



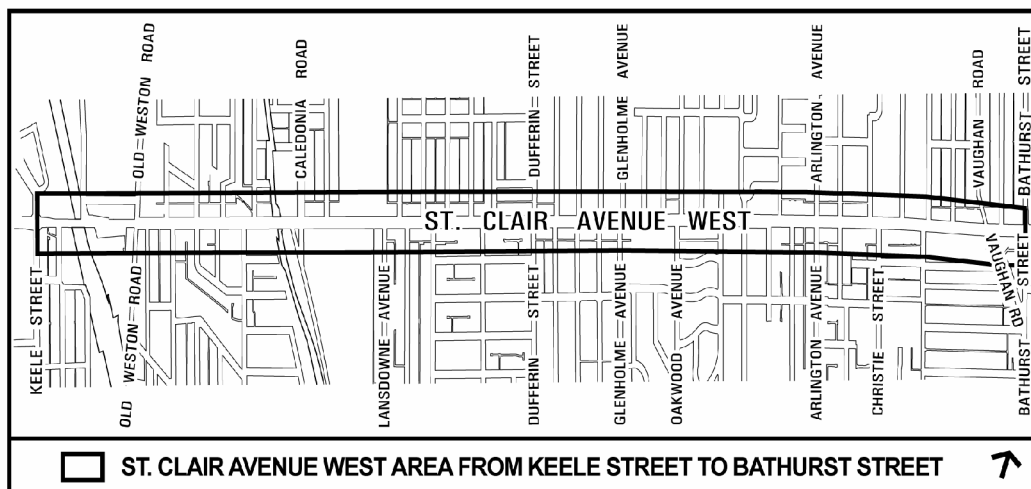
STAFF REPORT ACTION REQUIRED

City-Initiated Avenue Study for St. Clair Avenue West between Bathurst Street and Keele Street – Supplementary Report

Date:	June 2, 2009
To:	Planning and Growth Management Committee
From:	Chief Planner and Executive Director, City Planning Division
Wards:	Ward 11 – York South Weston Ward 17 – Davenport Ward 21 – St. Paul's
Reference Number:	File Nos. 05-189781 WET 11 TM and 06-115914 SPS 00 TM P:\2009\Cluster B\pln\pg05 189781 06 115914

SUMMARY

The Final Report on the City-Initiated Avenue Study for St. Clair Avenue West, dated May 11, 2009 from the Chief Planner and Executive Director, City Planning Division recommends approval of an amendment to the former City of Toronto Zoning By-law 438-86 to implement the findings and recommendations of the St. Clair Avenue Study conducted for the segment between Bathurst Street and Keele Street.



This report recommends that the Draft Zoning By-law amendment included in the May 11, 2009 be replaced with the draft zoning by-law amendment contained in Attachment 1 to this report. The proposed changes are minor in nature. The first serves to clarify the definition and intent of an "Enhanced Lot". The second change adds two provisions to the angular plane section to assist in clarifying the paramountcy of the angular plane to height permissions. These changes add further clarity and certainty to these sections.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Recommendation 3 of the Final Report dated May 11, 2009 from the Chief Planner and Executive Director, City Planning Division to delete the words "Attachment 2" and to insert the words "Attachment 1 to the Supplementary Report dated June 1, 2009 from the Chief Planner and Executive Director, City Planning Division".

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A Final Report on the City initiated Avenue Study for St. Clair Avenue West between Bathurst Street and Keele Street has been prepared for consideration at the June 4, 2009 meeting of the Planning and Growth Management Committee.

COMMENTS

Proposed Revisions to Zoning By-law Amendment

The Final Report dated May 11, 2009 from the Chief Planner and Executive Director, City Planning Division includes a proposed Zoning By-law amendment in Attachment 3. This amendment contains detailed land use permissions and regulations to guide new development within the study area. It sets out contextually appropriate as-of right zoning that includes provisions related to permitted uses, maximum density and height, and other provisions for properties fronting on St. Clair Avenue that are zoned Mixed Commercial Residential.

On further review of this proposed zoning by-law amendment, staff noted short comings in certain by-law provisions that need to be addressed to provide additional clarity and

certainty as to the intent of the by-law. This report contains a revised draft zoning by-law amendment to replace the draft zoning by-law amendment contained in the May 11,

2009 report. The proposed changes are minor in nature and are related to rewording the "Enhanced Lot" definition and adding two provisions to the angular plane regulations of the proposed by-law.

Specifically, Section (7) of the by-law related to angular planes and building envelopes has been revised to include the following provisions:

1. Paragraphs (7)(a) and (7)(b) have been revised to include the following additional paragraph:
 - (iii) "The building or structure shall not exceed the *height* specified in paragraphs (4)(a) and (4)(b), as applicable."
2. A new paragraph (d) has been added that reads as follows; "Where the angular plan provision is more restrictive than any other provisions of this exception, the angular plan provision shall prevail."

The inclusion of the above provisions will clarify how the maximum permitted height permissions are to be applied in relation to the angular plan requirements. In addition, the definition of "Enhanced Lot" contained in Section (14)(e) has been reworded from:

"Enhanced Lot" means an area of land held by the same owner(s), exclusive of any lands held by the City and comprised of a lot within an MCR district and an enhancement zone where..."

to

"Enhanced Lot" means an area of land held by the same owner(s), exclusive of any lands held by the City and comprised of a lot within an MCR district together with a lot wholly within an enhancement zone where..."

The revision of the "enhanced lot" definition clarifies that an "enhanced lot" is to consist of separate parcels of land, one within an MCR zone and one within an enhancement zone, both of which are held in the same ownership.

Conclusion

The proposed additional changes to the zoning by-law amendment add further clarity and clarity to the provisions of the by-law while reinforcing the vision for St. Clair Avenue West between Keele Street and Bathurst Street

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SIGNATURE

Gary Wright
Chief Planner and Executive Director
City Planning Division

ATTACHMENTS

Attachment 1: Revised Draft Zoning By-law Amendment

Attachment 1: Revised Draft Zoning By-law

Authority: Planning and Growth Management Committee Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2009

**To amend the former City of Toronto Zoning By-law No. 438-86, as amended,
With respect to the lands fronting onto the north and south side of St. Clair Avenue West
between1` Old Weston Road and Bathurst 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; 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. Except as otherwise provided herein, the provisions of former City of Toronto By-law 438-86, as amended, 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 certain buildings and structures in various areas of the City of Toronto”, shall continue to apply to the lands outlined by heavy lines shown on Schedule 1, attached hereto.
2. District Maps 48J-321, 48J-322, 48J-323, 49J-321, 49J-322, 49J-323, 48K-311, 48K-312 and 48K-313 contained in Appendix “A” of By-law No. 438-86, as amended, are further amended by redesignating the lands outlined by heavy lines to “MCR T3.0 C2.0 R2.5”, “MCR T5.0 C2.0 R4.0”, “MCR T5.5 C2.0 R4.5”, “MCR T6.5 C2.0 R5.5”, MCR T7.0 C2.0 R6.0”, “MCR T8.0 C2.0 R7.0” and “MCR T9.0 C2.0 R8.4” as shown on Schedule 2, attached hereto;
3. District Map 48K-312 contained in Appendix “A” of By-law No. 438-86, as amended, is further amended by redesignating the lands outlined by heavy lines from “MCR T3.0 C1.0 R2.5” to “Gh” as shown on Schedule 2, attached hereto;
4. District Map 49J-321 contained in Appendix “A” of By-law No. 438-86, as amended, is further amended by redesignating the lands outlined by heavy lines from “MCR T3.0 C1.0 R2.5” to “R2 Z1.0” as shown on Schedule 2, attached hereto;
5. Height and Minimum Lot Frontage Maps No. 48J-321, 48J-322, 48J-323, 49J-321, 48K-311, 48K-312 and 48K-313 contained in Appendix “B” of By-law No. 438-86, as amended, are further amended to establish maximum permitted heights in metres as delineated by heavy lines shown on Schedule 3, attached hereto;

PERMISSIVE EXCEPTION

6. Section 12(1) of By-law No. 438-86, as amended is further amended by adding a new exception as follows:

Notwithstanding anything hereinbefore contained, none of the provisions of this by-law or of any *restrictive by-law* applies:

- 479 To prevent the use of land or the erection of a building or structure within the area zoned MCR and shown within the heavy lines on Schedule 1, in accordance with the following provisions:

(1) **NEW BUILDING OR STRUCTURE**

- (a) Any new building or structure erected within the lands identified in Schedule 1 shall comply with the provisions of exception 12 (1) 479.
- (b) Except as otherwise provided herein, the provisions of former City of Toronto By-law 438-86, as amended, 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 certain buildings and structures in various areas of the City of Toronto”, shall continue to apply to the lands outlined by heavy lines shown on Schedule 1, attached hereto.

(2) **EXCEPTIONS FROM ZONING BY-LAW 438-86, AS AMENDED**

None of the provisions of Section 4 (2)(a)(i), 4(16) and Section 8 (3)Part II 4 shall apply to prevent the erection and use of a building or structure on a *lot*.

(3) **FLOOR-PLATE AREA**

On a *lot* located in a Height Transition Zone, as shown on Schedule ‘4’, Maps A to D, no person shall erect a building or structure where the *floor-plate area* portion of the building above 16.5 metres exceeds:

- (a) 1000 square metres in a “H39.0” metre *height* district;
- (b) 743 square metres in a “H48.0” metre *height* district; and
- (c) 743 square metres in a “H68.0” metre *height* district.

(4) **HEIGHT**

- (a) No person shall erect a building or structure on a *lot* having a greater *height* in metres than the *height* limit specified by the numbers following the symbol “H” as shown on Schedule “3”, Maps A to D, except that:
 - (i) Where the maximum *height* in metres shown on Schedule “3” is “H24.0”, no person shall erect or use a building or structure that exceeds 7 *storeys*;
 - (ii) Where the maximum *height* in metres shown on Schedule 3 is “H30.0”, no person shall erect or use a building or structure that exceeds 9 *storeys*;
 - (iii) Where the maximum *height* in metres shown on Schedule 3 is “H39.0”, no person shall erect or use a building or structure that exceeds 12 *storeys*;
 - (iv) Where the maximum height in metres shown on Schedule 3 is “H48.0”, no person shall erect or use a building or structure that exceeds 15 *storeys*; and
 - (v) Where the maximum height in metres shown on Schedule 3 is “H68.0”, no person shall erect or use a building or structure that exceeds 22 *storeys*.
- (b) No person shall erect a building or structure on an *enhanced lot* having a greater *height* in metres than the *height* limit specified by the numbers following the symbol “H” as shown on Schedule “3”, Maps A to D, except that:
 - (i) Where the maximum *height* in metres shown on Schedule “3” is “H24.0(EZ)”, no person shall erect or use a building or structure that exceeds 7 *storeys*;
 - (ii) Where the maximum *height* in metres shown on Schedule “3” is “H27.0(EZ)”, no person shall erect or use a building or structure that exceeds 8 *storeys*;
 - (iii) Where the maximum *height* in metres shown on Schedule 3 is “H30.0(EZ)”, no person shall erect or use a building or structure that exceeds 9 *storeys*;
 - (iv) Where the maximum *height* in metres shown on Schedule 3 is “H39.0(EZ)”, no person shall erect or use a building or structure that exceeds 12 *storeys*;

For the purposes of this paragraph *enhanced lot* shall have the same meaning as defined in paragraph (14)(e).

- (c) Notwithstanding paragraph (a) and (b) above, where the frontage of the portion of the *lot* abutting St. Clair Avenue West is less than 30 metres and/or the *lot* depth or *lot* depth abutting a *flanking street* is less than 29 metres, no person shall erect a building or structure greater in *height* than 5 *storeys* or 16.5 metres, whichever is the lesser;
- (d) Notwithstanding paragraph (a) and (b) above, the maximum *height* of any buildings or structures located within a Height Transition Zone as shown on Schedule 4 shall not penetrate an angular plane, extending between a height of 22 storeys and a height of 9 storeys, projected over the length of the portion of the *lot* abutting St. Clair Avenue West, as shown on the diagram following this section.
- (e) Paragraph (a) and (b) above does not prevent the erection or use of the following:
 - (i) a stair tower, elevator shaft, chimney stack or other heating, cooling or ventilating equipment or window washing equipment on the roof of the building of a fence, wall or structure enclosing such elements provided:
 - a. The maximum *height* of the top of such elements or enclosures:
 - i. is no higher than the sum of five metres and the *height* limit applicable to the *lot*; and
 - ii. does not penetrate the angular planes described in paragraph (7) below;
 - b. The aggregate horizontal area of such elements, including the area contained within an enclosure, measured at a point above the level of the *height* limit, does not exceed 30 percent of the area of the roof of the building; and
 - c. The width of such elements, including the width of an enclosure, located within six metres of a *lot* line that is a *street* line, does not exceed 20 percent of the width of the main wall of the building facing the *lot* line, provided the width is to be measured parallel to the *lot* line.
 - (ii) Structures identified in Section 4(2)(a)(ii), subject to the limitations contained therein.
- (f) No building or structure shall be erected which does not have:

- (i) A minimum *height* of 3 *storeys*, for at least 50% of the total depth of a building or structure.
- (ii) A minimum 4.5 metre first *storey* floor-to-floor *height*. For the purposes of this provision the first *storey* is deemed to be the *storey* with a floor level closet to the average elevation of the public sidewalk abutting St. Clair Avenue West.
- (g) No person shall erect or use a building or structure containing *dwelling unit(s)* or *dwelling room(s)* on a floor level below grade.

(5) **SETBACKS**

Setbacks shall be provided in accordance with Section 8 (3) Part II, except that:

(a) Setbacks from St. Clair Avenue West

- (i) No person shall erect or use a building or structure on a *lot* in a MCR district having any part of the building or structure closer to the curb line of the travelled portion of St. Clair Avenue West than 4.5 metres.

(b) Rear Yard Setbacks

- (i) No person shall erect a building or structure above on a *lot* in a MCR district unless the building or structure is setback a minimum distance of 7.5 metres from any *lot* or portion of any lot in an R or G District.
- (ii) The setback requirement in paragraph (i) above shall not apply if the *lot* or portion of the *lot* in the R or G district abuts a *side lot line* of a *lot* in the MCR district.

For the purpose of this paragraph, the expression "*side lot line*" means a *lot* line that runs, generally, perpendicular to the *lot* line abutting a *street* (excluding any lane). In the case of a *lot* abutting two or more *streets* (excluding any lanes), a *lot* line that runs, generally, perpendicular to the *lot* line abutting the *street* with the widest street allowance or widest vehicular roadway.

(c) Side yards

- (i) On a *corner lot*, no person shall erect or use a building or structure on a *lot* in a MCR District having any part of the building or structure closer to a *lot* line abutting a *flanking*

street other than St. Clair Avenue West than 1.5 metres.

(6) **BUILDING STEP-BACK**

- (a) Any building or structure greater than 5 *storeys* or 16.5 metres in *height*, whichever is the lesser, shall have:
 - (i) A minimum 1.5 metre step-back of the main external building wall facing a *lot* line abutting a *street*, other than a public lane located:
 - a. At a *height* above 16.5 metres or 5 *storeys*, whichever is the lesser, measured from the face of external wall of the storey directly below; and
 - b. An additional 1.5 metres step-back, at a *height* above 22.5 metres or 7 *storeys*, whichever is the lesser, measured from the face of main external wall of the storey directly below.
 - (ii) On a *side lot line* not abutting a street or public lane, a minimum of 50% of the area of the portion of the main external building wall located above 16.5 metres or 5 *storeys*, whichever is the lesser, shall have a minimum 1.2 metre step-back of the building wall facing the *side lot line*; and
 - (iii) Notwithstanding paragraph (a)(i) above, the main external building wall may encroach into the minimum step-back area required by paragraph (a)(i) above, up to a maximum continuous width of 5 metres or 16% of the building face abutting a *lot line*,
- (b) The provisions of paragraph (6)(a) above shall not apply to a building or structure erected on a *lot* in a Height Transition Zone, as shown on Schedule 4, Map D, provided the following standards are compiled with:
 - (i) Any building or structure greater than 5 *storeys* or 16.5 metres in *height*, whichever is the lesser, shall have:
 - a. At a *lot* line abutting a street other than a public lane, a minimum 3.0 metre step-back of the main external building wall at a *height* above 16.5 metres or 5 *storeys*, whichever is the lesser, measured from the external face of the wall of the building of the *storey* directly below; and
 - b. At a *side lot line*, not abutting a street, a minimum 12.5 metre step-back of the main external building wall at a *height* above 16.5 metres or 5 *storeys*, whichever is the

lesser, measured from the external face of the wall of the building of the *storey* directly below.

(7) **ANGULAR PLANES AND BUILDING ENVELOPE**

- (a) For a *lot* which abuts the north side of St. Clair Avenue West, no person shall erect a building or structure which does not comply with the following:
 - (i) all parts of the building or structure must be contained within a 45 degree angular plane projected over the *lot* from the 7.5 metre setback required in paragraph (5)(b), at an elevation of 10.5 metres above the average elevation of the ground directly above such setback, as shown on the diagram following this section;
 - (ii) Where the height of the building or structure exceeds 30 metres, measured above the average elevation of the ground abutting St. Clair Avenue West, all parts of such building or structure shall be contained within a 45 degree angular plane projected over the *lot* from the setback required by paragraph (6) (a), at an elevation of 30 metres above the average elevation of the ground abutting St. Clair Avenue West.
 - (iii) The building or structure shall not exceed the *height* specified in paragraphs (4)(a) and (4)(b).
- (b) For *lots* which abut the south side of St. Clair Avenue West, no person shall erect a building or structure which does not comply with the following:
 - (i) all parts of the building or structure must be contained within a 60 degree angular plane projected over the *lot* from the 7.5 metre setback required in paragraph (5)(b), at an elevation of 10.5 metres above the average elevation of the ground directly above such setback, as shown on the diagram following this section; and
 - (ii) where the height of the building or structure exceeds 30 metres, measured above the average elevation of the ground abutting St. Clair Avenue West, all parts of such building or structure shall be contained within a 45 degree angular plane projected over the *lot* from the setback required by paragraph (6) (a), at an elevation of 30 metres above the average elevation of the ground abutting St. Clair Avenue West.
 - (iii) The building or structure shall not exceed the *height* specified in paragraphs (4)(a) and (4)(b).

- (c) The angular plan provisions of requirements (7)(a) and (b) shall not apply to prevent the erection of the following:
 - (i) any building or structure erected on a *lot* within the Height Transition Zone as shown on Schedule 4, Map D;
 - (ii) parapets, fences, balustrades, safety railings and wind mitigation structures not exceeding 1.2 metres in height above the surface upon which it is erected;
 - (iii) division fences not exceeding 2 metres above the level of the ground; or
 - (iv) ground floor level decks not exceeding 1.2 metres above the level of the ground, including fences or safety railings not exceeding 1.2 metres above the deck floor.
- (d) Where the angular plan provision is more restrictive than any other provisions of this exception, the angular plan provision shall prevail.

(8) BUILD-TO-LINE

- (a) No person shall erect a building or structure abutting St. Clair Avenue West, unless one or more of its main external walls, facing St. Clair Avenue West:
 - (i) is built to a minimum height of 3 storeys at the build-to-line and occupies a least 80% of the length of the portion of the *lot* abutting St. Clair Avenue.
 - (ii) Notwithstanding paragraph (i), where the *height* of a building or structure is greater than 3 *storeys*, the main external building wall of the first 5 storeys or 16.5 metres, whichever is the lesser, shall be built at the build-to-line and occupy a least 80% of the length of the portion of the *lot* abutting St. Clair Avenue.

For the purposes of this section the Build-to-line shall be the setback required by paragraph (5) (a).

(9) LANDSCAPED OPEN SPACE

- (a) A minimum 1.5 metre *landscaped open space* to be used for *soft landscaping* shall be provided along a *lot line* abutting a R District except:
 - (i) Where a laneway abuts a *lot* in a R District, the landscaped open space shall not be required.

(10) **WINDOWS**

Windows shall be provided in accordance with Section 8, Part II, 1 (b), except that:

- (a) Where a building wall has been setback back less than 5.5 metres from a *side lot line* which does not abut a *street*:
 - (i) Only *secondary windows* shall be located on the sidewall of a *residential building* or *mixed use building* where the *side lot line* does not abut a public *street*.
- (b) No person shall erect a *residential building* or a *mixed use building* containing more than 5 *dwelling units* or *dwelling rooms* or combination thereof in which any *secondary window* of a *dwelling unit* or *dwelling room* in the building is closer than:
 - (i) 1.2 metres to a wall, or to a *lot line* that is not a *street line* or that does not abut a *public park* or UOS district.
- (c) The requirements of paragraph (b) (i) shall not apply to windows on walls which form an angle of 90 degrees or greater to each other, on a horizontal plane.

(11) **PARKING**

Notwithstanding Section 4(3), 4(4) and Section 8, Part IV the following uses shall be subject to the following minimum parking standards:

- (a) Residential Parking Standards:

The following shall apply to *dwelling units* or *dwelling rooms* on a *lot* which has a *lot* frontage of more than 12.5 metres or a residential building or the portion of a building containing more than 12 *dwelling units*:

<i>Dwelling unit</i>	<i>Minimum Parking Space</i>
Bachelor	0.50 per unit
1-Bedroom	0.50 per unit
2-Bedroom	0.75 per unit
3-Bedroom	0.75 per unit
Visitor	0.06 per unit
<i>Dwelling room</i>	1 per 6 dwelling units

- (b) For each on-site *car-share parking space* provided on a *lot* up to a maximum of 2 *car-share parking spaces*, the minimum resident parking required by paragraph (a) above shall be reduced by 5 *parking spaces*.

(12) **ACCESS**

Where a *lot* abuts a flanking *street* or public laneway, all vehicle access shall be restricted to the flanking *street* or laneway.

(13) **ENHANCEMENT ZONE**

Where a *lot* in an *enhancement zone*, as shown in Schedule 4, is used as part of an *enhanced lot* the following shall apply:

- (a) No portion of the lands located within an *enhancement zone* shall be used for erecting a building or structure and shall only be used:
 - (i) to create new, or widen existing, public lanes to achieve a 6 metre public lane or private driveway;
 - (ii) to provide a minimum 2.5 metre *soft landscaped open space*; and
 - (iii) as a *parking area, parking station* or a *commercial parking lot* as permitted subject to satisfying the requirements (i) and (ii) above.
- (b) The provisions herein described before shall continue to apply to the *enhanced lot*, except where identified below.
- (c) The provisions of Section 4(14), and Section 8, Part IV 2 shall not apply.
- (d) The provisions of paragraph (5)(b)(i) shall not apply to a building or structure on a *enhanced lot* provided it is setback a minimum distance of 7.5 metres from the *lot* line separating the *enhancement zone* from an adjacent R District.
- (e) Notwithstanding the landscape requirements of paragraph 9(a), a minimum 2.5 metre *soft landscaped open space* shall be provided along the rear portion of an *enhanced lot* that abuts a *lot* in a R district that is not within an *enhancement zone*.
- (f) Notwithstanding the angular plane requirements of paragraph 7(a)(i) and 7(b)(i), where a *enhancement zone* exists as part of an enhanced lot:

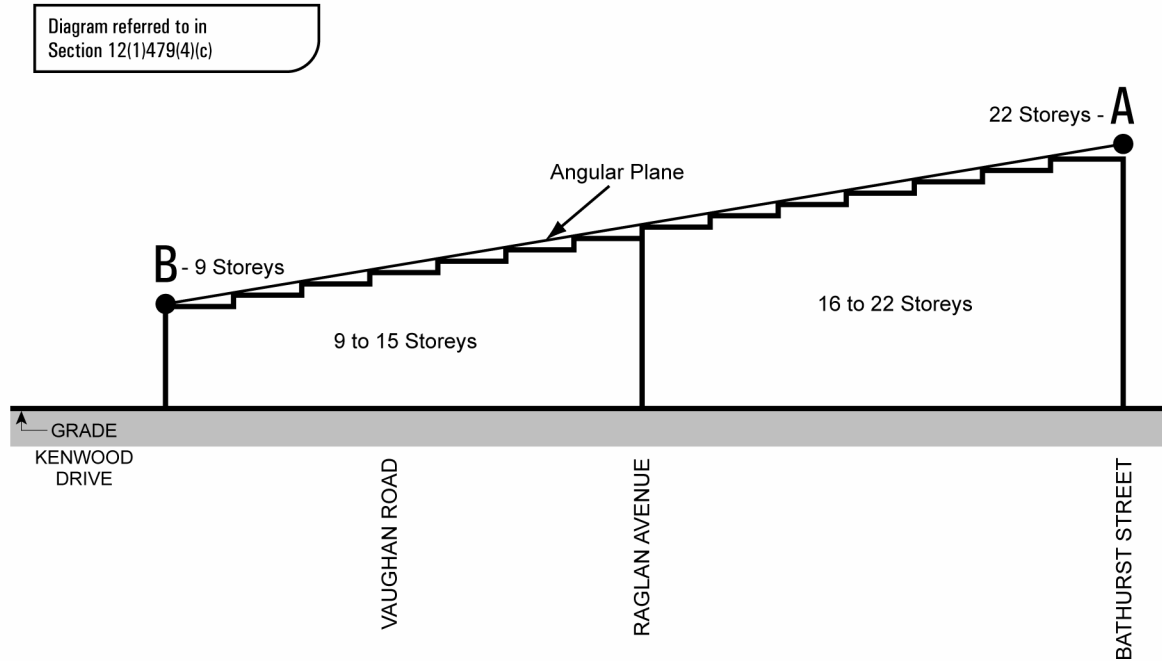
- (i) for an *enhanced lot* which abuts the north side of St. Clair Avenue West, all parts of the building or structure must be contained within a 45 degree angular plane projected over the *enhanced lot* from a setback of 7.5 metres as required by paragraph (13)(d), at an elevation of 10.5 metres above the average elevation of the ground directly above such setback as shown on the following diagram; and
- (ii) for an *enhanced lot* which abuts the south side of St. Clair Avenue West, all parts of a building or structure must be contained within 60 degree angular plane projected over the *enhanced lot* from a setback of 7.5 metres as required by paragraph 13(b), at an elevation of 10.5 metres above the average elevation of the ground directly above such setback as shown on the following diagram.

(14) **DEFINITIONS**

For the purposes of this exception:

- (a) Except as otherwise provided herein, each other word or expression which is italicized herein shall have the same meaning for the purposes of this by-law as each word or expression has for the purposes of By-law No. 438-86, as amended, or any section thereof.
- (b) “*Car-sharing*” means the practice of multiple people sharing the use of one or more cars that are owned by a profit or non-profit car-sharing organization and to use a car-sharing vehicle, a person must meet the membership requirements of the car-sharing organization, including the payment of membership fees that may or may not be refundable. Cars are reserved in advance and fees for use are normally based on time and/or kilometres driven.
- (c) “*Car-sharing parking space*” means a *parking space* exclusively for a car used only for *car-sharing* purposes and such vehicle is accessible to non-resident *car-sharing* members at all times.
- (d) “*Enhancement Zone*” means an area above grade located to the rear of a *lot* within an MCR district, as shown on Schedule 4 that is free of any building or structure, and that is comprised of:
 - (i) an existing public lane, where one exists; and
 - (ii) a *lot* within a Residential District that is used for *soft landscaping* and, where additional lands permit, temporary surface parking.

- (e) “*Enhanced Lot*” means an area of land held by the same owner(s), exclusive of any lands held by the City and comprised of a *lot* within an MCR district together with a *lot* wholly within an *enhancement zone* where:
 - (i) the east *lot line* of the *lot* in the MCR district is no further east than the east *lot line* of the *lot* in the *enhancement zone*;
 - (ii) the west *lot line* of the *lot* in the MCR district is no further west than the west *lot line* of the *lot* in the *enhancement zone*; and
 - (iii) notwithstanding paragraph (i) and (ii) above, the length of the *front lot line* and *rear lot line* of the *lot* in the MCR district may exceed the maximum distance measured between such *lot lines* permitted by paragraphs (i) and (ii) above by no more than an aggregate of 10%.
- (f) “*Floor-plate area*” means the total aggregate floor area of a storey, measured from the exterior face of all exterior walls of that storey.
- (g) “*Front lot line*” means the line that divides a lot from St. Clair Avenue West provided that in the case of a corner *lot* the shorter *lot line* that abuts St. Clair Avenue West is deemed to be the *front lot line* and the longer *lot line* that so abuts is termed the “*flank*” of the *lot*.
- (h) “*Lot line*” means a *front lot line*, *side lot line* or a *rear lot line*.
- (i) “*Secondary window*” shall mean the window of any bathroom or kitchen.

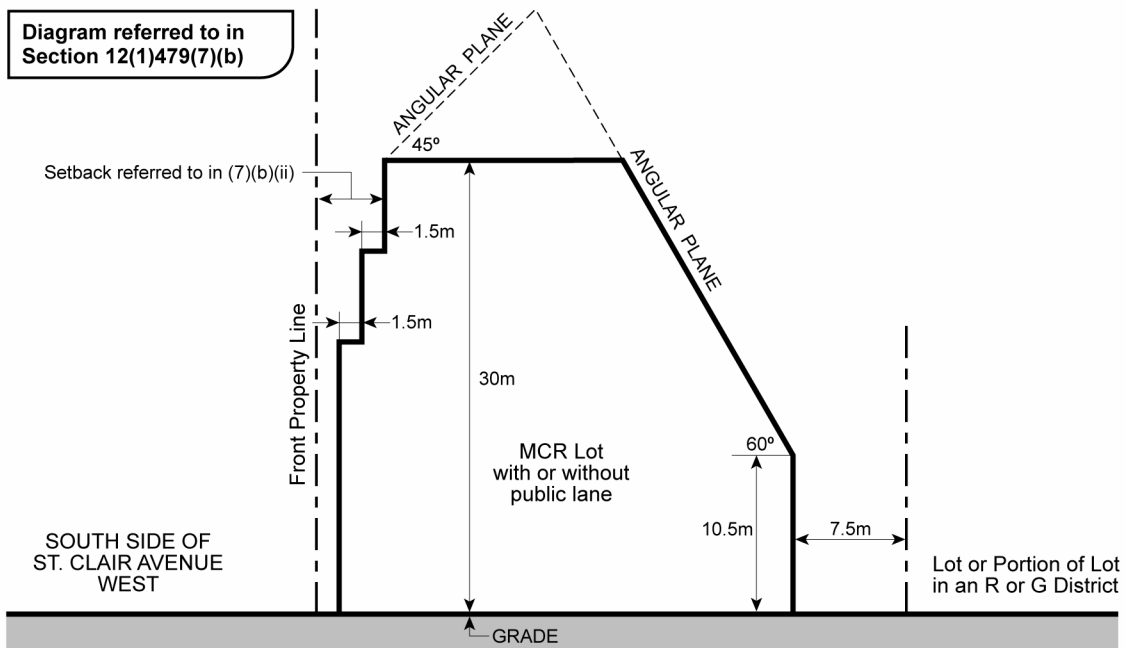
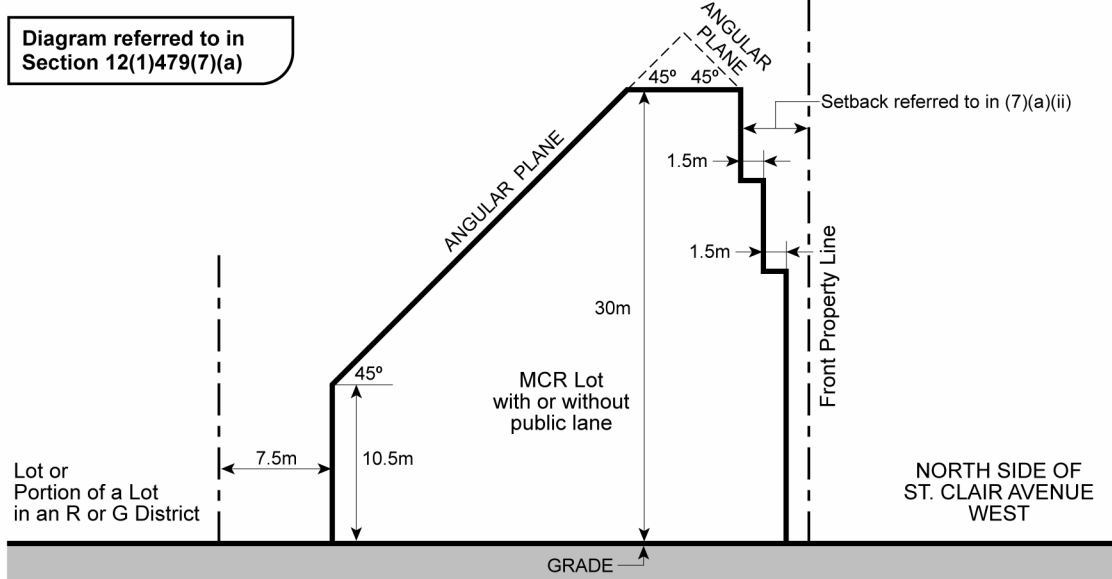


Height Transition Zone

St. Clair Avenue West Avenue Area
from Old Weston Road to Bathurst Street

Not to Scale
05/07/09

File # 05_189781 & 06_115914



Angular Planes

St. Clair Avenue West Avenue Area from Old Weston Road to Bathurst Street

Scale 1:500
05/05/09

File # 05_189781 & 06_115914

RESTRICTIVE EXCEPTION

7. Section 12(2) of By-law No. 438-86, as amended is further amended by adding a new exception as follows:

344 No person shall on lands zoned MCR and located within the heavy lines on Schedule 1, Maps A to D, use land or erect to use a building or structure:

- (a) for the purpose of a *converted house, detached house, duplex, row house, rowplex, semi-detached duplex, detached house, semi-detached triplex, triplex, automobile service and repair shop, automobile service station, car washing establishment, and motor vehicle repair shop Class A*, unless such use existed on the *lot* and was lawful on the date of the passing of this by-law.
- (b) Unless the following municipal services are provided to the *lot* line and the following provisions are complied with:
 - i. all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - ii. all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

SITE SPECIFIC EXCEPTIONS

8. Section 15 of By-law No. 438-86, as amended, is further amended to indicate that site-specific exception 12(1)479 shall apply to any address within the area labelled Enhancement Zone as shown on Schedule 4.
9. The following site-specific exceptions shall not apply to any address within the area delineated by heavy lines on the maps attached to Sections 12(1) 479 and 12(2) 344:
- (a) 12(1) 61
 - (b) 12(2) 222

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

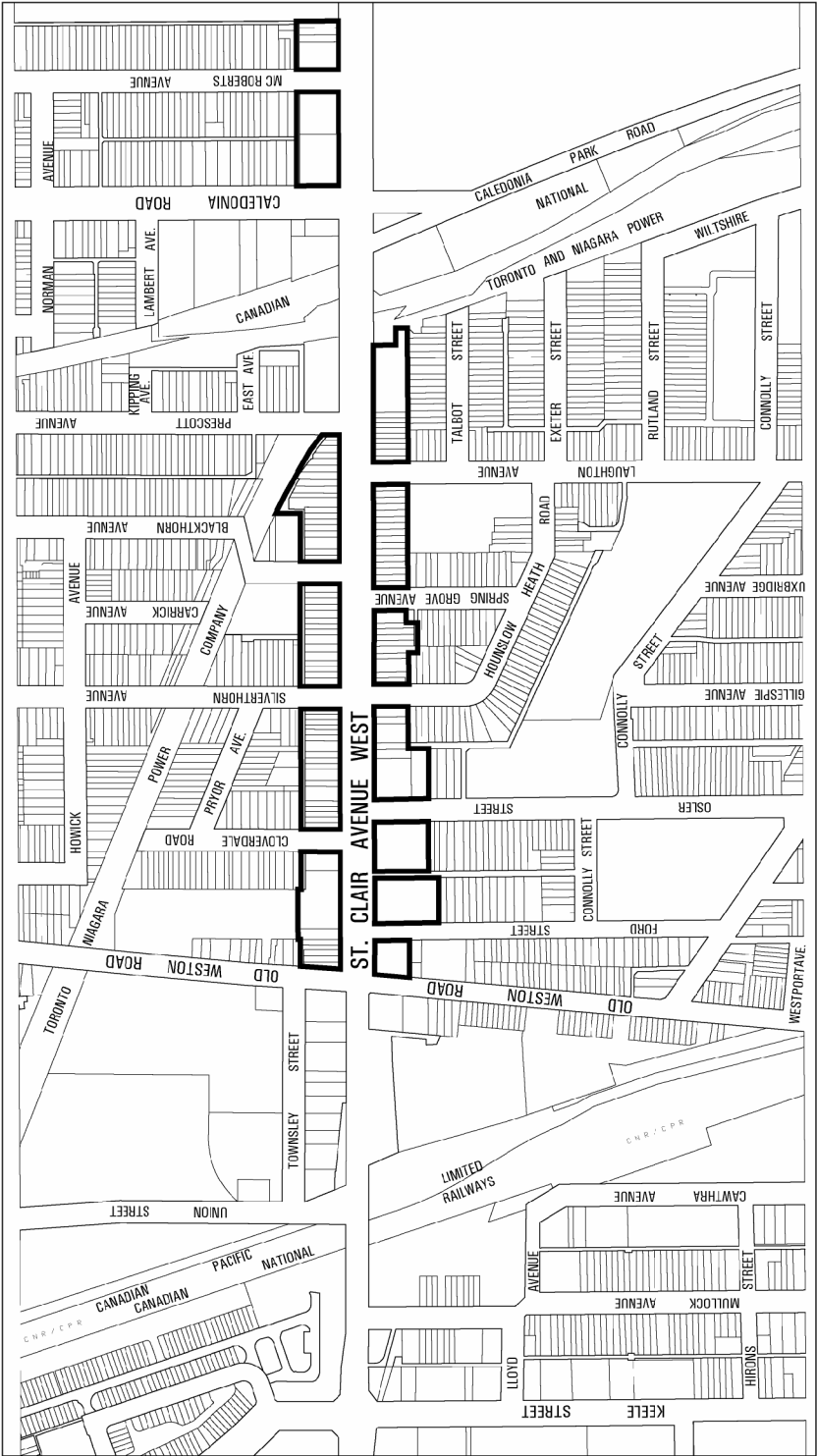
DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Schedule 1 - Maps A to D

Schedule '1', Map A



City Planning

St. Clair Avenue West Avenue Area
from Old Weston Road to Bathurst Street

File # 05-189781 & 06-115914

Areas Affected By This By-Law

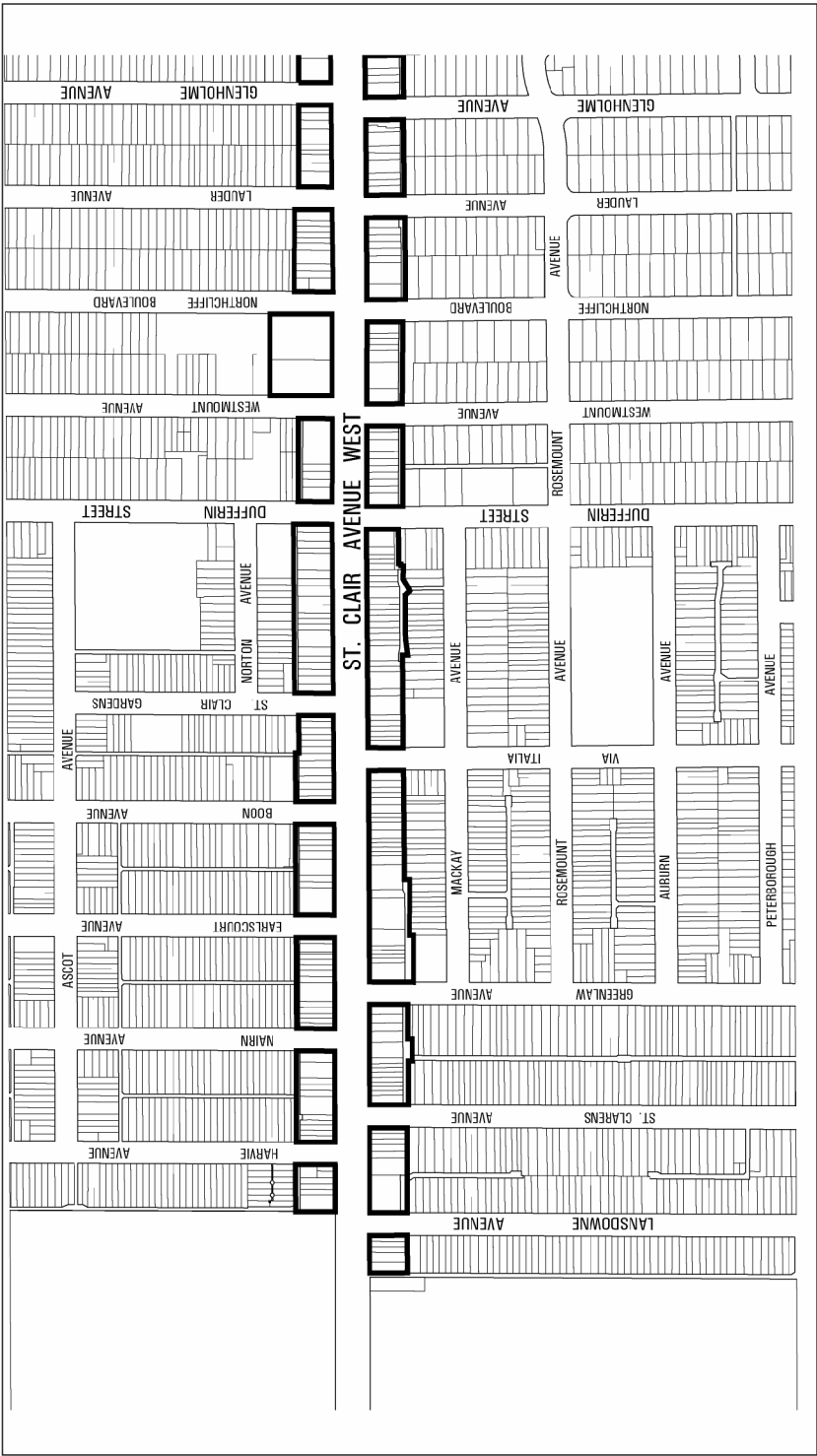


Areas Affected By This By-Law



Note to Scale
04/30/09

Schedule '1', Map B



St. Clair Avenue West Avenue Area
from Old Weston Road to Bathurst Street

Areas Affected

File # 05-189781 & 06-115914

 Areas Affected By This By-Law



Note to Scale
04/30/09

Schedule '1', Map C



Areas Affected

Areas Affected By This By-Law

St. Clair Avenue West Avenue Area
from Old Weston Road to Bathurst Street

File # 05-189781 & 06-115914



Note to Scale
04/30/09

Schedule '1', Map D



Areas Affected

St. Clair Avenue West Avenue Area
from Old Weston Road to Bathurst Street

File # 05-189781 & 06-115914

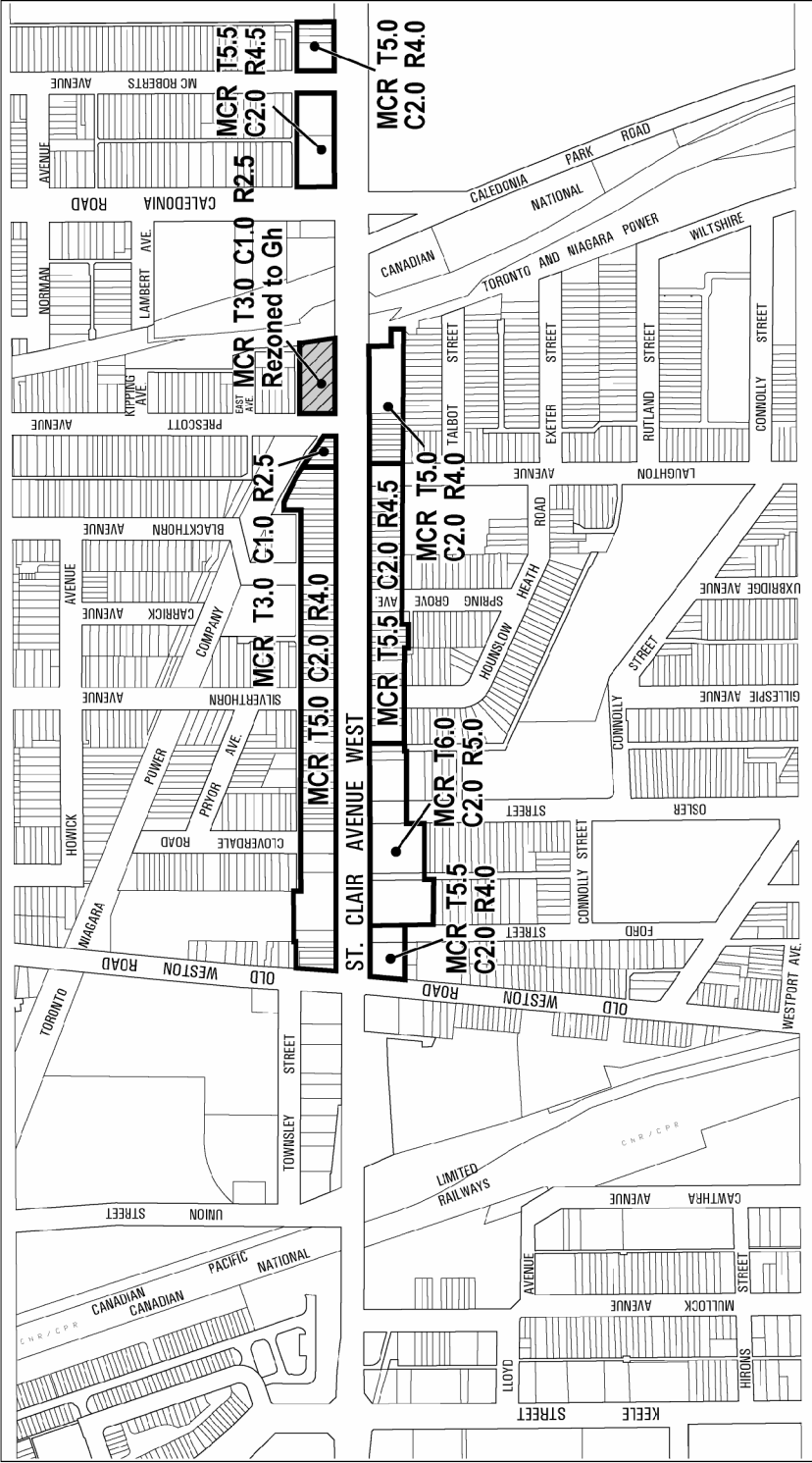
 Areas Affected By This By-Law



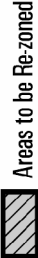
Note to Scale
04/30/09

Schedule 2 - Maps A to D

Schedule '2', Map A



Zoning By-Law Amendment



Areas to be Re-zoned

St. Clair Avenue West Avenue Area
from Old Weston Road to Bathurst Street


File # 05-189781 & 06-115914



Note to Scale
04/30/09



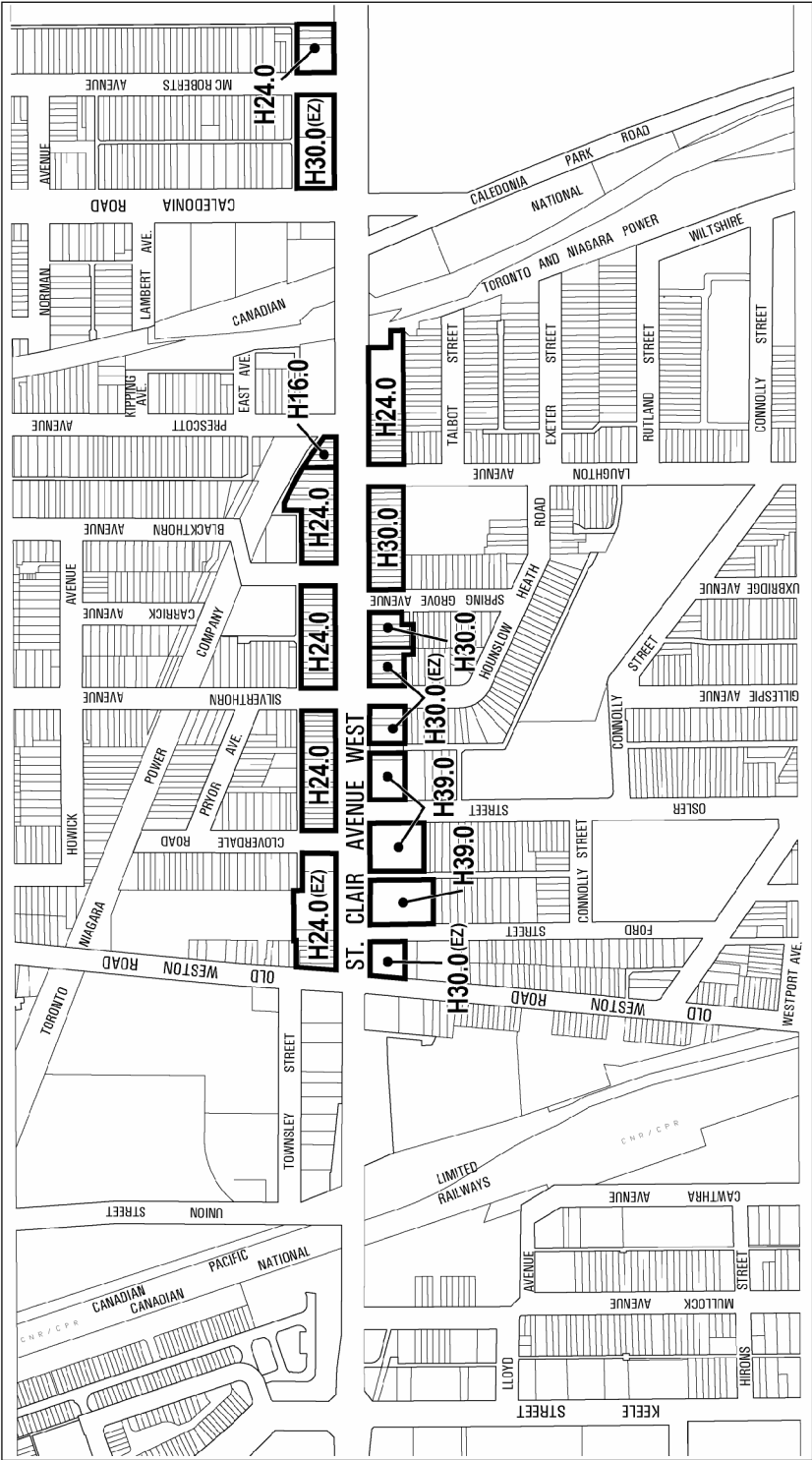
Zoning By-Law Amendment

 Areas to be Re-zoned
See Maps A and C



Schedule 3 - Maps A to D

Schedule '3', Map A



Maximum Permitted Heights

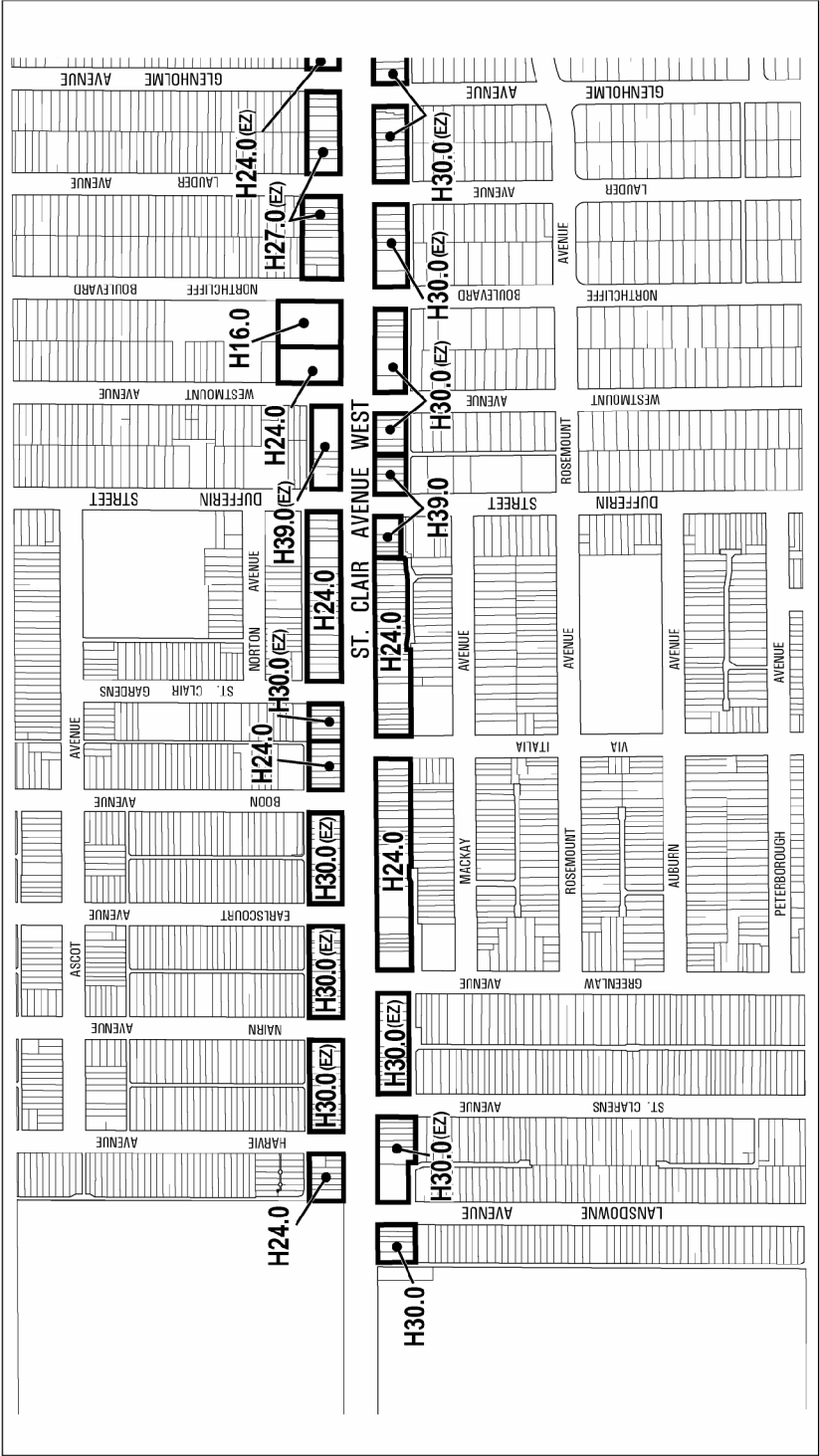
- H24.0** Denotes Height in Metres Above Grade
- H30.0(EZ)** Denotes Height in Metres for "Enhanced Lot"

St. Clair Avenue West Avenue Area
from Old Weston Road to Bathurst Street

File # 05-189781 & 06-115914

↑
Note to Scale
04/30/09

Schedule '3', Map B



St. Clair Avenue West Avenue Area
from Old Weston Road to Bathurst Street

Maximum Permitted Heights

File # 05-189781 & 06-115914

- H24.0** Denotes Height in Metres Above Grade
- H30.0 (EZ)** Denotes Height in Metres for "Enhanced Lot"



Note to Scale
04/30/09

Schedule '3', Map C



St. Clair Avenue West Avenue Area
from Old Weston Road to Bathurst Street

File # 05-189781 & 06-115914

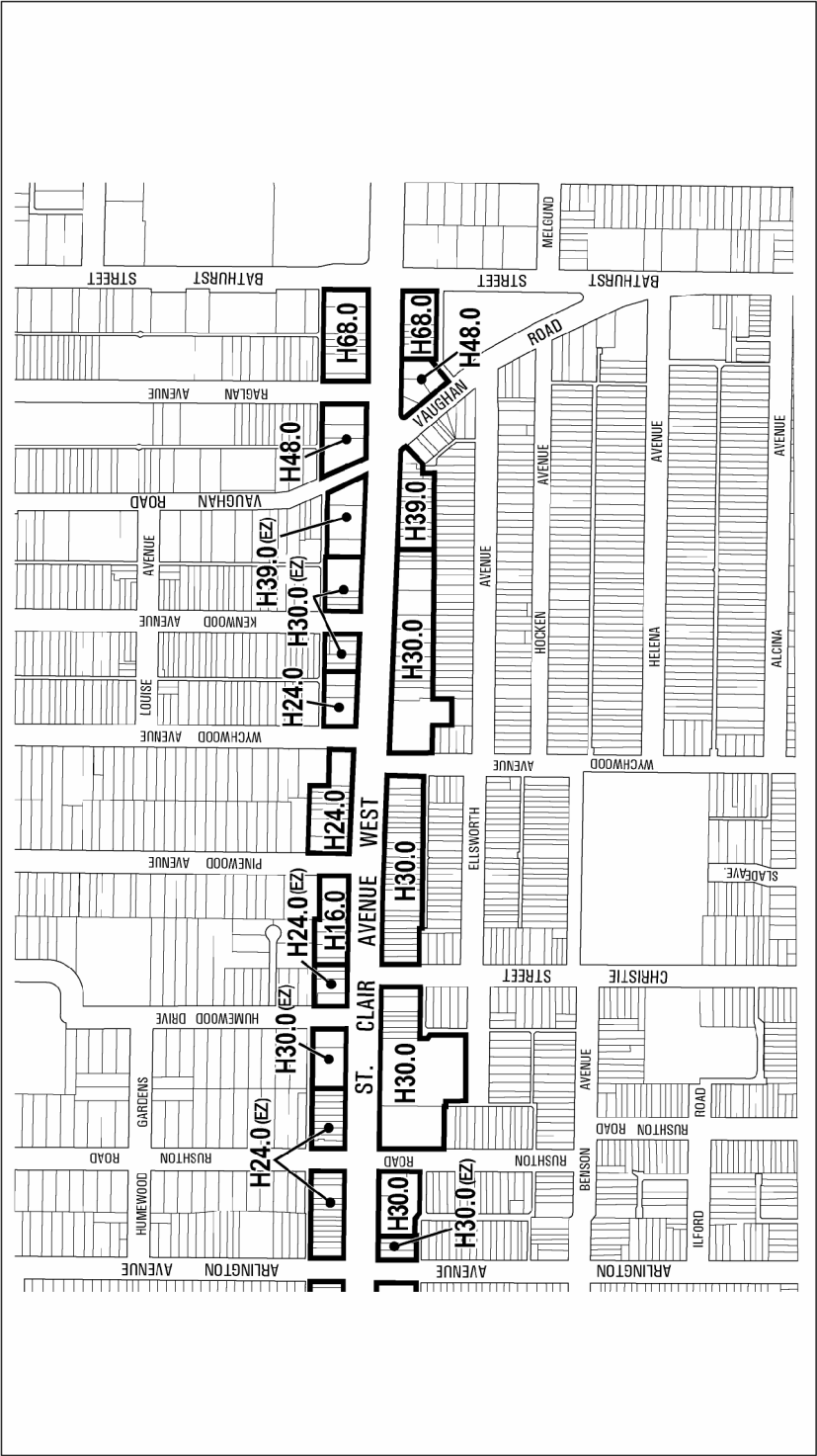
H24.0 Denotes Height in Metres Above Grade

H30.0(EZ) Denotes Height in Metres for "Enhanced Lot"



Note to Scale
04/30/09

Schedule '3', Map D



Maximum Permitted Heights

H24.0 Denotes Height in Metres Above Grade

H30.0(EZ) Denotes Height in Metres for "Enhanced Lot"

St. Clair Avenue West Avenue Area
from Old Weston Road to Bathurst Street

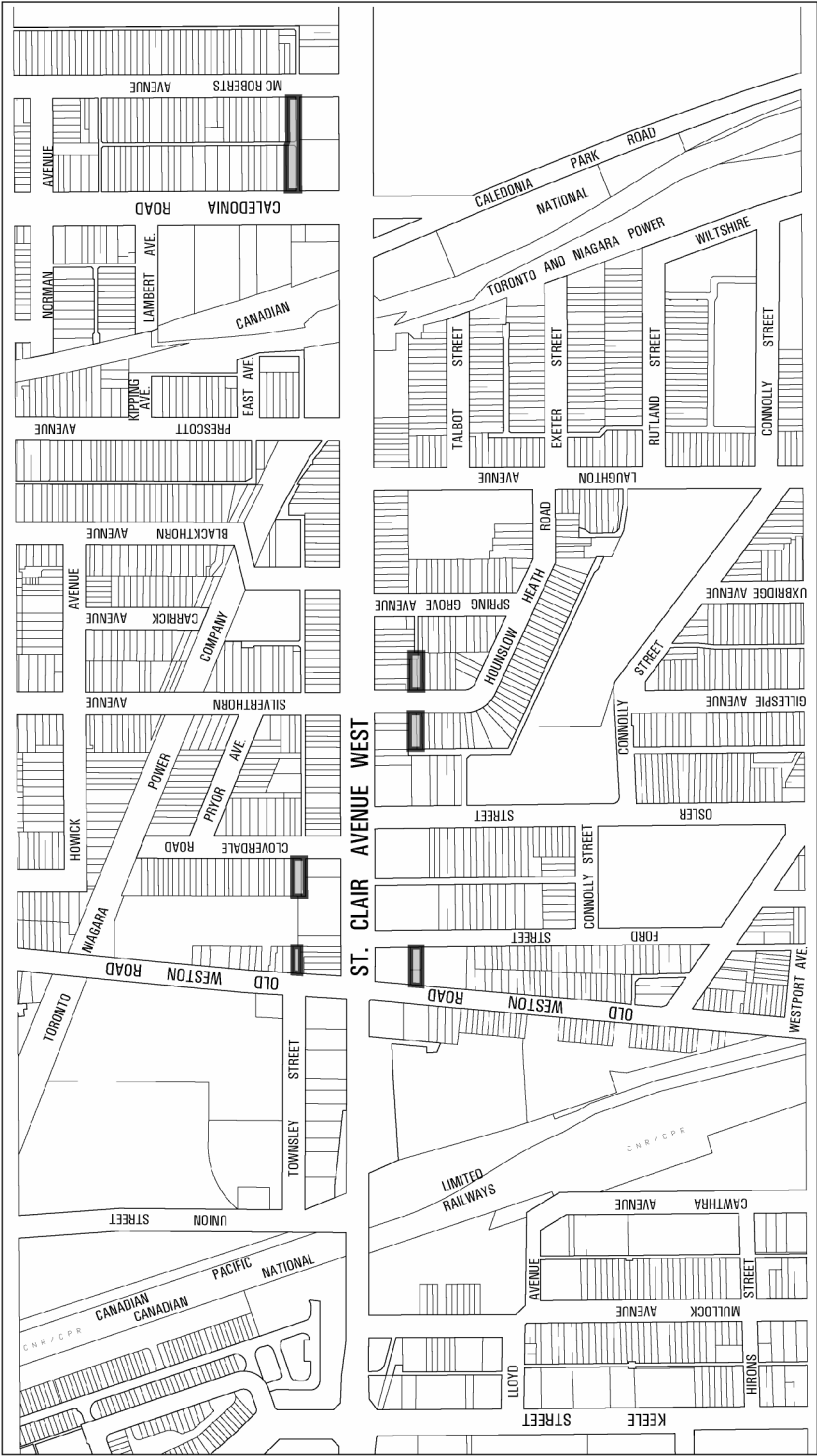
File # 05-189781 & 06-115914



Note to Scale
04/30/09

Schedule 4 - Maps A to D

Schedule '4', Map A



Enhancement and Height Transition Zones

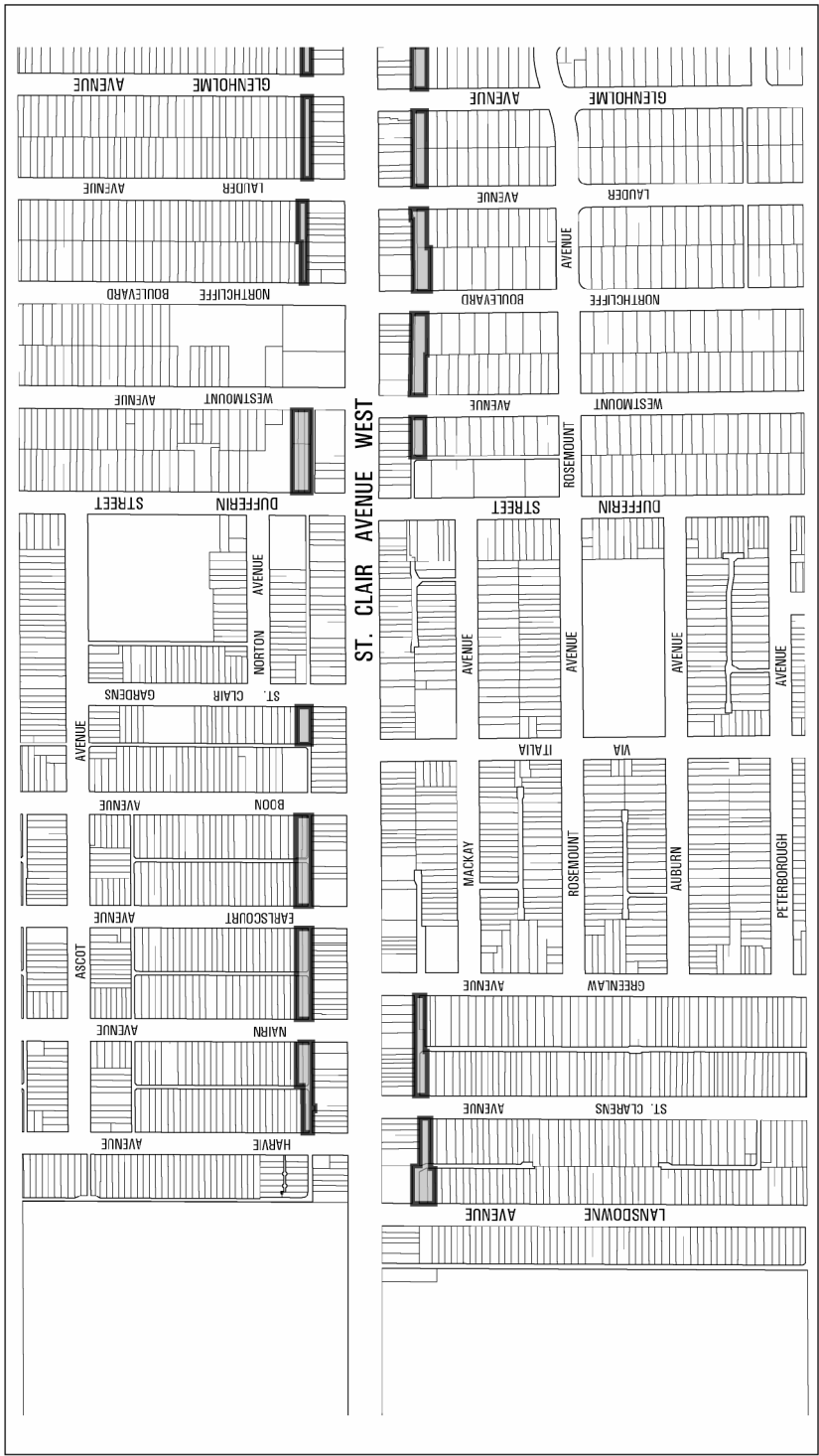
- Enhancement Zones
- Height Transition Zones
- See Map D

St. Clair Avenue West Avenue Area
from Old Weston Road to Bathurst Street

File # 05-189781 & 06-115914

↑
Note to Scale
04/28/09

Schedule '4', Map B



City Planning

Enhancement and Height Transition Zones

File # 05-189781 & 06-115914

Enhancement Zones

Height Transition Zones

See Map D



Note to Scale
04/28/09

Schedule '4', Map C



Enhancement and Height Transition Zones

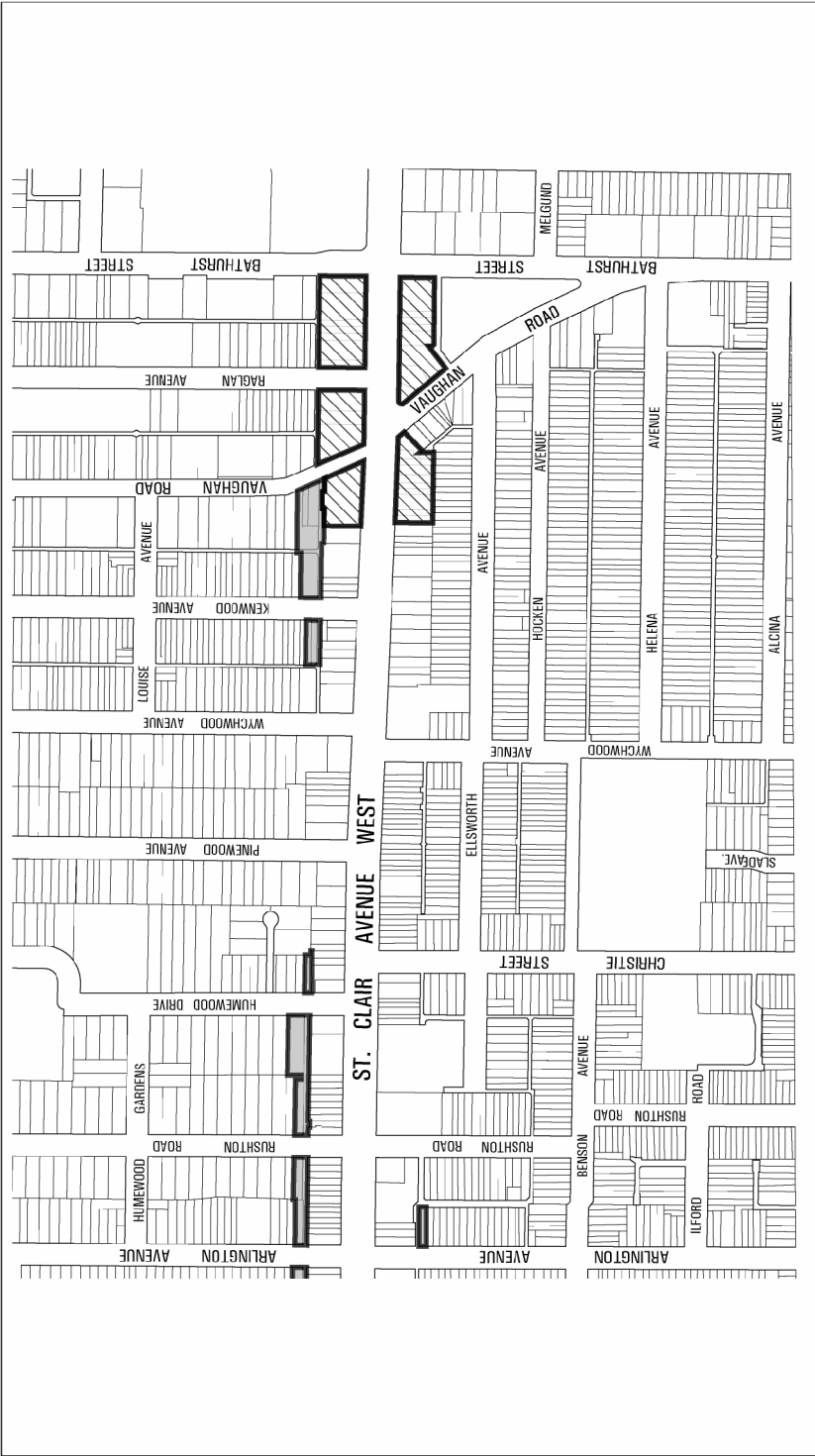
- Enhancement Zones
- Height Transition Zones
- See Map D

St. Clair Avenue West Avenue Area
from Old Weston Road to Bathurst Street

File # 05-189781 & 06-115914

Note to Scale
04/29/09

Schedule '4', Map D



Enhancement and Height Transition Zones

St. Clair Avenue West Avenue Area
from Old Weston Road to Bathurst Street

File # 05-189781 & 06-115914

-  Enhancement Zones
-  Height Transition Zones

↑
Note to Scale
04/28/09