

Authority: Scarborough Community Council Report No. 7, Clause No. 27,
as adopted by City of Toronto Council on September 28, 29, 30 and
October 1, 2004
Enacted by Council: September 30, 2004

CITY OF TORONTO

BY-LAW No. 842-2004

**To enact a new City of Toronto Zoning By-law with respect to the lands east of
Midland Avenue to Brimley Road, north of St. Clair Avenue East, south of the CN railway
to be known as the Midland/St. Clair Community.**

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. The attached Midland/St. Clair Community Zoning By-law containing text and
Schedule "A", Schedule "B" and Schedule "C" are being adopted and enacted by
City Council.

ENACTED AND PASSED this 30th day of September, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

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CLAUSE I - LANDS REGULATED

1. The lands regulated by this By-law are shown outlined with a heavy black line on Schedule “A” annexed hereto, and the regulations applicable to such lands shall be in accordance with the Clauses and Schedules of this By-law.
2. Where lands on Schedule “A” do not have letters or numbers noted thereon, the regulations applicable to such lands shall be as follows:

- 2.1 **Streets and Watercourses**

The regulations on lands adjacent to a street or watercourse shall extend to the centre lines of the streets or watercourses.

CLAUSE II - GENERAL PROVISIONS

1. **Restrictions on the Use of Land and/or Buildings**

No building, structure or land shall hereafter be used or occupied, and no building or structure, or part thereof, shall be erected, moved or altered except in conformity with provisions of this By-law.

2. **General Exemption**

Where existing buildings and structures have been lawfully erected and a By-law, or amendments to it, have been subsequently enacted with the result that some characteristic of the building or structure does not conform, but the existing uses conform to the land uses specifically permitted on the parcel by the applicable provisions set out in Schedule “A” and Schedule “C” of the By-law; those provisions of the By-law which cause the non-conformity shall not apply with respect to:

- 2.1 The reconstruction or renovation of an existing building, or structure which has been damaged or destroyed by fire, explosion, Act of God or any other cause beyond the owner’s control, after September 30, 2004 provided that:
 - 2.1.1 The replacement buildings or structures erected on the parcel shall conform to the By-law to the same, or to a greater extent, as those existing on the date the damage occurred, and shall be reconstructed or renovated for the same land use which existed on the parcel on the date the damage occurred; and
 - 2.1.2 In instances where the number of parking spaces supplied on the parcel on the date the damage occurred was insufficient to meet the minimum requirement for parking spaces for the uses which existed on the date the damage occurred, this **parking space deficiency** shall not be increased as a result of the reconstruction or renovation, and the total number of parking spaces on the parcel shall not be decreased.

A building or structure renovated or reconstructed pursuant to this Section shall be deemed to have been erected on the day of original construction for the purpose of this By-law.

- 2.2 A change in the use of an existing building or structure to other land uses specifically permitted by the applicable provisions set out in Schedule “A” and Schedule “C” of the By-law, provided that:
- 2.2.1 The land use changes in the buildings or structures, in combination with all other uses on the parcel, shall not increase the extent of the non-conformity; and
- 2.2.2 In instances where the existing number of parking spaces supplied on the parcel is insufficient to meet the minimum requirement for parking spaces for the existing uses, this **parking space deficiency** shall not be increased as a result of the change to the new use, and the total number of parking spaces on the parcel shall not be decreased.
- 2.3 The construction of additional buildings or structures on a parcel, provided that:
- 2.3.1 Any additional buildings or structures shall conform to all the provisions of the By-law; and
- 2.3.2 Any additional buildings, and structures, and uses, in combination with all other buildings, structures, and uses on the parcel, shall not increase the extent of non-conformity; and
- 2.3.3 In instances where the existing number of parking spaces supplied on the parcel is insufficient to meet the minimum requirement for parking spaces for the existing uses, the **parking space deficiency** shall not be increased as a result of the additional buildings, structures, and uses, and the total number of parking spaces on the parcel shall not be decreased.

3. Expansion of Non-Conforming Buildings and Structures

Where existing buildings and structures have been lawfully erected and the By-law or amendments to it have been subsequently enacted with the result that some characteristic of the building or structure does not conform, but the existing land uses conform to the land uses specifically permitted on the parcel by the applicable provisions set out in Schedule “A” and Schedule “C” of the By-law:

- 3.1 The existing buildings and structures may be structurally altered or renovated provided that:
- 3.1.1 The altered or renovated buildings or structures shall continue to conform to all provisions of the By-law, to which the existing buildings or structures conformed.

- 3.1.2 Any structural alterations and renovations, in combination with all other buildings and structures on the parcel, shall not increase the extent of non-conformity; and
- 3.1.3 In instances where the existing number of parking spaces supplied on a parcel is insufficient to meet the minimum requirement for parking spaces for the existing use, this **parking space deficiency** shall not be increased as a result of the alterations or renovations and the total number of parking spaces on the parcel shall not be decreased.
- 3.2 The existing buildings and structures may be enlarged, provided that:
- 3.2.1 Any enlargement to buildings or structures shall conform to all the provisions of the By-law; and
- 3.2.2 The enlargement, in combination with all other buildings, structures, and uses on the parcel, shall not increase the extent of non-conformity; and
- 3.2.3 In instances where the existing number of parking spaces supplied on the parcel is insufficient to meet the minimum requirement for parking spaces for the existing uses, this **parking space deficiency** shall not be increased as a result of the enlargement and the total number of parking spaces on the parcel shall not be decreased.

4. **Parking Space Deficiency**

For the purposes of the regulations in this Clause, a **parking space deficiency** occurs when the number of parking spaces provided on a parcel of land is less than the number of parking spaces required for these uses. The extent of the **parking space deficiency** shall be calculated by subtracting the number of parking spaces provided from the number of parking spaces required.

5. **Second Suite Permission when the Existing Use is Legal Non-Conforming**

When the existing use is legal non-conforming, a **second suite** may be provided in the existing **single-detached dwellings** and existing **semi-detached dwellings**, notwithstanding Section 3. **Expansion of Non-Conforming Buildings and Structures of CLAUSE II-GENERAL PROVISIONS.** A **parking space** required for the **second suite** shall be provided.

CLAUSE III - SCHEDULES

Schedules “A” and “B” with notations and references shown thereon and also Schedule “C” are hereby declared to be part of this By-law and are described as follows:

<u>Schedule</u>	<u>Title</u>
“A”	Midland/St. Clair Community Map
“B”	Performance Standard Chart
“C”	Specific exceptions to the provisions of this By-law

CLAUSE IV - ZONES

For the purposes of this By-law the following zones are hereby established:

<u>Zone</u>	<u>Letter</u>
Single-Detached Residential	S
Semi-Detached Residential	SD
Townhouse Residential	TH
Apartment Residential	A
Open Space	OS
Park	P

CLAUSE V - INTERPRETATION

To interpret the restrictions applicable to any particular parcel of land or building the following procedure shall be adopted:

- (a) Refer to the regulations applicable to all areas restricted by this By-law as found in Clauses II, VI, and VII.
- (b) Refer to Schedule “A” and note the characters (letters and numbers) applicable to the particular area under consideration (subject area bounded by heavy black line).
- (c) The letter or letters refer to one of the zones established by Clause IV of this By-law. Uses Permitted in each of the Zones are set forth in respective Sub-Clauses of Clause VIII of this By-law under appropriate headings. For example, “A” refers to the Apartment Residential provisions in Sub-Clause 3; “S” refers to the Single-Detached Residential provisions in Sub-Clause 1, etc.
- (d) The number or numbers in Schedule “A” refer to required standards of performance specific details of which shall be ascertained by reference to the Performance Standard Chart (Schedule “B”).
- (e) Refer to Schedule “C” for specific exceptions to the provisions of this By-law.

- (f) Where a 0.3 metre reserve has been lifted for the purpose of providing access or where access otherwise is available to a lot, the extent of the lot separated from the street by such reserve, or by lands owned by the Municipality, for road widening, shall be deemed to abut the street.

(g) **Definitions**

Accessory Sign

shall mean a sign that relates exclusively to the use of the premises on which the sign is situated.

Accessory Building

shall mean a subordinate **building** or portion of the main **building** the use of which is incidental to that of the main or principal **building**.

Adult Entertainment Parlours

shall mean any premises or part thereof in which is provided in pursuance of a trade calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations.

Apartment Building

shall mean a **building** containing five or more **dwelling units**, in which **dwelling units** are separated from each other horizontally, or both horizontally and vertically, and each of which has a separate entrance either through a common hallway or directly from outside.

Banquet Hall

shall mean a place of assembly for the purpose of the consumption of food or beverages and, without limiting the generality of the foregoing, shall include restaurants, beverage rooms, taverns, and cafeterias.

Basement

shall mean the portion of a **building** between the first floor and any floor below the first floor.

Basement Height

shall be measured from the averaged finished grade at the front main wall of the building to the ceiling of the **basement**. If there is no ceiling, the measurement shall be made to the underside of the floor joists.

Building

shall mean a fully or partially enclosed structure having a roof supported by walls, columns, piers or other structural system; but does not include a **vehicle**.

Circular Driveway

means a **driveway** having two access points to a **street**.

Coverage

shall mean the portion of the **lot** on or above the surface of the **lot** that is covered by buildings and structures.

Day Nursery

shall mean premises that receive more than five children primarily for the purposes of providing temporary care or guidance, or both, for a continuous period not exceeding twenty-four hours and is regulated by applicable Province of Ontario legislation for Day Nurseries; but it is not a public, separate or private school as defined in applicable Province of Ontario legislation for Education, or premises used for a recreational program operated by or for the City.

Domestic or Household Arts

means any domestic or household art, the practice of which does not affect the amenity of the neighbourhood.

Driveway

means the portion of a lot which is intended to provide vehicular access between a street and a parking space or loading space.

Dwelling Unit

means living accommodation for a person or persons living together as a single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the single housekeeping unit.

Established Grade

means the average elevation of the ground at each point where the required front yard setback line meets the side lot lines.

First Floor

shall mean the floor of a building closest to **established grade**

Floor Area

shall mean the area of all floors of a dwelling measured from the outside of the exterior walls, excluding the floor area of all **basements** and garages.

Front Lot Line

shall mean the line which divides a lot from a street. On a corner lot, the shortest of the lines which divide the **lot** from a street shall be deemed to be the front lot line.

Front Yard

shall mean the space between a main front wall of a building and a **front lot line**, and extending the full width of the **lot**.

Games Arcade

shall mean an establishment where one or more electronic or manually operated game machines are used for recreation, entertainment or amusement. A bowling alley, billiard hall or pool hall is not considered to be a **Games Arcade**.

Gross Floor Area

shall mean the area of all floors, including **basements** and mezzanine floors, except that storage rooms and washrooms located in the **basement**, parking structures including ramps and **driveways**, and **utility rooms** shall not be included. **Gross floor area** shall be measured to the external faces of the exterior walls, except that **gross floor area** of a use occupying a portion of a building shall be measured to the centre line of dividing walls and the external faces of the exterior walls. Where there is no dividing line between uses, the **gross floor area** shall be measured to the dividing line between uses.

Ground Floor Area

shall mean the area of the **building** based on exterior dimensions of the **building** or buildings.

Ground Sign

shall mean a sign directly supported by the ground without aid of any other building or structure, other than the sign structure.

Group Home

means a supervised single housekeeping unit in a dwelling for the accommodation of 3 to 10 persons, exclusive of staff, who by reason of their emotional, mental, social or physical condition, or legal status, require a group living arrangement for their well-being, and where:

- The members of the group are referred by a hospital, court or government agency, or recognized social services agency or health professional; and
- Such facility is funded wholly or in part by any government, other than funding provided for capital purposes only, or such a facility is licensed or approved under Provincial statute.

Group Home, Correctional

means a **Group Home** operated for persons who have been placed on probation, released on parole or admitted for correctional purposes;

Hammerhead Turnaround

means that portion of a **driveway** designed or intended to permit a **vehicle** to complete a 180° turn on the **driveway**.

Height

shall mean the vertical distance measured from the **established grade** to the highest point of the **building**, excluding chimneys, skylights, vents, antennae, elevator machine rooms, and parapet walls.

Live-work Unit

means a **dwelling unit**, part of which may be used as a business establishment, where the **dwelling unit** is the principle residence of the business operator.

Lot

is a single parcel or tract of land which may be conveyed in accordance with the provisions of the Planning Act of the Province of Ontario, or which is described in a registered deed.

Lot Area

is the horizontal area enclosed within all the lot lines of a lot.

Lot Depth

shall mean the distance between the midpoint of the **front lot line** and the midpoint of the **rear lot line**.

Main Wall

shall mean the exterior front, side or rear wall of a building, and all structural members essential to the support of a fully or partly enclosed space or roof. The following projections, to the maximum distances shown below, shall not be considered part of the main wall,

Chimneys, pilasters and projecting columns	500 mm
Roof overhang	1 m
Balconies and unenclosed porches projecting into a front yard, rear yard or a side yard abutting a street	1.55 m
Exterior steps	No Limit

Non-Accessory Sign

shall mean a sign which does not relate to the use of the premises on which the sign is situated, or which is not an **accessory sign** or a transit shelter advertising sign.

Park

shall mean land with or without structures owned and operated by a public authority for the provision of recreational, cultural and/or conservation activities, facilities and/or services.

Parking Space

means an area which is used for the parking of a **vehicle**.

Place of Entertainment

shall mean premises used as a concert hall, cinema, or theatre.

Private Home Day Care

shall mean the temporary care and custody of five children or less where such care is provided in a private residence, other than the home of a parent or guardian of such child, for a continuous period not exceeding 24 hours.

Rear Lot Line

shall mean the lot line which is farthest from, and opposite to, the **front lot line**. In the case of a triangular lot, the rear lot line is the apex of the angle formed by the intersection of the side lot lines.

Rear Yard

shall mean the space between a **main wall** of a building, and a **rear lot line** extending the full width of the **lot**.

Recreational Use

shall mean the use of lands, buildings, or structures primarily for the pursuit of sports, games, or physical exercise, and may include associated spectator seating.

Residential Care Facility

means a supervised facility for the accommodation of more than 10 persons, exclusive of staff who, by reason of their emotional, mental, social or physical condition, or legal status, require a group living arrangement for their well-being, and where:

- The members of the group are referred by a hospital, court or government agency, or recognized social services agency or health professional; and
- Such facility is funded wholly or in part by any government, other than funding provided for capital purposes only, or such a facility is licensed or approved under Provincial statute.

Such facility is not a hospital, nursing home, retirement home or convalescent home.

Rooming and/or Boarding House

means living accommodation, provided for valuable consideration to more than two persons who are not members of the single housekeeping unit which normally occupies the **dwelling unit** where said accommodation is provided or given.

Second Suite

shall mean a separate, self-contained residential accommodation located in a **single-detached dwelling**, the whole of which prior to the introduction of the **second suite** is at least 5 years old, and a **semi-detached dwelling**, the whole of which prior to the introduction of the **second suite** is at least 5 years old, which shall be smaller than the remaining portion of the **Dwelling Unit** excluding garages and **accessory buildings**, and which shall contain at least one room, a kitchen and separate sanitary conveniences.

Semi-Detached Dwelling

shall mean a building containing two **dwelling units** which are separated from each other vertically, and each of which has a separate entrance directly from outside

Setbacks

shall mean the horizontal distance measured at right angles from the lot line to the **main wall** of a building.

Side Yard

shall mean the space between the main side wall of a building, and the side lot line, extending from the **front yard** to the **rear yard**.

Single-Detached Dwelling

shall mean a building which contains one **dwelling unit** comprising the whole of the building.

Storey

means that portion of a **building**, other than the **basement**, included between any floor level and the floor, ceiling or roof immediately above it.

Street

shall mean a public right-of-way for general traffic circulation and which provides the primary access to abutting lots

Street Yard

means the space between a street lot line or lines and the **main wall** or walls of a building, extending the width and breadth of the lot.

Townhouse Dwelling

shall mean a **building** containing three or more **dwelling units**, in which **dwelling units** are separated from each other vertically, and each of which has a separate entrance directly from outside.

Utility Room

shall mean a room accommodating service facilities for buildings on the same parcel of land and used primarily for one or more of the following purposes: mechanical, telephone, or electrical services; building maintenance equipment storage; or garbage handling and storage.

Vehicle

means a device, either self-propelled or pulled by a self-propelled vehicle, designed to transport persons or goods or for construction, and designed to be supported through contact of wheels or tracks with the ground.

Wall Sign

shall mean a sign entirely supported by or through the face of a building or structure, or by component members comprising all or a part of said sign face.

CLAUSE VI - PROVISIONS FOR ALL ZONES**1. Reduction of Yards**

No part of a yard or other open space, required about any building for the purpose of complying with the provisions of this By-law, shall be included as a part of a yard or other open space similarly required for another building.

2. Licences, Permits and Other By-laws

Nothing in this By-law shall operate to relieve any person from the obligation to comply with the requirements of the Building By-laws of the Corporation of the City of Toronto, or any other By-laws of the City of Toronto or its predecessors in force from time to time, or the obligation to obtain any licence, permit, authority or approval which may be otherwise lawfully required.

3. Uses Permitted in All Zones

Nothing in this By-law shall prevent the use of any land within the defined area as a public park, public street, or for the erection of public and separate schools within the meaning of the Public and Separate Schools Acts for the Province of Ontario, or for structures essential to the operation of Public Utilities.

4. Frontage on a Street

No person shall erect a building or structure and no person shall use any building, structure, lot or parcel in the defined area, unless the lot or parcel to be so used or upon which the building is situated, erected or proposed to be erected, abuts or fronts on a public street, unless otherwise specified in this By-law.

5. Day Nurseries in “A” Zones

Day Nurseries shall only be located on or below the second storey.

**6. Games Arcades and Games Machines
Incidental to Commercial Operations**

- i) **Games Arcades** shall be prohibited except, where specified on **Schedule “C”**.
- ii) Notwithstanding the above, **Games Arcades** shall be permitted as a use subordinate and incidental to the following principal uses: bowling alleys, billiard halls, pool halls, and establishments licensed under The Liquor Licence Act except for licensed restaurants.

7. Commercial Recreational/Health Establishments - Prohibitions

No one may use or permit the use of any property for a commercial recreational or commercial health establishment either of which invites or is suited to use by prostitutes.

8. Adult Entertainment Parlours

An “adult entertainment parlour” shall be prohibited except in Hotels having fifty or more bedrooms.

9. Day Nurseries in Schools

All private and public educational institutions operated pursuant to The Education Act, R.S.O. 1980, Chapter 129, as amended, and as permitted by this By-law, may use a maximum of 40% of the gross floor area for a Day Nursery.

10. Non-Accessory Signs

10.1 **Ground and Wall Signs** which are **non-accessory** are prohibited.

10.2 Roof-mounted Signs are prohibited.

11. Regulations for Single-Detached and Semi-Detached Dwellings

11.1 Maximum Height: 9 m.

11.2 Maximum number of storeys excluding basements: 2 storeys.

11.3 Maximum floor area per dwelling unit shall be as follows:

<u>Lot Size</u>	<u>Floor Area</u>
For Lots less than 465 m ²	No Maximum
For Lots 465 m ² - 697 m ²	Maximum 0.5 x lot area to a maximum floor area 279 m ²
For Lots more than 697 m ²	Maximum 0.4 x lot area

11.4 Maximum Basement Height: 1 m

12. Regulations for Group Homes, Correctional Group Homes and Residential Care Facilities

12.1 **Group homes, correctional group homes and residential care facilities** are not permitted in conjunction with any other Uses Permitted, including Ancillary Uses Permitted.

- 12.2 No **group home** or **correctional group home** shall be located within 300 m of any other **group home** or **correctional group home**, or **residential care facility**, the distance to be measured as a radius from the perimeter of the lot on which a **group home**, **correctional group home** or **residential care facility** is located.
- 12.3 **Correctional group homes** are permitted in **single detached dwelling units** only, on lots or parcels of land which front onto the following arterial roads:
- Brimley Road north of St. Clair Avenue
 - St. Clair Avenue

13. Assessory Structures

The location of detached **accessory buildings** shall not be used to determine the dimensions of a **side yard** or a **rear yard**.

CLAUSE VII - GENERAL PARKING REGULATIONS FOR ALL ZONES

1. General Parking Requirements

1.1 Table of Required Parking Rates

Except as otherwise specifically regulated by the By-law, **parking spaces** shall be provided in accordance with the parking rates set out in the following table:

<u>Use</u>	<u>Minimum Rate of Parking Space Supply Required</u>
Dwelling Units	- 1 space per dwelling unit , excluding second suites
Retail Uses, Service Uses	- 3 spaces per 100 m ² of gross floor area
Office Uses	- 3 spaces per 100 m ² of the following: gross floor area minus the gross floor area of main floor public lobbies and main floor public walkways.
Banquet Halls , Restaurants	- 10.7 spaces per 100 m ² of gross floor area
Places of Entertainment	- 12 spaces per 100 m ² of gross floor area
Recreational Uses	- 5 spaces per 100 m ² of gross floor area
Day Nurseries	- 1.5 spaces per 100 m ² of gross floor area

Second Suites - 1 space per **second suite**

1.2 Application of Parking Rate

1.2.1 Calculation of Requirement

If a parking rate in the By-law is expressed as a ratio of **parking spaces** to the **gross floor area**, the **parking space** requirement for a use shall be calculated by multiplying the **gross floor area** of the use by the applicable rate.

1.2.2 Sum of Requirements

The total number of **parking spaces** required on a parcel shall be the sum of the number of **parking spaces** required for each use on the parcel. When this sum includes a fraction of a **parking space**, one additional whole **parking space** shall be provided.

1.2.3 Enclosed Public Walkways and Malls

Parking shall be provided for enclosed public walkways and malls in commercial buildings at the same rate as is required for retail and service uses.

1.2.4 Vacant Space

When determining the parking supply requirement for vacant space in a building, parking shall be provided in accordance with the requirements corresponding to its intended use. The most recent of the following shall constitute the intended use of the vacant space:

- the most recently identified land use in conjunction with any permit issued in accordance with the Building Code Act; or
- the previous use of the vacant space.

If the vacant space has never been used, and its intended use has never been identified in conjunction with any permit issued in accordance with the Building

Code Act, its intended use shall be deemed to be the permitted use having the lowest minimum parking requirement.

1.3 Parking Space and Driveway Dimensions

Except as otherwise specifically regulated by the By-law:

- 1.3.1 Surface **Parking spaces** shall have minimum dimensions of 2.7 metres width by 5.7 metres length.
- 1.3.2 Enclosed **Parking spaces** shall have minimum dimensions of 3.0 metres by 6.0 metres.
- 1.3.3 **Driveways** for **single-detached, semi-detached, and townhouse dwellings** shall not exceed the width of the vehicle access door for single vehicle garages, or the width of the vehicle access doors plus the space between the vehicle access doors for garages for more than one vehicle, and such **driveways** shall have a minimum width of 2.5 metres and a maximum width of 6 metres; and

All other **driveways** shall have a minimum width of 3 metres per lane.

1.4 Location

Except as otherwise specifically regulated by the By-law, **parking spaces** shall be located on the same **lot** as the use they serve.

1.5 Parking Structures

1.5.1 Height

Except as otherwise specifically regulated by the By-law, the maximum height of any above-grade parking structure shall be 3.7 m. The height shall be measured from the average grade of the lands at the perimeter of the parking structure to the highest point of the uppermost floor of the parking structure. Where the lands abut a residential zone, at no point shall that portion of the structure facing the residential zone exceed 3.7 m in height, measured from grade to the uppermost floor.

1.5.2 Yards

All parking structures above and below grade shall comply with the minimum building setback requirements of the By-law.

1.5.3 Exemption

All parking structures which are accessory to residential uses are not subject to Sub-Section 1.5.1, 1.5.2, and shall be regulated by Sub-Section 2.1, Regulations for all Residential Uses.

2. **Residential Parking Regulations**

2.1 Regulations for all Residential Uses

2.1.1 Street Yard Parking

No **parking space** required by this By-law shall be located in any **street yard** unless otherwise permitted in this By-law.

2.1.2 Vehicles Prohibited in All Yards

Parking of the following vehicles is prohibited in all yards:

- Construction **Vehicles**
- Dump Trucks
- Farm Tractors
- Repair and Towing **Vehicles**
- Self-Propelled Implements of Husbandry
- Tracked **Vehicles**
- Traction Engines
- **Vehicles** designed to run only on rails
- **Vehicles** equipped with more than six wheels, excluding spare wheels, designed to support the weight of the **vehicle** through contact with the ground
- **Vehicles** that are in a wrecked or dismantled or inoperative condition

Notwithstanding this Sub-Section, parking of motorized snow **vehicles** designed to transport not more than two persons is permitted.

2.1.3 Vehicles Prohibited in Street Yards

Parking of **vehicles** equipped with five or six wheels, excluding spare wheels, designed to support the weight of the **vehicle** through contact with the ground, is prohibited in **street yards**. Notwithstanding this Sub-Section, parking of recreational **vehicles**, and **vehicles** for the transport of disabled persons, is permitted in **street yards** on the **driveway** leading to the **parking space** required by this By-law.

2.1.4 Garages, Carports and Accessory Buildings: (all hereinafter termed "Structures")

- (a) Shall not be used for human habitation;
- (b) Shall not exceed a height of 3.7 metres measured from the floor of the said structure to the eaves. This height restriction shall not apply to basement garages.

- (c) Detached **accessory buildings** may be erected in a **side yard** provided that the structure is distant not less than 1.2 m from any adjoining dwelling, and shall be distant not less than 300 mm from the side lot line; unless otherwise specified in the By-law.
- (d) Detached **accessory buildings** may be erected in the **rear yard** provided that:
 - (i) If the structure is partly within the **side yard** it shall be subject to the provisions of Clause 2.1.4(c);
 - (ii) If the structure so erected is wholly within the **rear yard** it shall be distant not less than 1.8 m from a dwelling, and shall be distant not less than 450 mm from the nearest lot line, unless otherwise specified in the By-law.
 - (iii) Notwithstanding anything in this By-law, common semi-detached garages may be centred on the side lot line.
- (e) In “S”, “SD” and “TH” zones;
 - (i) The maximum height of all garages, carports and accessory buildings not attached to a dwelling unit shall be 5 metres measured from the average finished grade at the perimeter of the building to the highest point of the roof.
 - (ii) The gross floor area of all garages, carports or accessory buildings shall not exceed the ground floor area of all such structures.

2.2 Regulations for **Single-Detached Dwellings**, **Semi-Detached and Townhouse Dwellings**

2.2.1 **Street Yard Exceptions**

- 2.2.1.1 **Vehicles** may only be parked in a **street yard** on that portion of the **driveway** leading to the **parking space** required by this By-law.
- 2.2.1.2 Notwithstanding paragraphs 2.1.1 and 2.2.1.1, the **parking space** required for a **second suite** may be located in a **street yard**, only in tandem on the **driveway** leading to the **parking space** required for a dwelling unit.

2.2.2 Hammerhead and Circular Driveway Regulations

2.2.2.1 Hammerhead Turnarounds

Driveways with hammerhead turnarounds shall be permitted on lots or parcels having frontage greater than 18 m, or on lots or parcels having access to 27 m wide **streets**, provided in either case, that **driveways** and **parking spaces** in the **street yard** shall not cover more than 60% of the **street yard**. Parking of **vehicles** is permitted only on that portion of the **driveway** leading directly to the **parking space** required by this By-law.

2.2.2.2 Circular Driveways

Circular driveways shall be permitted on lots or parcels having frontages greater than 18 m, provided that **driveways** and **parking spaces** in the **street yard** shall not cover more than 60% of the **street yard**. Parking of **vehicles** is permitted only on that part of the **driveway** leading directly to the **parking spaces** required by this By-law.

2.2.3 Vehicle Repair

Any work on a **vehicle** is restricted to maintenance of a **vehicle** owned by an occupant of the dwelling, and shall exclude painting, sanding, welding and autobody repairs.

CLAUSE VIII - ZONE PROVISIONS

1. Single-Detached Residential (S) Zone

(a) Permitted Uses

- **Correctional Group Homes**
- **Group Homes**
- **Single-Detached Dwellings**

(b) Ancillary Uses Permitted

- **Domestic or Household Arts**
- **Private Home Day Care**

(c) Supplementary Regulations

- (i) The operation of a **rooming and/or boarding house** is strictly prohibited.

2. Semi-Detached Residential (SD) Zone(a) Permitted Uses

- **Correctional Group Homes**
- **Group Homes**
- **Semi-Detached Dwellings**

(b) Ancillary Uses Permitted

- **Domestic or Household Arts**
- **Private Home Day Care**

(c) Supplementary Regulations

- (i) The operation of a **rooming and/or boarding house** is strictly prohibited.

3. Townhouse Residential (TH) Zone(a) Permitted Uses

- **Correctional Group Homes**
- **Group Homes**
- **Townhouse Dwellings**

(b) Ancillary Uses Permitted

- **Private Home Day Care**

4. Apartment Residential (A) Zone(a) Permitted Uses

- **Apartment Buildings**
- **Day Nurseries**
- **Group Homes**
- **Nursing Homes**
- **Senior Citizen Homes**

(b) Ancillary Uses Permitted

- **Private Home Day Care**

5. Open Space (OS)(a) Permitted Uses

- **Open Space Uses**

(b) Definition

For the purpose of this By-law, Open Space shall include areas, the topographical or physical nature of which renders these lands unsuitable for the sustenance of buildings, and areas for storm water management facilities. In this category or zone, the erection, structural alteration and/or maintenance of buildings is

prohibited. Notwithstanding the foregoing, however, public recreational uses, storm water management facilities and buildings accessory thereto, shall be permitted in the areas designated “O” in Schedule “A”.

6. Park Zone (P)

Permitted Uses

- **Day Nursery**
- **Park**

PERFORMANCE STANDARDS CHART – SCHEDULE “B”

INTENSITY OF USE

1. One **townhouse dwelling** per parcel having a minimum **front lot line** of 6.7 metres and a minimum area of 200 m².
2. One **townhouse dwelling** per parcel having a minimum **front lot line** of 6.0 metres and a minimum area of 180 m².
3. One **single-detached dwelling** per lot having a minimum frontage of 9.0 metres on a public street and a minimum lot area of 270 m².
4. One **single-detached dwelling** per lot having a minimum frontage of 10.5 metres on a public street and a minimum lot area of 315 m².
5. One **single-detached dwelling** per lot having a minimum frontage of 11 metres on a public street and a minimum lot area of 330m².
6. One **single-detached dwelling** per lot having a minimum frontage of 12 metres on a public street and a minimum lot area of 360m².
7. One **semi-detached dwelling** per parcel having a minimum **front lot line** of 15.0 metres and a minimum area of 450 m² and each dwelling unit shall have a minimum **front lot line** of 7.5 metres and a minimum parcel area of 225 m².
8. One **townhouse dwelling unit** per parcel of land having a minimum **front lot line** of 4.5 metres or a minimum parcel width of 4.5 metres and a minimum area of 112 m².

FRONT YARD SETBACKS

9. Minimum **front yard setback** of 6 metres from the street line.
10. Minimum **front yard setback** of 3 metres from the street line.
11. Minimum **front yard setback** of 3 metres from the street line provided that the portion of the **main wall** containing the vehicular access is **setback** a minimum of 6 metres.

12. Minimum **front yard setback** of 3 metres from the street line and a maximum **front yard setback** of 5 metres from the street line.

REAR YARD SETBACKS

13. Minimum **rear yard setback** of 7.5 metres.

SIDE YARD SETBACKS

14. Minimum **side yard setback** of 1.2 metres for **single-detached dwellings**.
15. Minimum **side yard setback** of 1.2 metres on one side and 0.6 metres on the other side for **single-detached dwellings**.
16. Minimum **side yard setback** of 1.2 metres for the **main wall** on the **side yard** of **semi-detached dwellings**, and **townhouse dwellings** and 0 metres for the common lot line shared by **dwelling units**.
17. Minimum Setbacks for Buildings Erected on Corner Lots

Minimum **setback** of 3 metres from a side wall to the street line, provided that the portion of the **main wall** containing the vehicular access is **setback** a minimum of 6 metres.

18. Minimum Setbacks for Buildings Erected on Corner Lots

Minimum **setback** of 5.7 metres from a side wall to the street line.

19. Minimum Setbacks for Buildings Erected on Corner Lots

Minimum building **setback** of 3 metres to the street line and a maximum building **setback** of 5 metres to the street line.

BUILDING SETBACK FROM LOT LINES OTHER THAN STREET LINES

20. Minimum **setback** of 30 m for a **dwelling unit** from a Railway Corridor Zone (RWY).
21. Minimum setback of 3 metres for a **main wall** on the side yard of a **townhouse dwelling** from an adjacent S or A zone.
22. Minimum building **setback** of 3 metres from lot lines other than street lines.

COVERAGE

23. Maximum building **coverage** of 55% of the **lot area**.
24. Maximum building **coverage** of 50% of the **lot area**.

25. Maximum building **coverage** of 40% of the **lot area**.
26. Maximum building **coverage** of 35 % of the **lot area**.

HEIGHT

27. A maximum **height** of 12.6 metres and 3 storeys for **townhouse dwellings**.
28. A maximum **height** of 15 metres and 4 storeys for **apartment buildings**

PARKING

29. An attached garage shall be provided with each dwelling unit.
30. The maximum width of a garage door on attached garages shall be 43% of the lot frontage or **front lot line** of the parcel for the **dwelling unit**.
31. No attached garage shall project more than 2.5 metres beyond the **main wall** of a dwelling or the closest structural element of an enclosed or unenclosed porch (excluding stair, eaves) to the street line at the ground floor level.
32. The required **parking space** may be located in a **street yard** in a detached garage located in the **rear yard**. Such detached garage shall be separated a minimum distance of 6.0 metres from the dwelling on the lot and shall be setback a minimum distance of 6.0 metres from a street line.

MISCELLANEOUS

33. Brimley Road or a 0.3 metre reserve abutting Brimley Road shall be deemed to be the front lot line.
34. The front lot line shall be deemed to be the street line opposite the shortest **main wall** of the **dwelling unit**.
35. A minimum building setback of 6 metres for dwellings and garages from internal lanes.

EXCEPTIONS LIST – SCHEDULE “C”

EXCEPTIONS

Notwithstanding the following exceptions, all other provisions of this By-law, as amended, not inconsistent with the exception, shall continue to apply.

1. On those lands identified as Exception 1 on the accompanying Schedule “C” map, the following provisions shall apply:

- a) The following commercial uses are permitted on the ground floor of an apartment building:
- Banks
 - Personal Service Uses
 - Retail Stores and Offices
- b) A **townhouse dwelling** may be used as a **Live-Work Unit** with the following uses permitted:
- offices excluding medical or dental offices
 - personal services
 - retail uses

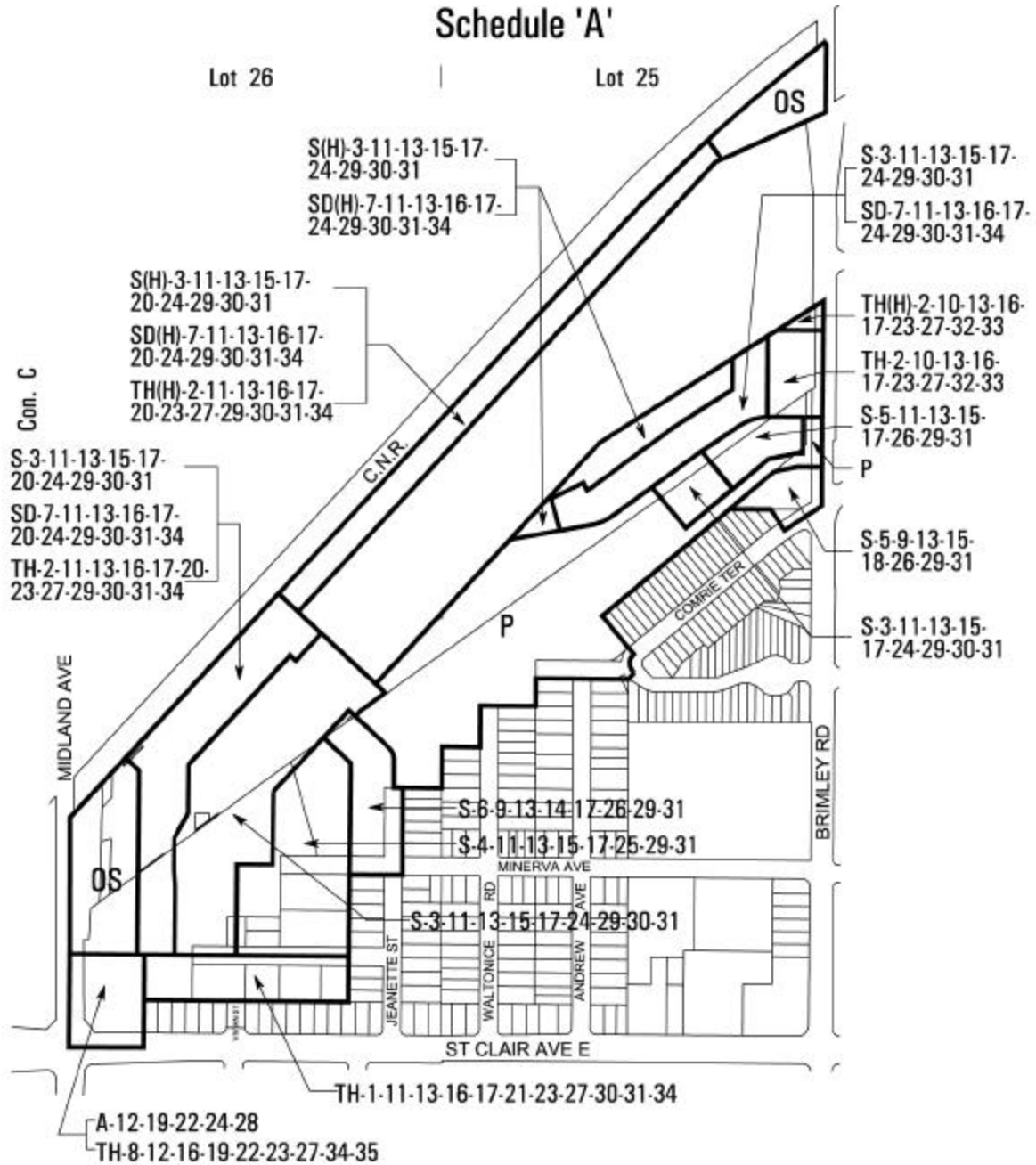
provided all uses are conducted wholly within the **dwelling unit**.

- c) The following commercial uses are prohibited:
- restaurants
 - medical centres
- d) Despite Provision 4. **Frontage on a Street**, in **Clause VI, PROVISIONS FOR ALL ZONES**, a **townhouse dwelling** may be permitted on a parcel that abuts a laneway, and despite the definition of front lot line contained in **CLAUSE V, INTERPRETATION, Section (g)**, the front lot line for such parcel may be deemed to be the line that separates the parcel from the laneway, opposite the shortest main wall of the **dwelling unit**.

2. On those lands identified as Exception 2 on the accompanying Schedule “C” map, the following provisions shall apply, provided that all other provision of the By-law, as amended, not inconsistent with this Exception, shall continue to apply:

- 2.1 Only the following uses are permitted prior to the removal of the Holding provision (H)
- Open Space Uses
- 2.2 The Holding Provision (H) used in conjunction with the **Single-Detached (S)**, **Semi-Detached (SD)** and **Townhouse Residential (TH)** zones shall be removed in whole or in part by amending By-law, when Council is satisfied:
- i) that the owner has submitted a subdivision application to the satisfaction of Council, that addresses the development principles and guidelines of the Midland/St. Clair Urban Design Guidelines.
 - ii) that an appropriate level of land consolidation has occurred to provide for the orderly development of the lands.
 - iii) as to the availability of the infrastructure and servicing which are necessary to accommodate the proposed use.

- iv) that environmental studies to confirm that the soil conditions and other matters relating to environmental quality meet the relevant Ministry of the Environment guidelines for the proposed use have been submitted to the satisfaction of the City.
- v) that the necessary transportation improvements are in place or will be available to provide for the orderly development of the lands.



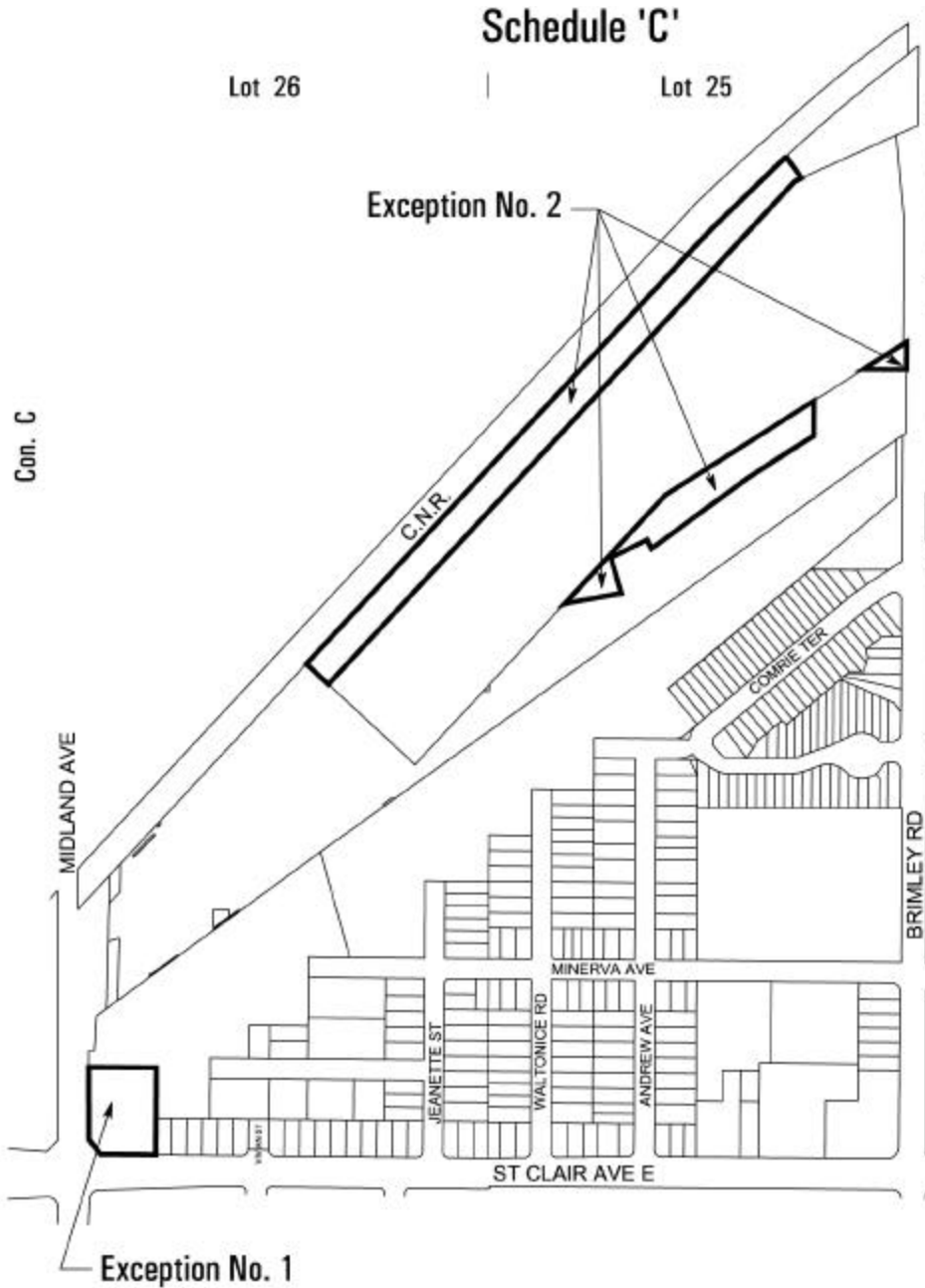
Zoning By-Law Amendment

Midland Ave./Brimley Rd. north of St. Clair Ave. E

File # SC W 1996 0052

Area Affected By This By-Law

Midland St. Clair Community Bylaw
 Not to Scale
 10/5/04



TORONTO Urban Development Services
Zoning By-Law Amendment

Midland Ave./Brimley Rd. north of St. Clair Ave. E

File # SC W 1996 0052

 Area Affected By This By-Law

Midland St. Clair Community Bylaw
 Not to Scale
 10/5/04



