

Authority: Etobicoke York Community Council Report 7, Clause 20,  
as adopted by City of Toronto Council on September 25, 26 and 27, 2006  
Enacted by Council: September 27, 2006

## CITY OF TORONTO

### BY-LAW No. 844-2006

#### **To amend the General Zoning By-law No. 438-86 of the former City of Toronto with respect to lands municipally known as 2129 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:

1. None of the provisions of the definition of “*lot*” in section 2 or of sections 9(1)(a) and 12(2)270 of By-law No. 438-86, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto” and none of the provision of section 12(2)305 of By-law No. 438-86, as amended by By-law No 1996-0356, being “A By-law to amend By-law No. 438-86, as amended, respecting lands known as the Old Stockyards District”, shall apply to prevent the erection and use of a *retail-warehouse* and *accessory* uses, and garden centre and *motor vehicle repair shop, Class A* as *accessory* uses, on the lands hereinafter set out, provided:
  - (i) the lands consist of at least those shown within the heavy lines on Schedule ‘A’ attached;
  - (ii) such building is located within the heavy lines shown on Schedule ‘B’ attached;
  - (iii) such garden centre is located within Area A as shown on Schedule ‘B’ attached;
  - (iv) the *non-residential gross floor area* of the building does not exceed 11,200 square metres of which, the *non-residential gross floor area* of the *motor vehicle repair shop, Class A* may not exceed 1,200 square metres;
  - (v) not less than 341 *parking spaces* are provided and maintained on the lands;
  - (vi) there is no surface vehicular parking between the main *retail-warehouse* and St. Clair Avenue West;
  - (vii) the temporary and ancillary outdoor storage of goods and material for garden centre is permitted provided it is located in Area B as shown on Schedule ‘B’; and
  - (viii) no part of the building exceeds a height, above *grade*, of 14 metres.

**2.** For the purpose of this By-law:

- (a) *retail-warehouse* means a building or a portion of a building, operated as a single store with a *non-residential gross floor area* exceeding 8,000 square metres, for the sale of non-food products displayed and stored in a warehouse format and where goods, wares, merchandise, substances, articles or things are stored, offered or kept for sale at retail and includes storage on or about the store premises of such goods, wares, merchandise, substances, articles or things sufficient only to service the store but does not include a department store or a retail outlet otherwise classified in By-law No. 438-86, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”; and
- (b) except for “*retail-warehouse*” every italicized word and expression in this By-law shall have the same meaning as each word and expression defined in By-law No. 438-86, as amended.

**3.** Former City of Toronto By-law No. 1996-0408 is repealed.

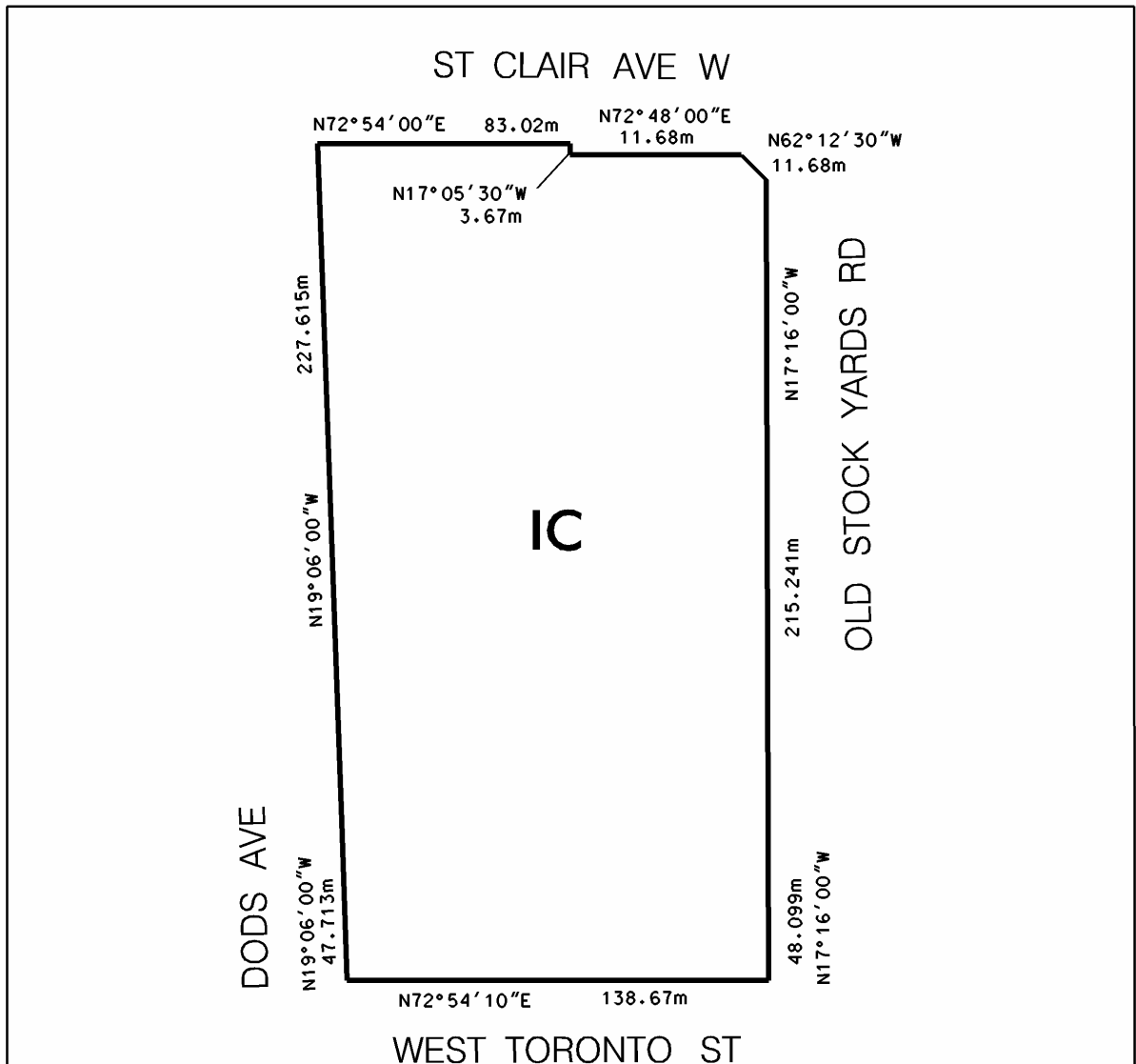
ENACTED AND PASSED this 27th day of September, A.D. 2006.

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

**Toronto** Schedule 'A' BY-LAW



NOTE:  
BEARINGS AND DIMENSIONS TAKEN FROM A PLAN OF SURVEY  
PROVIDED BY TURNER FLEISCHER ARCHITECTS INC.

**PART OF BLOCK E, REGISTERED PLAN 1542 YORK, and LOTS 19 TO 30  
BOTH INCLUSIVE, LANE TO NORTH OF LOT 19, LANE TO SOUTH OF  
LOT 30, LANE TO EAST OF LOTS 19 TO 30 BOTH INCLUSIVE  
ALL IN BLOCK D, REGISTERED PLAN 832 YORK  
CITY OF TORONTO**

Applicant's Name:	WALKER, NOTT, DRAGICEVIC ASSOCS. LTD.		
Assessment Map	Zoning Code Map/s		scale:  m 
File No. 05_201418	Drawing No. 05_201418_dz1	Drawn By: K.P.	

Schedule 'B' BY-LAW

