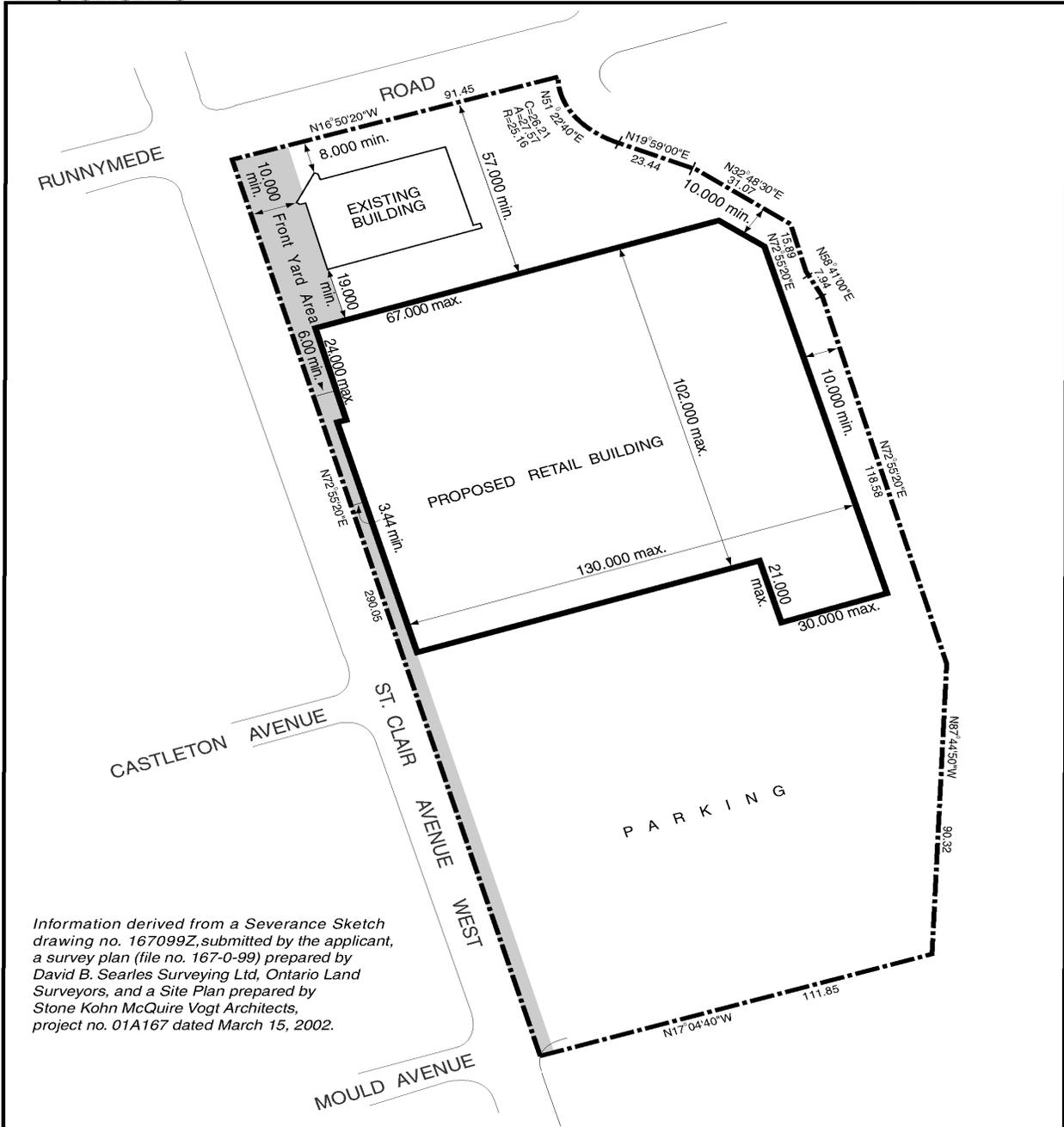
Schedule 'A' and Schedule 'B' to By-Law Number _____
Section 6(69) and to Section 16(411) of Zoning By-Law 1-83



Applicant's Name: ZELINKA PRIAMO (2525-2535 ST. CLAIR AVENUE WEST)					
Assessment Map:	Zoning Code Map/s	Not Applicable		Not to Scale	
File No. TC ZBL 2002 0008d TC SPC 2002 0006d	Drawing No. TC ZBL 2002 0008d TC SPC 2002 0006d	Date: 06/07/02			



Schedule 'C' to By-Law Number _____
Section 6(69) and to Section 16(411) of Zoning By-Law 1-83



Information derived from a Severance Sketch drawing no. 167099Z, submitted by the applicant, a survey plan (file no. 167-0-99) prepared by David B. Searles Surveying Ltd, Ontario Land Surveyors, and a Site Plan prepared by Stone Kohn McQuire Vogt Architects, project no. 01A167 dated March 15, 2002.

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