

395, 397, 399, 401, 403, 405 Huron Street – Final Report

Date:	November 5, 2007
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	05-211960 STE 20 OZ

SUMMARY

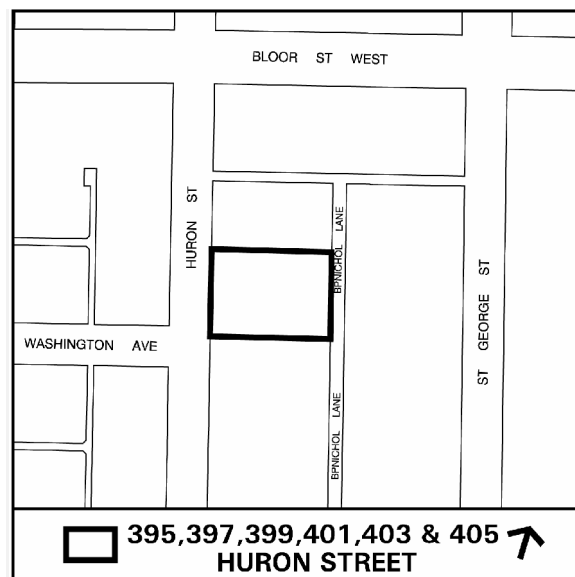
There are six addresses included in the application, each of which is currently occupied by a semi-detached building owned and operated by Campus Co-op as student housing. The six buildings currently contain 64 units in total.

A rear addition is proposed for the semi-detached buildings that will contain 75 rooms for a total of 139 rooms. The existing semi-detached buildings will remain virtually untouched with the exception of the demolition of the existing one storey rear additions and two temporary structures.

There are currently five buildings at the rear of the property located on bp Nichol Lane. One of these buildings will be demolished to allow for the portion of the addition adjacent to bp Nichol Lane. The remaining four will continue to house Coach House Press. Should this application be approved, the Co-op intends to sever off these buildings, and transfer ownership to the Coach House Press.

No parking is proposed.

This report reviews and recommends approval of the applications to amend the Official Plan and Zoning By-law.



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 8;
2. City Council amend the Zoning By-law for the former City of Toronto substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9;
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required;
4. City Council require the owner to enter into a Site Plan Agreement under Section 41 of the Planning Act prior to the issuance of any above grade building permit to address matters including but not limited to Fire Services, Solid Waste Services and Site Servicing connections;
5. City Council require the owner to provide and maintain on-site facilities for the collection, handling and storage of garbage and other waste material in accordance with the City's publication entitled "City of Toronto Requirements for Garbage Collection and Recycling Collection from New Developments and Re-Developments";
6. City Council require the owner to pay, prior to site plan approval, for any improvements to the municipal infrastructure should it be determined that upgrades to the infrastructure are required to support this development, according to the site servicing review accepted by the Executive Director of Technical Services;
7. City Council require the owner, at their expense, to provide and maintain an irrigation system for any proposed trees within the public road allowance, including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the Executive Director, Technical Services, including a requirement to maintain in good order and operation;
8. City Council require the owner, at their expense, to address any further conditions from Works and Emergency Services that may result from their review of the application;

9. City Council require the owner prior to Site Plan Approval to:
 - a. enter into a Heritage Easement Agreement with the City for the retained and restored section of the heritage buildings located at 395, 397, 399, 401, 403, and 405 Huron Street (Campus Co-op);
 - b. provide a Conservation Plan for the restoration of the heritage buildings located at 395, 397, 399, 401, 403, and 405 Huron Street (Campus Co-op), satisfactory to the Manager, Heritage Preservation Services; and
 - c. provide a landscape plan for the subject property;
10. City Council require the owner prior to the issuance of any building permit for the heritage buildings located at 395, 397, 399, 401, 403, and 405 Huron Street (Campus Co-op), including a permit for the demolition, excavation, and/or shoring of the subject property to:
 - a. provide a letter of credit, in a form and an amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure all work included in the Conservation Plan;
 - b. provide a record of the as-found condition of the heritage buildings located at 395, 397, 399, 401, 403, and 405 Huron Street (Campus Co-op); and
 - c. provide final plans satisfactory to the Manager of Heritage Preservation Services; and
11. City Council require the owner prior to the release of the Letter of Credit to provide and implement an Interpretation Program for the heritage buildings located at 395, 397, 399, 401, 403, 405 Huron Street (Campus Co-op), satisfactory to the Manager, Heritage Preservation Services.

Financial Impact

There are no financial implications resulting from the adoption of this report.

DECISION HISTORY

In 1985, the Committee of Adjustment approved the use of the buildings at the rear of the property for the Coach House Press. Beyond this specific permission, commercial uses are not permitted as-of-right at this location.

ISSUE BACKGROUND

Proposal

Campus Cooperative Residence Inc. is a non-profit housing company that provides affordable housing for university students. Currently, the Co-op leases and operates seven houses from the University of Toronto. Because some of these leases may not be renewed, it is the Co-op's intention to consolidate units on this site from other buildings, should this application be approved.

The original proposal was to construct an L-shaped, four storey, rear addition for the full width of the Huron Street buildings in an area currently occupied by small additions and a parking area for Co-op vehicles used City-wide. Seventy-two additional rooms were proposed. The small additions on the semi-detached houses were intended to be demolished and the parking for Co-op vehicles consolidated on another site.

The existing houses containing 64 rooms would remain.

In response to discussions with City staff, a revised proposal was submitted in July, 2006. At that time, the following changes were made:

- existing rear additions to the original buildings were to be demolished;
- the proposed North and Middle Houses were shifted to the west;
- a larger building separation and courtyard area was created between the addition and the Coach House Press;
- the gross floor area was reduced by 106 square metres with a corresponding change in density from 1.93 times the area of the lot to 1.86 times the area of the lot with 2 less rooms being created;
- additional bicycle parking was provided at the front of the buildings;
- security gates were provided at the entrances to the walkways between the houses;
- changes were made to the amenity area to the rear of the new additions including the preservation of 2 existing trees; and
- a six metre setback from bp Nichol Lane lot line was created at the third and fourth level of the South House.

There are currently five, one- to two-storey buildings at the rear of the site that abut the lane and are occupied by Coach House Press, which has been in this location for approximately 35 years. An application to the Committee of Adjustment to sever the area currently occupied by four of the Coach House Press buildings was heard on November 7, 2007. The Committee approved the application and imposed the following condition as requested by Community Planning staff:

“Prior to the issuance of the Certificate of Consent, Campus Co-operative Residence, Incorporated shall obtain an Official Plan Amendment and implementing Zoning By-law Amendment for the subject property under City of Toronto Development Application

File No. 05 211960 STE 20 OZ, and that such amendments be in full force and effect prior to the Committee's decision coming into effect."

Site and Surrounding Area

The site is located within an area of residential uses with mixed commercial/residential and institutional uses on the arterial road to the north and to the east. It is on the east side of Huron Street south of Bloor Street West, east of the intersection of Bloor Street and Spadina Avenue. (See Attachment 5)

The site currently contains six, three-storey, semi detached buildings fronting on Huron Street and five, one to two- storey buildings at the rear abutting bp Nichol Lane. The area between the buildings is paved and currently used as a centralized location for parking Co-op vehicles.

The following uses surround the site:

- North: two 3-storey low rise multiple unit buildings; mixed commercial/residential/ institutional buildings on Bloor Street including the 18 storey Senator David A. Croll Seniors building at the corner of Huron and Bloor Streets, an automobile repair shop off the lane;
- South: St. Thomas Anglican Church and manse immediately to the south; two and three-storey residential buildings;
- East: bp Nichol lane, east of which are buildings fronting on Spadina Avenue that vary in height up to approximately 18 storeys;
- West: two - three-storey residential buildings; a parkette, and a four-storey University of Toronto School at the corner of Huron and Bloor Streets.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

Similarly, Council's planning decisions are required to be consistent with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan designates the site as a *Neighbourhood* which permits the residential component of the proposal but does not permit the commercial use of the Coach House Press. (See Attachment 6) A 1985 Committee of Adjustment decision granted permission for the use to continue.

The site is located within the boundaries of the University of Toronto Area Secondary Plan. Policy 5.6.6 of the Official Plan states that:

“The policies of this Plan apply to the areas subject to Secondary Plans contained in Section Six, except in the case of a conflict, the Secondary Plan will prevail.”

Therefore, the University of Toronto Area Secondary Plan prevails over the Official Plan.

The Secondary Plan designates the property as *Huron Sussex Area of Special Identity* within the *Neighbourhood* which permits residential uses but not commercial uses such as the Coach House Press.

Zoning

The site is zoned R3 Z1.0 which permits residential uses to a maximum of one times the area of the lot. (See Attachment 5) While the Coach House Press is not permitted as-of-right, a 1985 Committee of Adjustment decision granted permission for the use to continue. A number of additional variances have been identified by the Chief Building Official.

Tree Preservation/Protection

Five trees in the vicinity of or on the subject site meet the criteria for protection under the City of Toronto’s Private Tree By-law. Under the provisions of Section 813-16.B. of the City of Toronto Municipal Code, Chapter 813, Trees, Article III, the General Manager of Parks and Forestry and Recreation has issued a permit for the removal of three of the trees and the injury of one. The owners of all the affected properties provided written authorization to permit tree removal and injury.

In addition to the trees on private property there are (6) six City owned trees affected by the application. The General Manager of Parks and Forestry and Recreation has requested a Letter of Credit in the amount of \$27,967.55 to cover the appraised tree value, removal and replacement costs of these trees. This deposit shall be drawn upon to cover all costs incurred by the City of Toronto if the City owned trees require maintenance or removal and replacement as a result of construction activities associated with this application.

Heritage Preservation Services

The cultural heritage value of this proposal relates to the design and physical value as well-designed examples of late 19th century residential buildings. The designs were inspired by gothic Revival and Italianate styling which were popular styles of the time. These houses contribute to the context of the neighbourhood by supporting its residential character.

The use of the buildings also contributes to their heritage importance as Campus Co-op dates back to 1936 when 4 University of Toronto students founded it on the principles of a British co-operative worker’s movement founded in the 1800’s.

The Manager, Heritage Preservation Services, has requested the following conditions be fulfilled prior to final site plan approval:

1. The owner enter into a Heritage Easement Agreement with the City for the retained and restored section of the heritage buildings located at 395, 397, 399, 401, 403, and 405 Huron Street (Campus Co-op);
2. The owner provide a Conservation Plan for the restoration of the heritage buildings located at 395, 397, 399, 401, 403, and 405 Huron Street (Campus Co-op), satisfactory to the Manager, Heritage Preservation Services; and
3. The owner provide a landscape plan for the subject property.

The Manager, Heritage Preservation Services, has requested the following conditions be fulfilled prior to the issuance of any building permit for the heritage buildings located at 395, 397, 399, 401, 403, and 405 Huron Street (Campus Co-op), including a permit for the demolition, excavation, and/or shoring of the subject property:

1. The owner provide a letter of credit, in a form and an amount satisfactory to the Chief Planner and Executive Director, City Planning Division, to secure all work included in the Conservation Plan;
2. The owner provide a record of the as-found condition of the heritage buildings located at 395, 397, 399, 401, 403, and 405 Huron Street (Campus Co-op); and
3. The owner provide final plans satisfactory to the Manager of Heritage Preservation Services.

The Manager, Heritage Preservation Services, has requested the following conditions be fulfilled prior to the release of the Letter of credit:

1. The owner provide and implement an Interpretation Program for the heritage buildings located at 395, 397, 399, 410, 413, 415 Huron Street (Campus Co-op), satisfactory to the Manager, Heritage Preservation Services.

Site Plan Control

Site Plan Control has been applied for and will be completed prior to the issuance of the first above grade building permit. It will address such matters as the Heritage Conservation Plan and streetscape improvements among other items. A Section 41 Agreement will be required to secure development of the lands in accordance with the approved Site Plan.

Reasons for Application

In 2005 when the Preliminary Report was approved by Toronto and East York Community Council, the current Official Plan was not yet approved and the Official Plan for the former City of Toronto was still in force. The earlier Plan contained density permissions that were removed from the current Official Plan and Secondary Plan. Therefore, no Official Plan Amendment is required for density reasons.

Amendments to both the Secondary Plan and the Zoning By-law are, however, required to permit the non-residential use of the Coach House Press in a residentially designated and zoned area.

Additional amendments to the Zoning By-law, as identified by Chief Building Official, have been included in the Site Specific By-law. These amendments include the lack of parking, setbacks and projections.

Community Consultation

A public meeting was held on March 29, 2006 with approximately 20 residents in attendance as well as the applicant, the architect, a representative from the Ward Councillor's office and planning staff. No major issues were identified with the public generally being in support of the project. No other submissions have been made.

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. Section 1.4.3 of the Housing Section requires that an appropriate range of housing types and densities be provided to "meet the social, health and well-being requirements of current and future residents". The built form in this case will permit students to be well housed in an area adjacent to the University.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. Section 2.2.2 of the Plan states that:

1. Population and employment growth will be accommodated by:
 - (a) directing a significant portion of new growth to the *built-up areas* of the community through *intensification*.

As the Plan's definition of *intensification* includes infill development and this site is located in a *built up area*, the proposal is not in conflict with the Growth Plan.

Land Use

Density, Height, Massing

The R3 Z1.0 zoning permits a maximum building height of 12 metres. The proposal is for an overall height of 14.5 metres, including the mechanical penthouse. This is compatible with the height of the multiple unit buildings to the north and the church to

the south. To the east and west are the existing Coach House Press and Washington Park, respectively which will not be negatively impacted by this height.

The density at 1.86 times the area of the lot exceeds the permitted density by 0.86 times the area of the lot. While this is a significant increase, the location of the site between the church to the south and the multiple unit buildings to the north mitigates the density as these adjacent uses are also of significant size.

Shadow

It is not anticipated that this proposal will generate significant shadow impacts.

Parking

As noted, much of the vacant area in the centre of the site is currently used as a centralized parking area for Campus Co-op facilities in the City. It does not provide parking for residents of the existing buildings.

A parking considerations report, prepared by BA Group, dated May 2007, indicated that an estimated parking demand for the project would be for 17 parking spaces, 14 for the residential component and 3 spaces for the coach houses. Technical Services Division reviewed the study and concluded that the lack of parking would not adversely affect parking operations in the area.

Servicing

Servicing reports were submitted and reviewed by Technical Services at which time it was concluded that the applicant would be required to provide and maintain on-site facilities for the organization of waste removal in accordance with the City's publication entitled, 'City of Toronto Requirements for Garbage Collection and Recycling Collection from New Developments and Re-Developments.

A Servicing and Stormwater Management Report, dated May 2007, a Site Servicing and Grading Plan, a water demand analysis and fire hydrant testing results were reviewed by Technical services and deemed acceptable.

It will be necessary for the owner to make an application to the General Manager of Toronto Water for the installation of any proposed services within the right-of-way.

Open Space

The revisions to the proposal result in a significantly larger and more useable amenity space than the original application. This space is located between the rear of the units and the commercial uses to the east and is a protected, secure area. (See Attachment 1)

Streetscape

The existing streetscape will remain unchanged with the exception of the introduction of the security gates at the entrance to the walkways between the houses. The requirement for a Heritage Easement Agreement will ensure that the facades of the buildings will remain unchanged.

Toronto Green Development Standard

Campus Co-op is committed to environmental sustainability and to this end it is anticipated that the building will meet LEEDS silver certification. Current considerations include: a solar powered water heating system, an irrigation system that utilizes rain water, recycled steel for the construction of the building and a mechanical system that will not require air conditioning.

Section 37

As Campus Co-op is a non-profit organization, no Section 37 Agreement has been negotiated.

Tenure

Campus Co-op provides housing for students and as such the tenure is short-term rental.

Rental Housing

The units being approved are rental units designed to provide temporary housing for University students.

Development Charges

As the application is for non-profit housing, the Chief Building Official has identified that no development charges are required.

CONTACT

Helen Coombs

Tel. No. 416 392-7613

Fax No. 416 392-1330

E-mail: hcoombs@toronto.ca

SIGNATURE

Gary Wright

Director, Community Planning, Toronto and East York District

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ATTACHMENTS

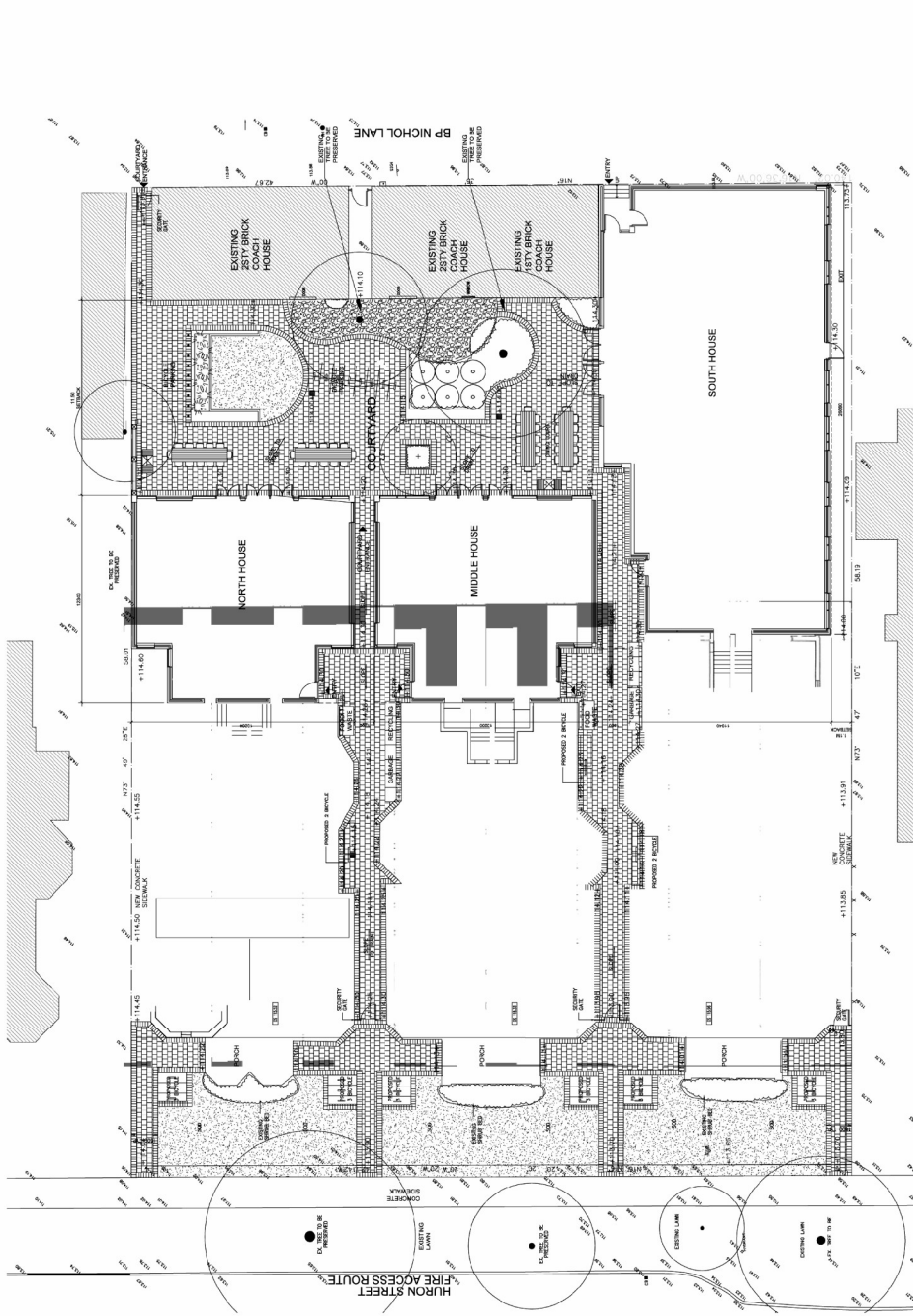
Attachment 1: Site Plan

Attachment 2: Elevation & Section

Attachment 3: Elevations

- Attachment 4: Elevation & Section
- Attachment 5: Zoning
- Attachment 6: Official Plan
- Attachment 7: Application Data Sheet
- Attachment 8: Draft Official Plan Amendment
- Attachment 9: Draft Zoning By-law Amendment

Attachment 1: Site Plan



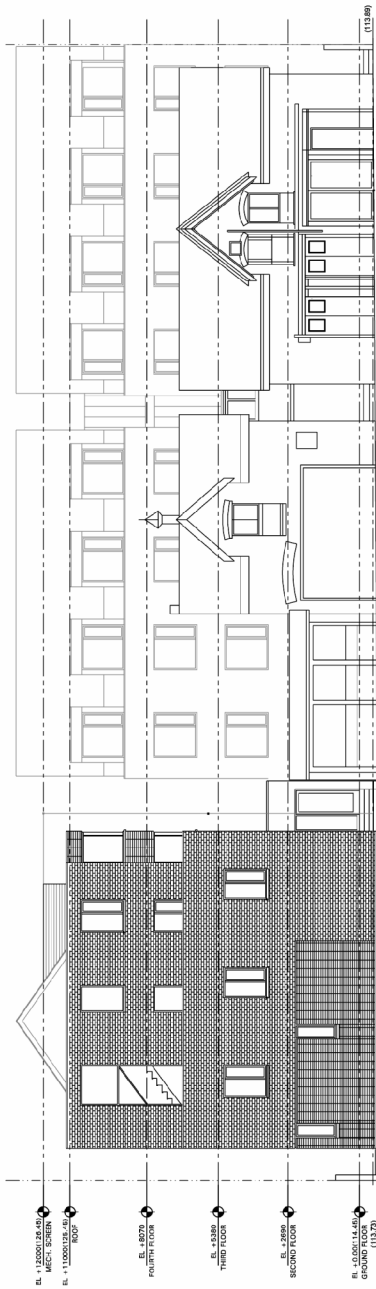
Site Plan

Applicant's Submitted Drawing

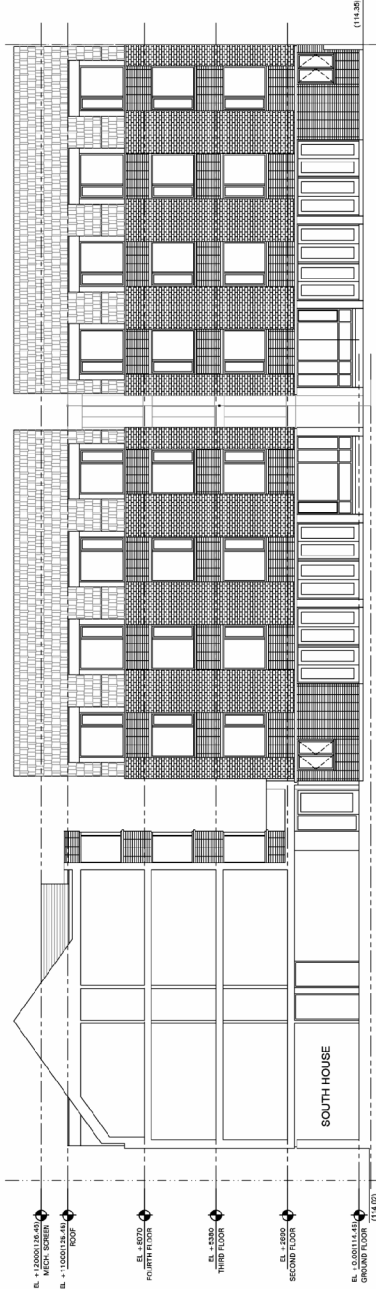
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File # 05_211960

Attachment 2: Elevation & Section



2 EAST ELEVATION @ LANE
SCALE 1:100



1 N/S SECTION @ COURTYARD
SCALE 1:100

Elevation & Section

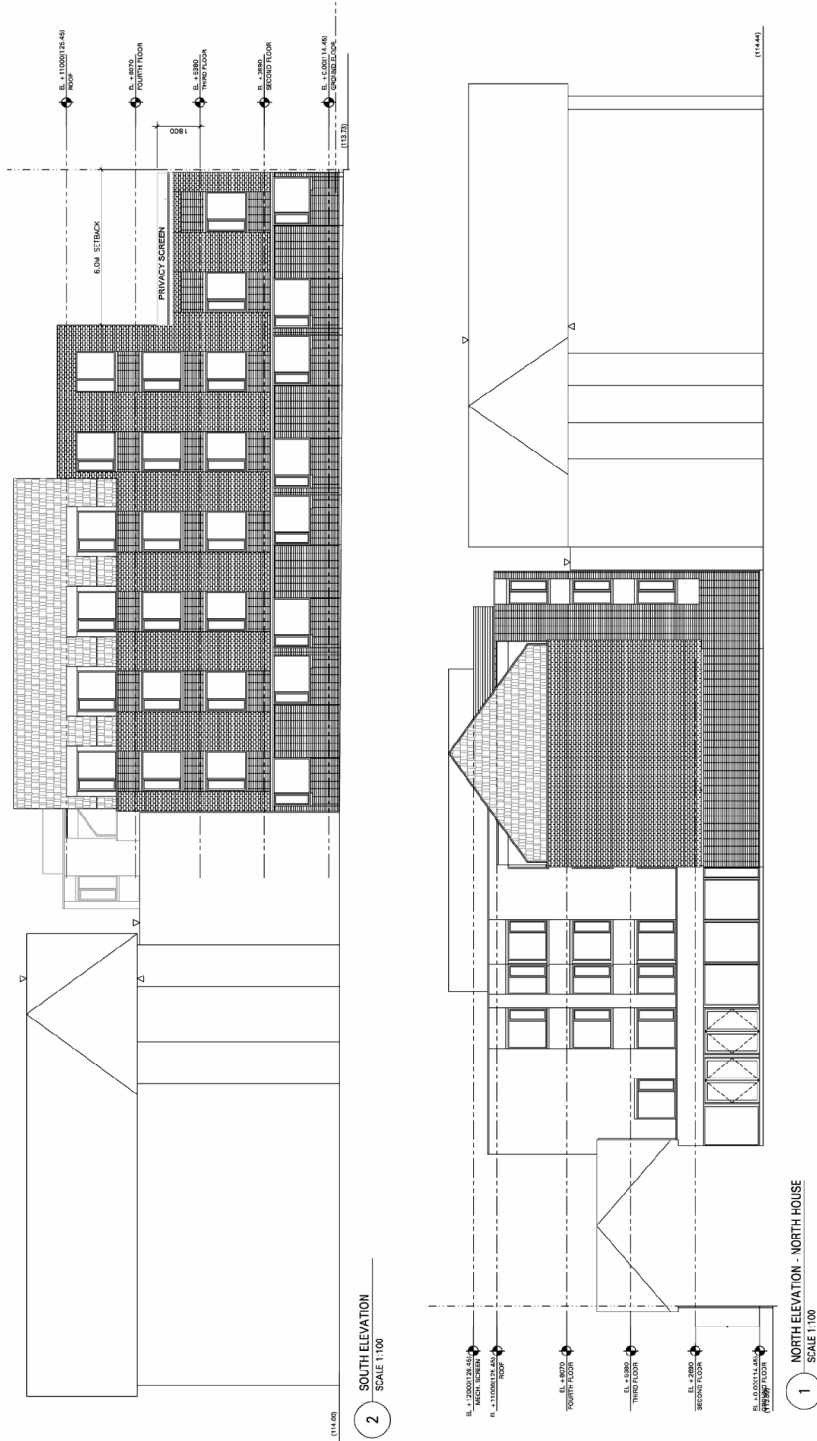
Applicant's Submitted Drawing

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07/27/07

395,397,399,401,403 & 405 Huron Street

File # 05_211960

Attachment 3: Elevations



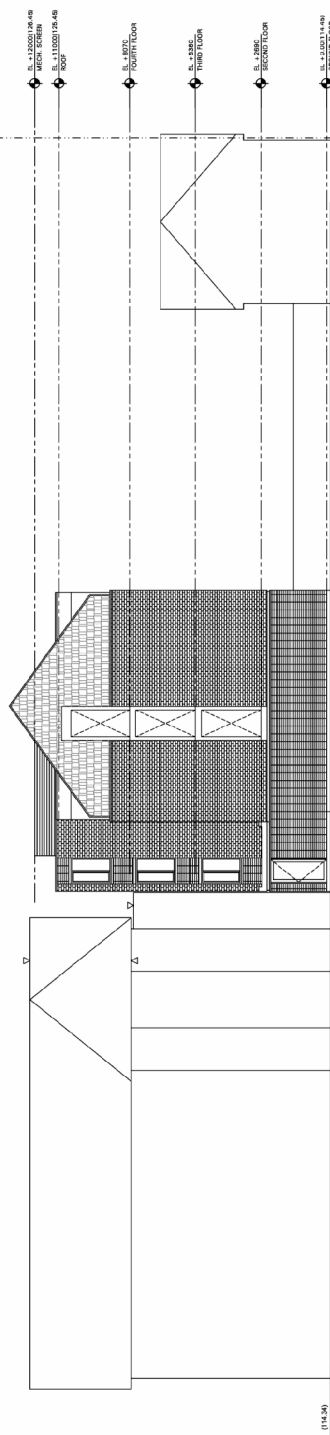
Elevations

Applicant's Submitted Drawing

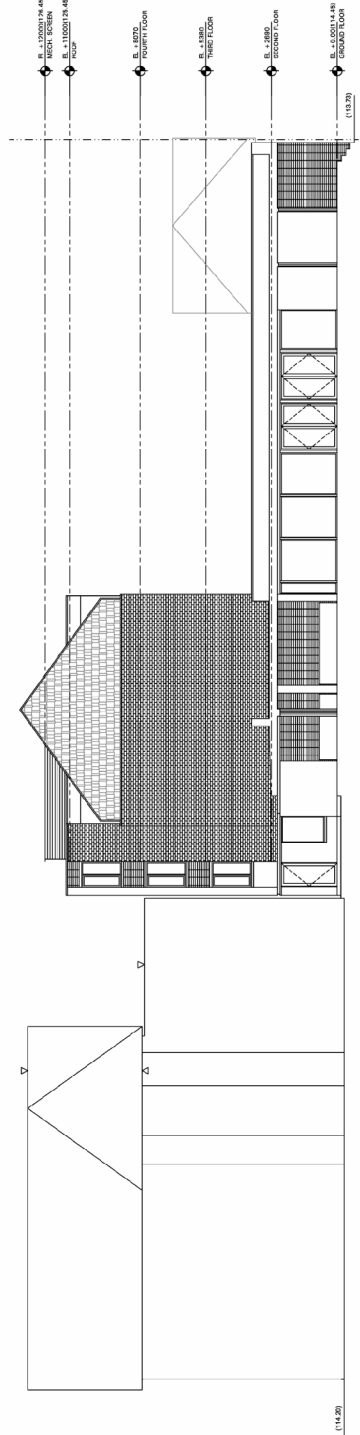
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File # 05_211960

Attachment 4: Elevation & Section



2 SOUTH ELEVATION @ NORTH HOUSE
SCALE 1:100



1 E./W SECTION - SOUTH ELEVATION MIDDLE HOUSE
SCALE 1:100

395,397,399,401,403 & 405 Huron Street

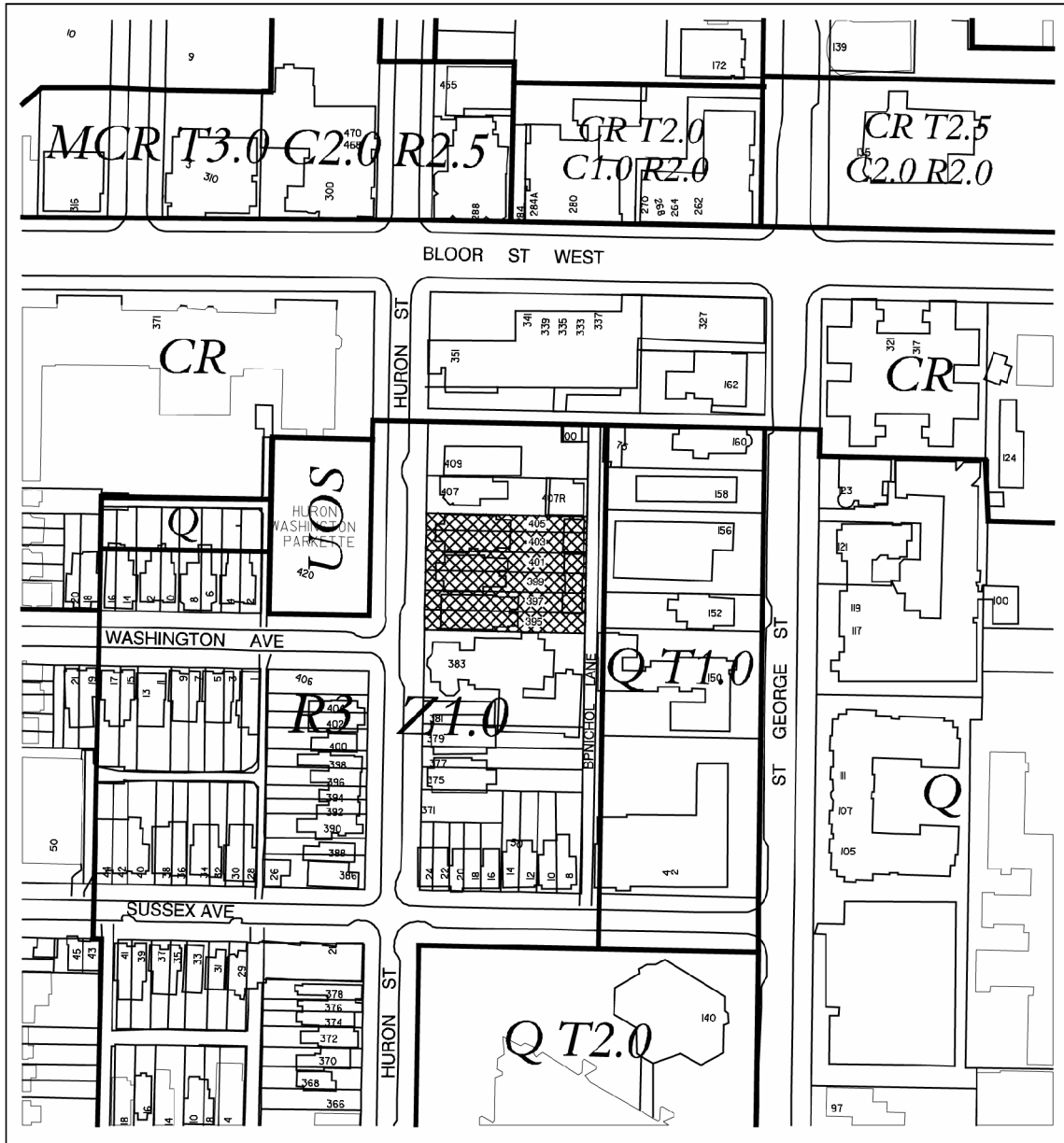
Elevation & Section

Applicant's Submitted Drawing

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File # 05_211960

Attachment 5: Zoning



TORONTO City Planning Division
Zoning

395,397,399,401,403 & 405 Huron Street

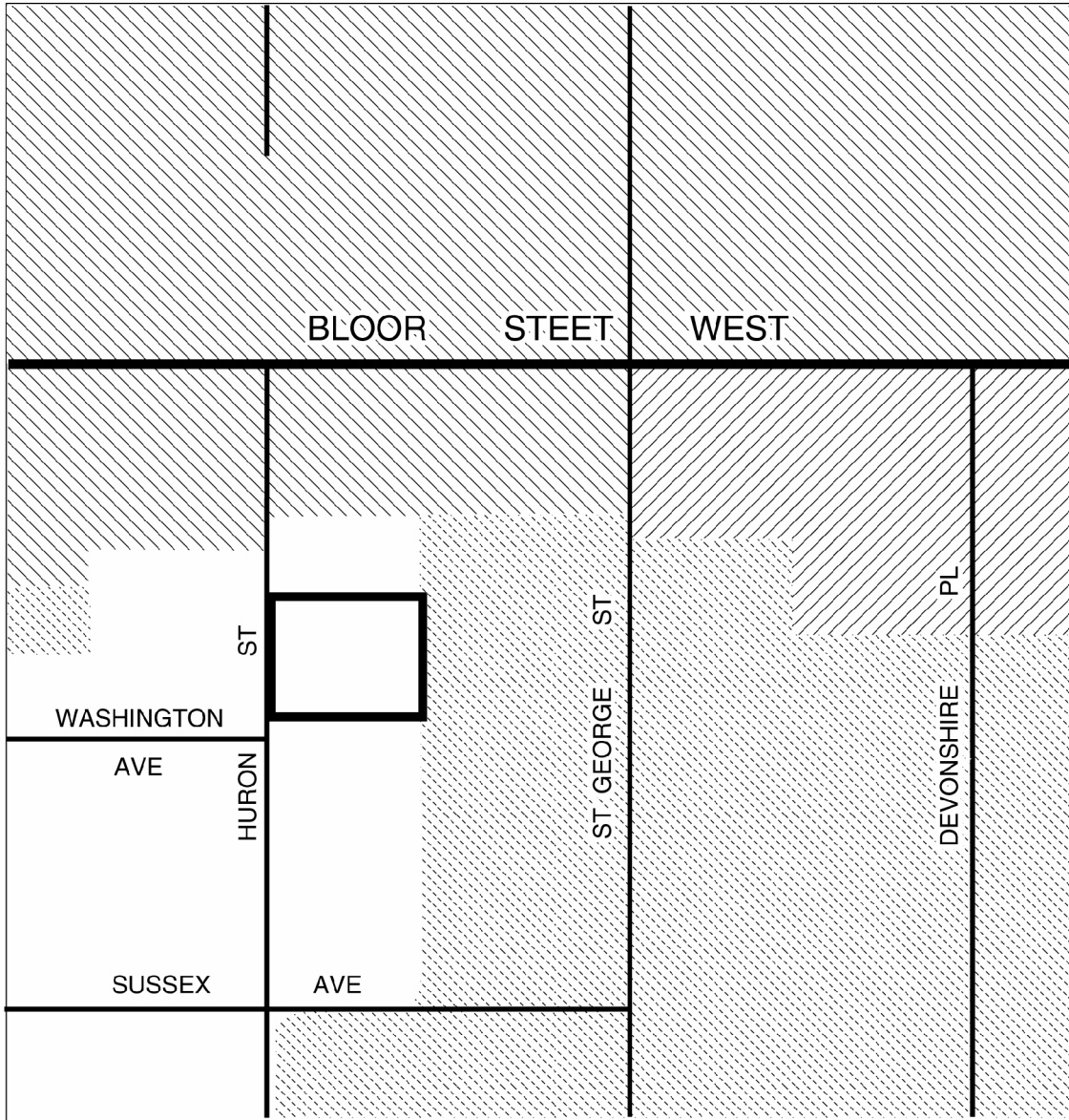
File # 05_211960

- UOS Parks District
- R3 Residential District
- CR Mixed-Use District
- MCR Mixed-Use District
- Q Mixed-Use District



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 Zoning By-law 438-86 as amended
 Extracted 02/21/06 - DR






Attachment 6: Official Plan



Toronto City Planning Division
Official Plan

395,397,399,401,403 & 405 Huron Street

File # 05_211960

- | | |
|--|---|
|  Site |  Medium Density Mixed Commercial - Residential Areas |
|  Low Density Residence Areas |  High Density Mixed Commercial - Residential Areas 'A' |
|  Low Density Mixed Commercial - Residential Areas | |


 Not to Scale
 02/22/06

Attachment 7: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	05 211960 STE 20 OZ
Details	OPA & Rezoning, Standard	Application Date:	December 23, 2005

Municipal Address: 395 HURON ST, TORONTO ON M5S 2G5
 Location Description: PL E 18 LT1 **GRID S2005
 Project Description: Campus Co-op is proposing an infill development on the property, which will result in the construction of an addition to the rear of the Huron Street buildings.

Applicant:	Agent:	Architect:	Owner:
McCarthy Tetrault LLP John Dawson		Hariri Pontarini Architects, Third Floor, 245 Davenport Road Toronto, M5K 1K1	Campus Co-operative

PLANNING CONTROLS

Official Plan Designation:	NEIGH	Site Specific Provision:	104-76
Zoning:	R3 Z1.0	Historical Status:	
Height Limit (m):	12	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	2480.7	Height:	Storeys:	4
Frontage (m):	42.7		Metres:	14.5
Depth (m):	58.02			
Total Ground Floor Area (sq. m):	1538.2			Total
Total Residential GFA (sq. m):	4598.4		Parking Spaces:	0
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	4598.5			
Lot Coverage Ratio (%):	62			
Floor Space Index:	1.86			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Tenure Type:	Other		Above Grade	Below Grade
Rooms:	139		Residential GFA (sq. m):	4598.5	0
Bachelor:	0		Retail GFA (sq. m):	0	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:	139				

CONTACT: PLANNER NAME: Helen Coombs, Senior Planner

TELEPHONE: (416) 392-7613

Attachment 8: Draft Official Plan Amendment

Authority: Toronto South Community Council Report No. , Clause No. , as adopted by City of Toronto Council on , 2007

Enacted by Council: , 2007

CITY OF TORONTO

BY-LAW NO. ____-2007

To adopt Amendment No.36 to the Official Plan with respect to lands municipally known as 395, 397, 399, 401, 403 and 405 Huron Street

WHEREAS authority is given to Council by the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*; and

WHEREAS the Council of the City of Toronto, at its meeting held on _____, determined to amend the Official Plan for the City of Toronto, which Official Plan was adopted by By-law No. 1082-2002;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Amendment No. 36 to the City of Toronto Official Plan, consisting of the attached text and map designated as Schedule “A” is hereby adopted.

ENACTED AND PASSED this day of , A.D. 2007.

DAVID R. MILLER,

Mayor

(Corporate Seal)

ULLI S. WATKISS

City Clerk

AMENDMENT NO. 36 TO THE OFFICIAL PLAN

Amendment No. 36 to the Official Plan of the City of Toronto with respect to lands known municipally as 395, 397, 399, 401, 403 and 405 Huron Street

The following Text and schedule constitute Amendment No.36 to the City of Toronto Official Plan being an amendment to the provisions of Chapter 6, Section 20, University of Toronto Area Secondary Plan.

The sections headed “Purpose and Location” is explanatory only, and shall not constitute part of this amendment.

PURPOSE AND LOCATION:

The proposed amendment is to permit the existing non-residential uses, including administrative offices associated with buildings containing dwelling rooms for the use of University students and accessory uses thereto, a printing plant and publisher on the lands municipally known as 395, 397, 399, 401, 403 and 405 Huron Street.

OFFICIAL PLAN AMENDMENT

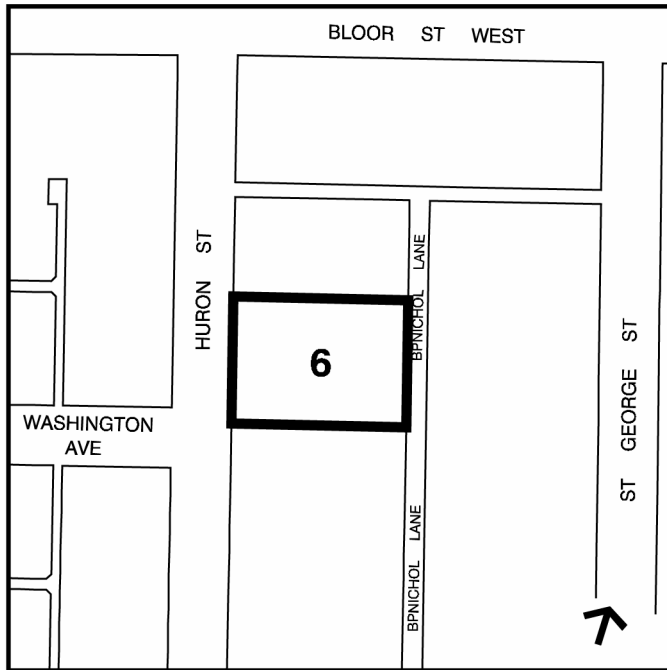
1. Chapter 6, Section 20, University of Toronto Area Secondary Plan is amended by adding the following to subsection 6 of section 20, Site and Area Specific Policies”:

6. 395, 397, 399, 401, 403 and 405 Huron Street

On the lands shown on Map 20-5 as 6, administrative offices associated with buildings containing dwelling rooms for the use of University students and accessory uses thereto, a printing plant and publisher are permitted uses on the lands.

2. Map 20-5, Areas of Special Identity and Location Site and Area Specific Policies of the University of Toronto Area Secondary Plan is amended to show the lands known municipally as **395, 397, 399, 401, 403 and 405** Huron Street, as Site and Area Specific Policy Area Number 6, as shown on the attached Schedule “A

Official Plan Amendment No. 36



Attachment 9: Draft Zoning By-law Amendment

CITY OF TORONTO

BY-LAW No. ____ -2007

To amend General Zoning By-law No. 438-86 for the former City of Toronto respecting lands known as 395, 397, 399, 401, 403 and 405 Huron Street

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;

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 Section 2 with respect to the definitions of the terms *lot*, *grade*, and *height*, and Sections 4(2)(a), 4(5), 4(11)(b), 6(1), 6(3) Part I 1., 6(3) Part II, and 6(3) Part III 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”, as amended, shall apply to prevent the erection and use of a building or buildings containing a *printing plant* and a *publisher* on *Parcel 1*, and buildings containing *dwelling rooms* and *accessory* uses thereto for the use of University students, including administrative offices, on *Parcel 2*, on the lands municipally known in the year 2007 as 395, 397, 399, 401, 403 and 405 Huron Street provided:
 - a) the *lot* consists of the lands delineated by heavy lines on the attached Map 1 and includes *Parcel 1* and *Parcel 2*;
 - b) the *residential gross floor area* erected and used on the *lot* does not exceed 4,370 square metres within *Parcel 2*;
 - c) the *non-residential gross floor area* erected and used on the *lot* does not exceed:
 - i) 240 square metres within the buildings on *Parcel 2* for the purposes of administrative offices; and,
 - ii) 300 square metres within a building or buildings on *Parcel 1* for the purpose of a *printing plant* and/or a *publisher*.
 - d) no portion of any building above grade on the *lot* is located otherwise than wholly within the areas delineated by heavy lines on the attached Map 2;

- e) Section 1(d) hereof does not apply to the type of structure listed in the column entitled “STRUCTURE” in the following chart, provided that the restrictions set out opposite the STRUCTURE in the column entitled “MAXIMUM PERMITTED PROJECTION” are complied with:

STRUCTURE	MAXIMUM PERMITTED PROJECTION
parapets	maximum 1.0 metre projection, provided the height of such “STRUCTURE” is not greater than 1.0 metre above the <i>height</i> limits established in Section 1(d) of this By-law
canopies	maximum 1.2 metre projection, provided that the height of such “STRUCTURE” is no higher than that portion of the building to which it is attached
eaves, cornices, ornamental or architectural elements, balustrades, mullions, window sills, bay windows, chimney breasts	maximum 1.0 metre projection, provided the height of the “STRUCTURE” is no higher than that portion of the building to which it is attached
fences, privacy screens, and security gates	no restriction on the extent of the projection provided the height of such “STRUCTURE” does not exceed 2.0 metres
covered porch attached to the <i>front wall</i>	maximum 4.5 metres projection from the wall to which it is attached provided that such “STRUCTURE” does not extend beyond the side walls of the building as projected
light standards and landscape features	Maximum 2.0 metre height limit

- f) no person shall erect or use a building or structure on the *lot* having a greater *height* in metres than the *height* limits specified by the numbers following the symbol H on the attached Map 2, except for the following:
- (i) the structural projections identified in Section 1(e), including structural projections permitted outside of the heavy lines on the attached Map 2, subject to the limitations contained therein;
 - (ii) chimney stacks, or other heating, cooling or ventilating equipment on the roof of the building provided the maximum height of the top of such elements or enclosures is no higher than the *height* limit specified on the attached Map 2;

- g) no less than 25 *bicycle parking spaces-occupant* and no less than 18 *bicycle parking spaces-visitor* shall be provided and maintained on the *lot*; and
 - h) a minimum of 784 square metres of *landscaped open space* shall be provided and maintained on *Parcel 2*.
2. Despite any existing or future severance, partition, or division of the *lot*, the provisions of this By-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.
3. For the purposes of this By-law:
- (a) *Parcel 1* and *Parcel 2* means Parcel 1 and Parcel 2 as shown on the attached Map 1;
 - (b) “*grade*” means 114.3 metres Canadian Geodetic Datum;
 - (c) “*height*” means the vertical distance between *grade* and;
 - (i) in the case of a pitched roof building, the mean height level between the eaves and the ridge of the roof, and
 - (ii) in the case of another kind of roof, the highest point of the roof except for those elements prescribed in this By-law;
 - (d) all words, terms and phrases appearing in italics shall have the same meaning as those terms have for the purpose of the aforesaid By-law No. 438-86, except as herein provided.
4. By-law No. 104-76, a by-law applicable to the portion of the *lot* municipally known as 395 Huron Street, is hereby repealed.

ENACTED AND PASSED this • day of •, A.D. 2007.

DAVID MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

