

Clause embodied in Report No. 9 of the Humber York Community Council, as adopted by the Council of the City of Toronto at its meeting held on June 18, 19 and 20, 2002.

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**Final Report - 2525 to 2535 St. Clair Avenue West  
(South Side of St. Clair Avenue West, between Runnymede Road  
and Mould Avenue); Application to Amend Zoning By-law  
No. 1-83 of the (Former) City of York; Zelinka Priamo Ltd.  
for 3916987 Canada Inc.  
(York South-Weston, Ward 11)**

*(City Council on June 18, 19 and 20, 2002, amended this Clause in accordance with the supplementary report dated June 14, 2002, from the Commissioner of Urban Development Services, embodying the following recommendations:*

*“It is recommended that:*

- (1) the recommendations contained in the final report dated May 17, 2002 be modified as follows:*
  - (a) that Recommendation No. (4) be deleted and the following substituted in lieu thereof:*
    - “(4) prior to the introduction of the necessary Bill to City Council for enactment, The Building Box (Reno Depot Inc.) shall provide an undertaking satisfactory to the Director of Community Planning which indicates that prior to site plan approval The Building Box (Reno Depot Inc.):*
      - (i) agrees to provide the City of Toronto with an irrevocable Letter of Credit for \$50,000.00 for the purchase and installation of signal priority technology for transit vehicles at two intersections in the vicinity of the proposed development, on the understanding that the Letter of Credit cannot be drawn upon until the building permit has been issued;*
      - (ii) agrees that signal priority technology for transit vehicles will be incorporated in the design of the new traffic control signals proposed at the entrance to the development at the intersection of St. Clair Avenue West and Mould Avenue and that all costs associated with the purchase and installation of this signal priority technology for transit vehicles, to a maximum of \$25,000.00, will be borne by The Building Box (Reno Depot Inc.); and*

- (iii) *agrees that the Letter of Credit will be provided to the City of Toronto for a period not to exceed 90 days subsequent to the opening of The Building Box (Reno Depot Inc.) retail store at the subject site. If the signal priority equipment is not installed and operational at the two intersections in the vicinity of the proposed new development within that time period, then the Letter of Credit will be returned to The Building Box (Reno Depot Inc.).”;*
- (b) *that Recommendation No. (5) of the final report dated May 17, 2002, be modified as follows:*
- (i) *Recommendation No. (5)(f):*
- that this recommendation be deleted and the following substituted in lieu thereof:*
- “(5)(f) provide a Letter of Credit to be held for one year from the occupancy of the home improvement store, in the amount of \$25,000.00, to cover the costs associated with the following measures, as deemed appropriate by the Commissioner of Works and Emergency Services:*
- (i) *implementing neighbourhood traffic calming measures, if any, as identified in Recommendation No. 5(e), above;*
- (ii) *implementing the signal timing modifications identified in the iTRANS report dated April 2002, which are attributable to this development, if any;”;*
- (ii) *Recommendation No. (5)(p):*
- that this recommendation be deleted and the following substituted in lieu thereof:*
- “(5)(p)(1) The proponent must submit all environmental information related to on-site contamination, off-site contamination/impact or lands to be dedicated to the City for road or parkland purposes to the Works and Emergency Services Department for the peer review process. Please note that the cost of the peer review will be borne by the developer.*

- (2) *If the proposal involves lands to be dedicated to the City for road or parkland purposes, the lands must meet Ministry of the Environment (MOE) soil and groundwater criteria listed in the current MOE Guidelines. Where different land uses occur on opposite sides of a road, the more stringent criteria must be met. The City will not accept ownership of any parcel of land where contamination exceeds criteria listed in the current MOE Guidelines.*
  - (3) *If migration of contaminants from the site is indicated during the environmental site assessment, and the migration affects City property and/or utilities, the proponent or the polluter is required to address the issue by either:*
    - (a) *cleaning up the affected area to meet MOE soil and groundwater criteria listed in the current MOE Guidelines, or*
    - (b) *ensuring that the contamination, if left at the affected area, will not have a negative impact on the proposed development or the affected off-site area. If the City's peer reviewer concurs with the proponent's consultant that contamination may be left at the affected area, the proponent or the polluter shall sign an indemnity agreement with the City.*
  - (4) *All correspondence from the proponent's consultant(s) to the City must state that the City and its peer reviewer can rely on the information. The proponent should contact Works staff to clarify submission requirements, costs and timeframe associated with the review, and the clearance process.”;*
- (iii) *Recommendation No. (5)(v)(iii):*

*that this recommendation be deleted and the following substituted in lieu thereof:*

“(5)(v)(iii) *a continuous sidewalk with a minimum width of 3.4 metres shall be located within the St. Clair Avenue West right-of-way where the home improvement store abuts the right-of-way;”;*

(iv) *Recommendation No. (5)(v)(vi):*

*that this recommendation be deleted, and the following substituted in lieu thereof:*

*“(5)(v)(vi) all sidewalk crossings of driveways shall be distinguished from driving surfaces, by the use of special pavers, bricks, scored concrete or other surfacing materials acceptable to the Commissioner of Urban Design so as to promote pedestrian safety;”;*

(v) *add a new Recommendation No. (5)(v)(xi) as follows:*

*“(5)(v)(xi) buildings with a wall facing St. Clair Avenue West shall be provided some form of non-reflective glazing in order to provide a clear view into the active commercial space to the satisfaction of the Director of Community Planning, West District and the Director of Urban Design;”;*

(2) *Zoning By-law No. 1-83 be amended generally in accordance with the revised draft Zoning By-law appended to this report as Attachment 1, and worded to the satisfaction of the City Solicitor to reflect the following:*

(a) *that section (b) be deleted and the following substituted in lieu thereof:*

*“(b) The maximum height of the buildings shall be 12 metres, exclusive of mechanical floors, walls or structures to screen mechanical equipment, roof stairwell enclosures, parapet walls, and the basement floor.”;*

(b) *that section (c) be deleted and the following substituted in lieu thereof:*

*“(c) Canopies, awnings and roof overhangs may extend into the front yard a maximum of 3.0 metres but any projecting part of a building shall not:*

- (i) encroach onto lands conveyed to or granted as an easement to the City for municipal purposes; or*
- (ii) interfere with the use of a driveway required for access to a parking or loading area.”;*

(c) *that section (d) be deleted and the following substituted in lieu thereof:*

- “(d) The maximum total gross floor area for all permitted principal uses shall be 14 700 square metres, the maximum gross floor area of a garden centre component shall be 2 000 square metres, and the maximum gross floor area for accessory buildings shall be 100 square metres.”;*
- (d) *that section (f) be deleted and the following substituted in lieu thereof:*
- “(f) Off-street parking shall not encroach into the front yard. For the purposes of this paragraph, ‘front yard’ shall mean the portion of the area of the lands marked as ‘Front Yard Area’ on Schedule ‘C’ to this By-law.”;*
- (e) *that section (g) be deleted;*
- (f) *that section (h) be deleted and the following substituted in lieu thereof:*
- “(h) Vehicular access to St. Clair Avenue West shall be restricted to one full-turn access point opposite Mould Avenue, one right-out access point opposite Castleton Avenue, and one minor access point between the retail store and the office building. Vehicular access to Runnymede Road consisting of one full turn access point shall be provided and maintained by way of an easement with a minimum width of 6 metres on the abutting lands to the south.”;*
- (g) *that section (i) be deleted and the following substituted in lieu thereof:*
- “(i) For buildings abutting the St. Clair Avenue West right-of-way the primary entrance shall be located within 35 metres of the street;”;*
- (h) *that section (l)(b) be deleted and the following substituted in lieu thereof:*
- “(l)(b) the only form of outside storage permitted shall be related to the storage of associated garden centre and yard products and packaged materials, lumber and building supplies;”;*
- (i) *that section (l)(d) be deleted and the following substituted in lieu thereof:*
- “(l)(d) the outdoor storage of lumber and building supplies shall be located within 40 metres of the rear wall of the retail building;”;*
- (j) *that section (l)(e) be added as follows:*
- “(l)(e) all loose building materials that are not packaged and are stored on site be fully enclosed, excluding lumber;”;*
- (k) *that section (m) be deleted;*

- (3) *the City Solicitor be authorized to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and*
- (4) *in consideration of the by-law revisions noted in this report, it is recommended that no further notice of a public meeting be given in respect of the revised draft the revised draft Zoning By-law.”)*

**The Humber York Community Council, based on the findings of fact and conclusions and for the reasons that the proposal is an appropriate use of lands, recommends the adoption of the Final Report (May 17, 2002) from the Director, Community Planning, West District, subject to the following:**

- (1) **That Recommendation (3) be deleted and the following substituted in lieu thereof:**

**“(3) prior to site plan approval, submit to, and have approved by, the Commissioner of Works and Emergency Services, a Noise Impact Statement in accordance with City Council's requirements for the review and approval of Commissioner of Works and Emergency Services;”**

- (2) **That Recommendation (4) be deleted and the following substituted in lieu thereof:**

**“(4) prior to site plan approval, require the applicant to submit to the TTC financial security or payment for \$75,000.00 for the installation of signal priority technology for the three intersections in the vicinity of the property;” and**

The Humber York Community Council reports for the information of Council, having requested the Commissioner, Urban Development Services, to consult with the local Councillor with respect to the following proposed amendments to Recommendation (5) and the Draft Zoning By-law (Attachment 6), in order to review the conditions contained therein and to negotiate modifications to the sections, and submit a report directly to the June 18, 2002 meeting of City Council:

Recommendation (5)(f):

**“(5)(f) that the words “to be held for one year from the occupancy of the home improvement store” be added after the words “Provide a Letter of Credit”;”**

Recommendation (5)(v)(iii):

that this recommendation be deleted and the following substituted in lieu thereof:

**“(5)(v)(iii) a continuous sidewalk with a minimum width of 3.4 metres shall be located within the St. Clair Avenue West right-of-way where the home improvement store abuts the right-of-way;”**

Recommendation (5)(v)(vi):

that this recommendation be deleted, and the following substituted in lieu thereof:

“(5)(v)(vi) all sidewalk crossings of driveways shall be distinguished from driving surfaces, by the use of special pavers, bricks or a scored concrete so as to promote pedestrian safety;”

Add new Recommendation (5)(v)(xi) as follows:

“(5)(v)(xi) buildings with a wall facing St. Clair Avenue West shall be provided some form of non-reflective glazing in order to provide a clear view into the active commercial space to the satisfaction of the Director of Community Planning, West District and the Director of Urban Design; and”

Add new Recommendation (5)(v)(xii) as follows:

“(5)(v)(xii) no buildings or structures, or outdoor storage and display shall be permitted within 5 metres of the Runnymede Road right-of-way, save and except for signage.”

Proposed modifications to the Draft Zoning By-law (Attachment 6):

That section (b) be deleted and the following substituted in lieu thereof:

“(b) The maximum height of the buildings shall be 12 metres, exclusive of mechanical floors, walls or structures to screen mechanical equipment, roof stairwell enclosures, parapet walls, and the basement floor.”

That section (c) be deleted and the following substituted in lieu thereof:

“(c) Canopies, awnings and roof overhangs may extend into the front yard a maximum of 3.0 metres but any projecting part of a building shall not:

- (i) encroach onto lands conveyed to or granted as an easement to the City for municipal purposes; or
- (ii) interfere with the use of a driveway required for access to a parking or loading area.”

That section (d) be deleted and the following substituted in lieu thereof:

“(d) The maximum total gross floor area for all permitted principal uses shall be 14 700 square metres, the maximum gross floor area of a garden centre component shall be 2 000 square metres, and the maximum gross floor area for accessory buildings shall be 100 square metres.”

That section (f) be deleted and the following substituted in lieu thereof:

“(f) Off-street parking shall not encroach into the front yard. For the purposes of this paragraph, “front yard” shall mean the portion of the area of the lands marked as “Front Yard Area” on Schedule ‘C’ to this By-law.”

That section (g) be deleted;

That section (h) be deleted and the following substituted in lieu thereof:

“(h) Vehicular access to St. Clair Avenue West shall be restricted to one full turns access point opposite Mould Avenue, one right-out access point opposite Castleton Avenue, and one minor access point between the retail store and the office building. Vehicular access to Runnymede Road consisting of one full turn access point shall be provided and maintained by way of an easement with a minimum width of 6 metres on the abutting lands to the south.”

That section (i) be deleted and the following substituted in lieu thereof:

“(i) For buildings abutting the St. Clair Avenue West right-of-way the primary entrance shall be located within 35 metres of the street;

That section (l)(b) be deleted and the following substituted in lieu thereof:

“(l)(b) the only form of outside storage permitted shall be related to the storage of associated garden centre and yard products and packaged materials, lumber and building supplies;”

That section (l)(d) be deleted and the following substituted in lieu thereof:

“(l)(d) the outdoor storage of lumber and building supplies shall be located within 40 metres of the rear wall of the retail building;”

That section (m) be deleted;

The Humber York Community Council also reports for the information of Council, having:

- (i) requested the Commissioner, Urban Development Services, to include in the report to the June 18, 2002 meeting of City Council:
  - (a) a revised Schedule ‘C’ to the Draft By-law, to reflect minor changes to the squaring of the building area, and to allow for the canopy extension at the rear of the store;
  - (b) limits regarding the height of the building, to be determined in discussions with the local Councillor and Planning staff;



- (c) a requirement that all building materials stored on site, be fully enclosed, exclusive of lumber;
- (ii) been advised that the consultant for this project will be undertaking the study with respect to the Noise Impact Statement referred to in Recommendation (3) above, such document to be available for the City Council meeting on June 18, 2002, if possible;
- (iii) requested the Commissioner, Works and Emergency Services, to report to the Humber York Community Council on:
  - (a) the removal of the bicycle lanes on Runnymede Road between St. Clair Avenue West and Dundas Street West; and
  - (b) an operational review of the traffic lights regarding the feasibility of :
    - an alternate location for the lights;
    - relocating the entrance/exit;
    - prohibitions to restrict northbound through traffic by right and left turns only;
    - installing a concrete triangle or traffic calming measures, as appropriate;

and that the above review be included in the Site Plan, and that the local Councillor meet with staff and the residents to discuss the foregoing.

The Humber York Community Council further reports for the information of Council, having:

- (i) held a statutory public meeting on June 4, 2002 and that notice was given in accordance with the Planning Act; and
- (ii) received the petition submitted by Mr. Jeff Jordan.

**The Humber York Community Council submits the following Final Report (May 17, 2002) from the Director, Community Planning, West District:**

Purpose:

This report reviews and recommends approval of an application to amend the Zoning By-law for a one storey 9 893.22 square metre (106,493.21 square foot) big box home improvement store with a 1 177 square metre (12,670 square foot) garden centre and associated parking area at 2525 to 2535 St. Clair Avenue West.

Financial Implications and Impact Statement:

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

Recommendations:

It is recommended that City Council:

- (1) amend Zoning By-law No. 1-83 for the former City of York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required;
- (3) prior to the introduction of the necessary Bill to City Council for enactment, submit to, and have approved by, the Commissioner of Works and Emergency Services, a Noise Impact Statement in accordance with City Council's requirements for the review and approval of Commissioner of Works and Emergency Services;
- (4) prior to the introduction of the necessary Bill to City Council for enactment, require the applicant to submit to the TTC a cheque for \$75,000.00 for the installation of signal priority technology for the three intersections in the vicinity of the property; and
- (5) require the owner to obtain Site Plan Approval and enter into a Site Plan Agreement or Undertaking with the City under Section 41 of the Planning Act to require the following along with any other matters as the City deems appropriate:
  - (a) Provide space within the development for the construction of any transformer vaults, Hydro and Bell maintenance holes and sewer maintenance holes required in connection with this development;
  - (b) Provide and maintain on site a minimum parking supply of 1 space per 47 square metres for the retail store and 1 space per 93 square metres for the office building, as identified in the Traffic Study prepared by iTRANS Consulting, dated April 2002;
  - (c) Pay all costs associated with the installation of Traffic Control Signals at the westerly site access, opposite Mould Avenue, including a one-time lump sum payment of \$30,000.00 for future maintenance, as determined by the Commissioner of Works and Emergency Services, prior to the issuance of a building permit;
  - (d) Submit to, and have approved by, the Commissioner of Works and Emergency Services prior to the issuance of a building permit, a functional plan of the proposed westerly access to and from St. Clair Avenue West, aligned opposite Mould Avenue;

- (e) Submit a traffic monitoring report within six months of occupancy to identify vehicular trip distribution patterns associated with the retail development and identify mitigating measures to address area residents concerns, if any, regarding traffic infiltration, for the review and approval of the Commissioner of Works and Emergency Services;
- (f) Provide a Letter of Credit in the amount of \$25,000.00 to cover the costs associated with the following measures, as deemed appropriate by the Commissioner of Works and Emergency Services:
  - (i) Implementing neighbourhood traffic calming measures, if any, as identified in Recommendation No. 5(e) above; and
  - (ii) Implementing the signal timing modifications identified in the iTRANS report dated April 2002, which are attributable to this development, if any;
- (g) Convey to the City, at nominal cost, prior to the issuance of a building permit, a 3.44 metre wide strip of land to the full extent of the site abutting the St. Clair Avenue West frontage, such lands to be free and clear of all encumbrances, save and except for utility poles, and subject to a right-of-way for access purposes in favour of the Grantor until such time as said lands have been laid out and dedicated for public highway purposes;
- (h) Grant a permanent, minimum 6 metre wide, easement to the City for the purposes of operating, maintaining and reconstructing the City's existing sewer, located within the property, the easement agreement to contain terms and conditions satisfactory to the Commissioner of Works and Emergency Services together with any others that the City Solicitor considers necessary;
- (i) Submit to the Commissioner of Works and Emergency Services Reference Plan of Survey, in metric units and integrated with the Ontario Co-ordinate System, delineating thereon by separate PARTS the lands to be conveyed to the City, the sewer easement, any rights-of-way appurtenant thereto and the remainder of the site;
- (j) Submit documentation, to the satisfaction of the Commissioner of Works and Emergency Services, with respect to the applicant's right-of-way over the CP Rail lands for the use of the Runnymede Road access;
- (k) Comply with the Loading requirements identified in the York Zoning By-law No. 1-83;
- (l) Submit, prior to the issuance of a building permit, a Material Recovery and Waste Reduction Plan, satisfactory to the Commissioner of Works and Emergency Services;

- (m) Provide, maintain and operate the material recovery and waste reduction measures, facilities and strategies stipulated in the Material Recovery and Waste Reduction Plan approved by the Commissioner of Works and Emergency Services;
- (n) Submit, prior to the issuance of a building permit, a storm water management report addressing both quality and quantity control, including a grading and drainage plan, for the review and approval of the Commissioner of Works and Emergency Services;
- (o) Apply, prior to the issuance of a building permit, to the Commissioner of Works and Emergency Services for revised municipal numbering;
- (p) Submit, prior to the issuance of a building permit, the record of site condition, all environmental site assessment reports and a Statement from a Professional Engineer (sealed and dated), that based on the environmental record of site condition and supporting documents, that:
  - (i) the site is suitable for its intended use; and
  - (ii) based on the above information, it is unlikely that there is any offsite hydrocarbon vapours or contamination on the adjacent rights-of-way that would exceed applicable MOE Guideline objectives or regulations resulting from past land uses;
- (q) Provide, if it is likely that there is contamination, prior to the issuance of a building permit, a certified cheque made out to the City of Toronto in the amount of \$3,000.00 to cover the cost of a peer review of the environmental site assessment reports. Any amount not required for the peer review to be refunded;
- (r) Enter into an agreement with the City prior to the issuance of a building permit, should it be determined that remediation of the adjacent right-of-ways be required, in which the owner or the party responsible for the off-site contamination, commit to carrying out a remedial work plan acceptable to the City;
- (s) Have a qualified architect/acoustical consultant certify, in writing, to the Commissioner of Works and Emergency Services that the development has been designed and constructed in accordance with the Noise Impact Statement approved by the Commissioner of Works and Emergency Services;
- (t) Provide, maintain and operate the noise impact measures, facilities and strategies stipulated in the plan approved by the Commissioner of Works and Emergency Services;

- (u) That a lighting plan be submitted prior to Site Plan Approval. The lighting plan should also include all street lights abutting the site along St. Clair Avenue West and Runnymede Road. On-site lighting be installed, inspected and deemed to be satisfactory by Community Planning staff prior to the issuance of an occupancy permit; and
- (v) Provide for the following:
  - (i) all rooftop mechanical units, flues and vents shall be screened;
  - (ii) landscaped islands planted with trees shall have a minimum width of 1.5 metres to permit healthy tree growth;
  - (iii) a continuous sidewalk with a minimum width of two metres shall abut the St. Clair Avenue West right-of-way where the home improvement abuts the right-of-way;
  - (iv) a continuous sidewalk with a minimum width of 5 metres shall be provided from St. Clair Avenue West to the front entrance of the home improvement store;
  - (v) lighting for all on-site sidewalks shall be provided and maintained at a minimum of 540 Lux;
  - (vi) all sidewalk crossings of driveways shall be distinguished from driving surfaces through raising the height of the sidewalk to curb level and through the use of special pavers, bricks or a scored concrete so as to promote pedestrian safety;
  - (vii) each building shall be provided with a minimum of one bench or picnic table with a minimum length of 1.2 metres and located a maximum of 10 metres from a primary front entrance;
  - (viii) buildings with a wall facing St. Clair Avenue West and with a length greater than 30 metres shall be constructed with recesses and projections and/or changes in texture and building material along at least 20 percent of the length of the façade;
  - (ix) loading areas shall be fully screened from the view of St. Clair Avenue West; and
  - (x) directional signage for entrances, exits, customer pick-up areas, handicapped parking areas, and loading zones shall be provided.

Background:

The application site is part of a property that was previously occupied by a transport business operating as Consolidated Fastfrate Inc. Existing buildings on the entire property between Jane Street and Runnymede Road include a 16 932 square metre (182,261 square foot) one storey rail transfer building located parallel to St. Clair Avenue West and a 1 010 square metre (10,879 square foot) one storey maintenance facility located at the south-east corner of Jane Street and St. Clair Avenue West. The rail transfer facility includes a two storey 3 300 square metre (35,532 square foot) office building at the south-west corner of St. Clair Avenue West and Runnymede Road. The attached one storey warehouse building to the west of the office building has a floor area of 13 631 square metres (146,729 square feet). The warehouse has a covered rail siding that runs the length of the building. The property has vehicular driveways from St. Clair Avenue West and Runnymede Road. The entire property is owned by the Canadian Pacific Railway that operates a rail line and marshalling yard to the south of the subject property.

Comments:

(1) Proposal

The applicant is proposing to retain the existing two storey 3 300 square metre (35,532 square foot) office building at the south-west corner of St. Clair Avenue West and Runnymede Road and to demolish the 13 631 square metre (146,729 square foot) warehouse building. The existing two storey office building would, in part, be occupied with offices for the home improvement company. The portion of the property currently owned by the Canadian Pacific Railway between Mould Avenue and Runnymede Road is subject to the application to amend Zoning By-law No. 1-83 to permit a one storey 9 893 square metre (106,493 square foot) big box home improvement store with a 1 177 square metre (12,670 square foot) garden centre and associated parking area. In addition to this application, the applicant has applied to the Committee of Adjustment to sever and purchase from the Canadian Pacific Railway land holdings, a 36 653 square metre (394,542 square foot) parcel of land on the south side of St. Clair Avenue West between Mould Avenue and Runnymede Road on which the home improvement store will be located.

The store would have its primary entrance facing the main parking lot to the west of the building. This parking lot would have 457 spaces. To the east of the building would be a parking lot with 67 spaces. This parking area would serve both the office building and the home improvement store. In total 457 parking spaces would be provided at a rate of 1 parking space per 28.86 square metres of floor area (this calculation does not include the garden centre). The Zoning By-law standard for an office building and retail store is 1 parking space per 47 square metres.

To the east of the home improvement store and abutting St. Clair Avenue West would be a landscaped area with a 1 177 square metre (12,670 square foot) garden centre located south of the landscaped area. Loading for the home improvement store would be located at the south-east corner of the building. The applicant is proposing to provide two loading spaces (south-east side of the building) and a canopied contractor loading area (south-west side of the building).

The applicant proposes vehicular access to the site via a full turns signalized intersection at Mould Avenue and St. Clair Avenue West, a right-out driveway at the intersection of Castleton Avenue and St. Clair Avenue West, a right-in and right-out driveway at St. Clair Avenue West between the home improvement store and existing office building, and a full turns non-signalized intersection at the location of the existing access from Runnymede Road, approximately 100 metres (328 feet) south of St. Clair Avenue West. The latter access would be located on retained Canadian Pacific Railway lands and an easement in favour of The Building Box would be granted by way of the consent application.

The project information is summarized as follows (see Attachment 4 – Application Data Sheet):

Existing Use:	Vacant industrial buildings and two storey office building
Official Plan:	Employment
Zoning:	SI (Strategic Industrial Employment Zone)
Proposed Severed Lot Area:	36 653 square metres
Gross Floor Area:	13 193.22 square metres with a 1 177 square metre (12,670 square foot) garden centre
Maximum F.S.I.:	Not specified
Proposed F.S.I.:	0.36 (not including the garden centre)
No. of buildings:	2
Proposed Height:	1 storey home improvement store (8.535 metres (28 feet) minimum in height to a maximum of approximately 12.5 metres (41 feet) for the entrance roofline, and the existing 2 storey office building
Maximum Height:	20 metres or 6 storeys whichever is greater
Parking Required:	281 spaces
Parking Proposed:	457 outside surface level spaces

## (2) Site Description

The subject property is located on the south side of St. Clair Avenue West between Mould Avenue and Runnymede Road (see location map on first page). The property has an area of 36 653.75 square metres (394,542.51 square feet), with a lot frontage of 290.05 metres (951.6 feet) on St. Clair Avenue West and 91.45 metres (300 feet) on Runnymede Road.

The surrounding land uses are as follows:

North:	St. Clair Avenue West, beyond which are multiple family residential, single detached residential, commercial and industrial land uses
South:	A Canadian Pacific Railway marshalling yard and mainline railway
East:	Runnymede Road, beyond which are industrial and commercial land uses
West:	vacant industrial buildings owned by the Canadian Pacific Railway

## (3) Official Plan

The Official Plan for the former City of York designates the site “Employment”. This designation permits a wide range of employment uses including major retail activities such as big box commercial uses, therefore an Official Plan Amendment is not required.

The Official Plan for the former Metropolitan Toronto does not have specific policies for this area of the city. St. Clair Avenue West is not designated a “Metropolitan Corridor” and the site is not designated a “Metropolitan Industrial/Employment Area”. Map 6 – Metropolitan Road System designates the section of St. Clair Avenue West abutting the property as a “Metropolitan Arterial Road”. Map 7 – Metropolitan Arterial Roads Rights-of-Way designates the section of St. Clair Avenue West abutting the property as a 27 metre (88.5 foot) wide right-of-way. The applicant has anticipated a 3.44 metre (11.2 foot) wide road widening along St. Clair Avenue West.

(4) Zoning By-law

The site is zoned SI – Strategic Industrial Employment Zone in the former City of York Zoning By-law No. 1-83. This zone is intended to protect the long term viability of large existing industries and provide for new opportunities requiring a large site. Office uses are permitted. Retail uses are permitted where they are accessory to an industrial activity. The proposal requires a rezoning because retail uses not accessory to an industrial use are not permitted in this zone.

(5) Site Plan Control

The application requires site plan approval. The applicant submitted the site plan control application on March 15, 2002.

(6) Reasons for Application

The proposal requires an amendment to the Zoning By-law and site plan approval to permit the requested form of commercial development.

(7) Community Consultation

A Community Consultation meeting was held on Wednesday April 3, 2002 at the David Appleton Centre to invite community comments regarding the application. Approximately 37 members from the community attended. In summary, the following issues and concerns were expressed:

- (a) concerns regarding increased traffic on the residential streets to the north and on St. Clair Avenue West that may result from a large home improvement store;
- (b) existing speeding on local streets and on St. Clair Avenue West;
- (c) the need for traffic calming on the residential streets to the north;
- (d) truck routing for the proposed home improvement store;
- (e) request for landscaping and a higher quality streetscaping along St. Clair Avenue West;
- (f) request to have the building located at the western edge of the property to permit the relocation of the signalized intersection to Castleton Avenue;



- (g) concern about reflective glass on the west side of the home improvement store creating glare for drivers;
- (h) concerns about the provision of an adequate amount of parking;
- (i) concern regard illegal parking on the south side of St. Clair Avenue and on residential streets to the north;
- (j) noise impact from the loading area;
- (k) concern regarding a 24 hour store;
- (l) problems associated with the bicycle lanes on Runnymede Road between Dundas Street West and St. Clair Avenue including confusing line paintings on the pavement resulting in drivers travelling on the cycling lane;
- (m) request for improvements to TTC service in the area;
- (n) request to have the applicant submit a concept plan for the remainder of the Canadian Pacific Railway property to the west of the lot to be severed; and
- (o) request to have the existing litter and debris on the property cleaned up.

All of the issues raised at the Community Meeting were addressed at the meeting or will be discussed in a relevant section of this report.

#### (8) Comments and Correspondence Received on the Application from the Public

In addition to the comments received at the Community Meeting, staff have received several telephone calls on the application indicating support for the development. As a result of this development application, many landowners along St. Clair Avenue West in the vicinity have expressed an interest in redeveloping their property. Some callers have expressed concerns regarding traffic impact. Most of the callers requested that traffic restrictions be imposed to deter cut through traffic on the residential streets to the north. No correspondence from the public has been received regarding the application.

#### (9) Agency Circulation

The application was circulated to all appropriate agencies and City Departments. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

#### (10) Land Use

The Former City of York Official Plan designates the subject property "Employment". This designation permits industrial, design, research, office, business service and major retail activities. The site is large (3.6 hectares (8.8 acres)), is located on a Metropolitan Arterial Road,

is in the vicinity of three other Metropolitan Arterial Roads (Jane Street, Dundas Street and Keele Street), and has a high frequency of TTC buses serving the site (Routes 71 and 79 on Runnymede Road and St. Clair Avenue West, and Routes 30 and 40 on Dundas Street West). The locational attributes of the area for a home improvement store are apparent as 3 stores have already located in this area of the City. A variety of commercial, industrial and residential uses exist on the north side of St. Clair Avenue West and industrial uses exist on the east side of Runnymede Road abutting the property. It is anticipated that the development will provide a catalyst to redevelopment of under utilized properties along St. Clair Avenue West in the vicinity of the property. From a land use planning perspective, the property is well suited for large format commercial development with an associated large parking lot.

Land use compatibility must be achieved with the residential development on the north side of St. Clair Avenue West. An apartment building which is designated "Medium Density Residential" is located on the north side of St. Clair Avenue West directly opposite the proposed home improvement store. There are also three single detached homes facing the property on the north side of St. Clair Avenue West east of Mould Avenue. Furthermore, although the section of St. Clair Avenue West in the former City of York is not designated "Mixed Use", this area along with the former Stockyards area in the former City of Toronto is evolving into a more residential area. As a result, it is recommended that land use compatibility be achieved through a high level of streetscaping along St. Clair Avenue West. Streetscaping is discussed in a following section of this report.

#### (11) Density, Height and Massing

With the addition of The Building Box store the resultant floor space index is 0.36 (not including the garden centre). Both the existing SI zoning and the requested CE zoning do not have density restrictions.

The height of the existing office building is 2 storeys and the proposed store would be one storey with a possible mezzanine. All commercial zones permit a height of 6 storeys or 20 metres (65.6 feet), whichever is greater. The height of the proposed store is 8.535 metres (28 feet) with the entrance being approximately 12.5 metres (41 feet). There are no issues related to the height of the proposed store.

The massing of the proposed store will be addressed at the time of site plan approval. The applicant has indicated an interest in articulating the building along St. Clair Avenue West and elevating the height of the building at the north-west corner to match the height of the entrance. This would assist in visually connecting the entrance to the St. Clair Avenue West streetscape. Planning staff require that the applicant provide a high level of detail on the three exposed elevations (north, west and east) of the proposed home improvement store.

The development would involve large buildings with large flat surface walls constructed with the same building material. In order to achieve attractive architectural design, Planning staff recommend, as a site plan condition, that buildings with a wall facing St. Clair Avenue West and with a length greater than 30 metres (98.6 feet) be constructed with recesses and projections and/or changes in texture and building material along at least 20 percent of the length of the

façade. A site plan condition is also recommended that all roof top mechanical units, flues and vents be screened.

(12) Sun, Shadow and Wind

Residents have expressed concerns regarding glare from the entrance feature creating a hazard for drivers on St. Clair Avenue West. The applicant has indicated that the entrance feature will be constructed with non-reflective glass and will not pose a hazard to drivers. The building elevations will be reviewed at the time of site plan approval.

Due to the low height of the existing building (2 storeys) and the proposed home improvement store (1 storey) these items are not an issue.

(13) Transportation

Map 7 – Metropolitan Arterial Roads Rights-of-Way in the former Metropolitan Toronto Official Plan designates the section of St. Clair Avenue West abutting the property as a 27 metre (88.5 foot) wide right-of-way. In order to accommodate an ultimate right-of-way width of 27 metres for this section of St. Clair Avenue West, a 3.44 metre (11.2 foot) wide strip of land along the full extent of the site abutting the south limit of St. Clair Avenue West must be conveyed, at nominal cost, to the City. The road widening is illustrated on the plans submitted as part of this application, with the proposed home improvement store being positioned with a zero setback from the future road allowance. The applicant has anticipated a 3.44 metre (11.2 foot) wide road widening along St. Clair Avenue West.

The TTC has identified the need to protect for a possible extension of the 512 St. Clair streetcar from Gunns Road, west on St. Clair Avenue West, and south on Runnymede Road to the existing bus loop at Runnymede Road and Dundas Street West. This proposed extension has been identified in various TTC documents throughout the 1990's. The existing 20 metre (65.6 foot) right-of-way along Runnymede Road abutting the property would have to be widened to 30 metres (98.4 feet). Developments in the vicinity of St. Clair Avenue West and Gunns Road have already been required to convey a 5 metre (16.4 foot) wide road widening along both sides of St. Clair Avenue West.

To address this requirement, staff have included a provision in the draft zoning by-law requiring that no development (building or structures) be permitted within 5 metres (16.4 feet) of the Runnymede Road right-of-way.

The TTC is currently having problems with buses manoeuvring through the intersection of St. Clair Avenue West and Runnymede Road. The recent lane reconfiguration to implement bicycle lanes on Runnymede Road has created a problem for buses making the east to south right turn from St. Clair Avenue West to Runnymede Road. Buses either have to mount the curb or encroach into the northbound left turn lane on Runnymede Road. The 3.44 metre (11.2 foot) right-of-way widening along St. Clair Avenue West will permit a curb radius improvement at the south-west corner of St. Clair Avenue West and Runnymede Road to facilitate the bus turn.

Based on delays calculated in the iTRANS Traffic Study dated April 2002 for this development, the TTC has determined that it will be necessary to equip three intersections in the immediate vicinity with signal priority technology in order to maintain existing levels of service to customers on bus routes on the roads adjacent to this site. The applicant will be required to provide cheque in the amount of \$75,000.00 as reimbursement for this capital expense. This will be required prior to the introduction of the necessary Bill to City Council.

Recently bicycle lanes have been established on Runnymede Road between Bloor Street and Runnymede Road. At the Community Consultation Meeting residents indicated that the section between Dundas Street West and St. Clair Avenue West has confusing line paintings on the pavement resulting in drivers travelling on the cycling lane. The local councillor indicated that the Works and Emergency Services Department would be contacted to address this problem.

#### (14) Driveway Access and Site Circulation

As part of the access and circulation plan for the proposed development, the applicant has indicated that a right-of-way has been secured from CP Rail to utilize the Runnymede Road access. The supporting Traffic Impact Study relies on this access to accommodate a significant (294 two-way peak trips in the Saturday peak hour) amount of site generated traffic. If access to Runnymede Road is not secured, all of these trips would need to be reassigned to the St. Clair Avenue West access, which may trigger the need for additional road improvements. The applicant is therefore required to provide documentation identifying the right-of-way granted by CP Rail for use of the Runnymede Road access. The draft zoning by-law includes a provision that vehicular access to Runnymede Road consisting of one full turn access point be provided and maintained by way of an easement with a minimum width of 6 metres (19.6 feet) on the abutting lands to the south.

The Works and Emergency Services Department will provide comments on the St. Clair Avenue West accesses at the time of site plan review. Planning staff recommend that the right-in and right-out driveway between the existing office building and proposed home improvement store be deleted. This will ensure a continuous streetscape treatment along St. Clair Avenue West and an attractive planting area between the two building that is heavily landscaped.

#### (15) Fire Department Access Routes

The Fire Department has requested that the applicant submit mechanical drawings and additional information on the Fire route. Comments will be prepared subsequent to the receipt of this information and will be incorporated into site plan conditions.

#### (16) Traffic Impact Study

A Traffic Impact Study (TIS) for the development was submitted by iTRANS Consulting in March 2002 as a draft, which was subsequently finalized in April 2002 to address preliminary comments provided by the City and area residents. The TIS assesses the impacts of traffic generated by the proposed development on the operations of the abutting road network.

The consultant estimates the retail store building will generate two-way vehicular trips in the order of 549 and 996 vehicle trips in the p.m. and Saturday peak hours, respectively. Taking into account the existing traffic volumes and the pass-by trips attributable to the new development, the total net additional two-way traffic generated by this proposal is estimated to be 439 vehicle trips in the p.m. peak hour and 746 vehicle trips in the Saturday peak hour.

In order to improve traffic operations at the westerly St. Clair Avenue West access, which is aligned opposite Mould Avenue, and to accommodate the traffic generated by this development, the Consultant recommends the installation of traffic control signals (TCS). The applicant undertook a signal warrant analysis for the St. Clair Avenue West/Mould Avenue site access intersection and determined that signals were warranted based on the forecasted delays. The Works and Emergency Services Department finds this to be acceptable.

The applicant will be required to cover all costs associated with installation of traffic control signals at this intersection. In this regard, a functional plan of the proposed signalized intersection must be prepared by the applicant's consultant and submitted to Transportation Services for the preparation of a TCS plan and detailed cost estimates. In addition, a one-time lump sum payment of \$30,000.00 is required to offset the long-term maintenance costs incurred by the City.

As part of the installation of traffic control signals, regulatory changes will be undertaken on St. Clair Avenue West to prohibit, among other things, on-street parking along both sides of St. Clair Avenue West within 30.5 metres (100 feet) of the signalized intersection.

At the community consultation meeting held on Wednesday April 3, 2002, which was attended by staff of Transportation Services, residents expressed concern about the proposed installation of Traffic Control Signals at St. Clair Avenue West and Mould Avenue. It was suggested by residents that the signals be located instead at Castleton Avenue or at a mid-block location between Castleton Avenue and Mould Avenue. The consultant reviewed these alternatives and determined that the most appropriate location for the signals was at Mould Avenue. Transportation Services concurs with this recommendation. However, given the residents concerns regarding potential traffic infiltration due to outbound site traffic utilizing Mould Avenue, it is recommended that the northbound through movement be prohibited at all times commencing with the activation of the signals. There are two northbound exiting lanes from the property at this intersection and the site plan should be modified to show the through lane as a left turn lane.

In addition, the Works and Emergency Services Department requires that a traffic monitoring report be submitted within six months of store opening, identifying the trip distribution and routing generated by the development at the Mould Avenue and St. Clair Avenue West intersection and, if required, recommending possible mitigating measures that could be implemented. In order to secure funding for possible mitigating measures, a Letter of Credit in the amount of \$25,000.00 must be submitted to the City. The funds could be used to finance physical traffic calming measures and changes to regulatory signage.

Costs may also be attributable to the applicant with respect to proposed signal modifications recommended by iTRANS for the St. Clair Avenue West intersections at Jane Street and

Runnymede Road. These costs, if any, will be determined by the Commissioner of Works and Emergency Services following further analysis of the proposed modifications.

(17) Servicing

The applicant has submitted all required servicing plans. Services are currently in place along St. Clair Avenue West and Runnymede Road. It is the policy of City Council to require the infiltration of storm water run-off into the ground for all new buildings, whenever possible. Therefore, storm connections to the City sewer system will only be permitted if it can be demonstrated that infiltrating storm water into the ground is not feasible. The applicant is required to submit a storm water management report identifying the storm water quantity and quality control measures being proposed. The report must include the entire site bounded by Runnymede Avenue on the east and Jane Street on the west.

Servicing will be reviewed at the time of site plan approval.

(18) Solid Waste and Recycling

For the purposes of accessing eligibility for City Garbage and recycling collection, this development is classified as "Large Commercial". Large commercial developments are not eligible for City of Toronto garbage or recycling collection and as such, the owner(s) must arrange for private waste collection.

Garbage and recyclable material generated between collection days must be stored in rodent proof containers on private property. At no time are waste materials to be stored on City property on non-collection days.

The applicant must submit Material Recovery and Waste Reduction Plan, addressing strategies and facilities for material recovery and waste reduction within the development.

(19) Easements

The Works and Emergency Service Department's records indicate that a 114.3 centimetre (45 inch) combined sewer is located in the area of the proposed parking lot west of the proposed home improvement store. They require the applicant to grant the City through either the consent approval or the site plan approval process a minimum 6.0 metre (19.68 foot) wide easement for the purposes of operating, maintaining and reconstructing the City's existing sewer. The applicant will also be required to provide a Reference Plan of Survey delineating the easement. The consent application includes the requested easement in favour of the City.

(20) Economic Impact

Residents have expressed concerns regarding the consumer market not being large enough to support a fourth home improvement store in the area. The applicant has indicated that the market is sufficient to support the store and that competition will result in lower prices. The Economic Development Division have indicated that they have no comments on the application. In

discussions with staff, they have no objection to a significant employment use located on the property.

(21) Open Space/Parkland

Standard comments provided by the Parks and Recreation Division indicate that two percent cash-in-lieu of parkland is required. This would be secured as a condition of consent or site plan approval.

(22) Streetscape

The applicant is proposing that the home improvement store have a 0 setback to the widened St. Clair Avenue West right-of-way and that the parking lot to the west of this building have a setback of 0.185 metre (0.6 foot). In the St. Clair Avenue West right-of-way between the proposed home improvement store and curb edge the applicant proposes a 2 metre (6.56 foot) wide area with unit pavers abutting the north wall of the store, a 1.44 metre (4.72 foot) wide paved area with 9 street trees in pits and the retention of the existing 2 metre (6.56 foot) wide sidewalk. This causes a concern for Planning staff because of the lack of opportunity for suitable streetscaping and the length of potentially unanimated building frontage. This Section has compared this property with other similar developments in the area. They have concluded that the applicant has two different options available to resolve this concern.

The first option involves increasing the setback for the building and parking areas along St. Clair Avenue West to 6.0 metres (19.6 feet) from the established street line, thereby enabling a landscaped area similar to the Canadian Tire (9.0 metres or 29.5 feet) or Home Depot (6.0 metres 19.6 feet) further east along St. Clair Avenue West. This would establish the site as a big box within a landscaped realm, similar to those in the former Stockyards area, and most other suburban locations.

The second option is to leave the building in the location shown by the applicant, and establish a hard surface sidewalk area between the potential curb and building face, and revise the building elevations and internal layout to enable a minimum of 50 percent windows and openings along the entire length of the frontage, similar to the Loblaws on Dundas Street West near Scarlett Road. This building has a variable setback which ranges from 2.4 metres (7.8 feet) to 3.2 metres (10.4 feet) because of the building articulation. To use this model would establish the site as an urban, main street area similar to existing parts of St. Clair Avenue West and Dundas Street West in the same community.

The applicant has indicated that some form of glazing along St. Clair Avenue West is possible but not 50 percent. Staff recommend that a minimum of 20 percent of the exterior façade of any wall abutting the St. Clair Avenue West right-of-way be constructed using glass materials. The glass is to be non-reflective and provide a clear view into active commercial space.

In either option, Planning staff suggest that the main entrance which the applicant proposes to locate approximately 28 metres (91.8 feet) south of the widened St. Clair Avenue West right-of-way should be at the northwest corner of the building or as an alternative it should be moved closer to St. Clair Avenue West and a canopy and pedestrian area between the entry and the street should be provided.

The applicant has not provided a floor plan for the proposed home improvement store. It is common for home improvement stores to partner with a restaurant to provide food services in the store. In order to animate St. Clair Avenue West, staff recommend that a restaurant use be located along St. Clair Avenue West and that an entrance be located along St. Clair Avenue West. It is also encouraged that an outdoor seating area be provided along the street. The applicant has indicated that the proposed store is not likely to have food services.

The applicant also proposes to vary the roof line and provide material display panels and wall graphic/photos/signage panels along St. Clair Avenue West and the west wall of the home improvement store to provide a more interesting streetscape and front face of the store. The Building Division may interpret this display area to be signage and a sign variance may be required. These factors, along with articulating the north wall and varying the wall construction material will assist in creating an interesting streetscape along St. Clair Avenue West. In addition, because there is no setback of the front building wall, encroachment approvals and agreements may be required for wall signage or poster panelling.

With respect to the streetscape along the existing office building and St. Clair Avenue West and Runnymede Road, the applicant proposes no changes. The parking area to the south of the existing office building would have a setback of 1.57 metres (5.1 feet) to Runnymede Road.

Planning staff require that the site plan incorporate all TTC stops/shelters, hydro vaults, telephone booths and any other service functions. The site plan should also clearly show all building doors.

#### (23) Submission of a Concept Plan for the Lands to the West

Both Planning staff and speakers at the Community Consultation meeting have requested that the applicant provide a concept plan for the remainder of the property along St. Clair Avenue West extending from the west limit of the proposed severed lot to Jane Street. Issues have been raised such as site access, landscaping between the properties to break up a possible large expanse of parking and animation of St. Clair Avenue West. It is recommended that the applicant provide the concept plan prior to the approval of the site plan application.

#### (24) Committee of Adjustment Consent Application

The applicant has applied on behalf of the owner, the Canadian Pacific Railway to sever the property. The application (File No. B43/02 HY) will be reviewed at the June 11, 2002 Humber York Committee of Adjustment meeting. The applicant is proposing to establish a right-of-way in favour of the severed property on the retained Canadian Pacific Railway lands at the south-east corner of the site. This would permit vehicular access to Runnymede Road for the proposed development. On the proposed severed lot, the applicant is proposing a sewer easement varying in width from 6 metres (19.6 feet) to 6.35 metres (20.8 feet) across the parking lot to the west of the proposed home improvement store in favour of the City of Toronto. In addition, the applicant is proposing an easement varying in width from 12.8 metres (42 feet) to 13.56 metres (44.48 feet) along the western boundary of the proposed retained lot in favour of the Canadian Pacific Railway. This latter easement would provide access to the Canadian Pacific Railway yard via the proposed main driveway extending from the Mould Avenue and St. Clair Avenue West



intersection to the south limit of the proposed severed lot. The easement is proposed to be encumbered by curbs, landscaped islands with trees and parking spaces. This issue will be addressed in the consent application staff report.

(25) Demolition of the Existing Warehouse Building

The applicant has submitted an application for a demolition permit. Demolition of the building is proposed for summer 2002. Staff will be submitting a report to the Humber York Community Council for demolition approval.

(26) Environment

This project is on a former industrial site and, as such, the applicant will be required to submit a record of site condition, all environmental site assessment reports and a Statement from a Professional Engineer (sealed and dated), that based on the environmental record of site condition and the supporting documents:

- (i) the site is suitable for its intended use; and
- (ii) that it is unlikely there is any offsite hydrocarbon vapours or contamination on the adjacent right-of-ways, including the lands to be conveyed, that would exceed applicable MOE Guideline objectives or regulations resulting from past land uses;

Should it be determined that remediation of the adjacent right-of-ways be required, the owner must enter into an agreement with the City in which the owner, or the party responsible for the off-site contamination, commit to carrying out a remedial work plan acceptable to the City.

The applicant has not submitted a record of site condition. A provision in the Zoning By-law will require submission of the record of site condition prior to Building Permit issuance. Other requirements relating to soil remediation will be addressed in the site plan approval process.

(27) Parking

The applicant is proposing to provide 457 parking spaces which results in a parking rate of 1 space per 28.86 square metres of gross floor area (not including the garden centre). The former City of York parking standard for both a retail establishment and an office building is 1 space per 47 square metres, therefore 281 parking spaces are required (not including the garden centre). If the garden centre is roofed and enclosed it may be subject to parking requirements. A total of 25 parking spaces would be required for the garden centre. The applicant has not provided a floor plan for the building or garden centre therefore a determination of whether the garden centre is to be calculated for the required parking could not be made. The applicant is proposing to provide a surplus of 176 parking spaces. It is anticipated that the parking provided will be reduced by the following:

- (a) a 5 metre (16.4 foot) wide no build area along Runnymede Road to protect for a widening along this street for municipal purposes will result in a reduction of 8 spaces; and

- (b) possibly a minimum of 32 parking spaces along St. Clair Avenue West in order to achieve a 1.5 metre (4.9 foot) setback from the widened right-of-way.

In total the parking could be reduced from 457 spaces to 417 spaces which would still result a parking surplus of approximately 136 spaces.

The iTRANS Traffic Study indicates that based on their experience and a comparison of similar developments, the Zoning By-law requirement of 1 space per 47 square metres home improvement store (retail building for building materials) is low and that a more appropriate rate of 1 space per 28 square metres should be applied. Based on this parking requirement, the retail use would require a parking supply of 353 spaces (not including the garden centre), resulting in a total on-site parking requirement for the retail and office buildings of 423 spaces (not including the garden centre). The amount and location of parking supply will be determined at the time of site plan approval.

#### (28) Bicycle Parking Standards

The applicant has indicated bicycle parking areas on the site plan. The site abuts the Runnymede Road bicycle lanes. The City of Toronto Cycling Master Plan anticipates on street bicycle lanes on sections of Dundas Street West, Scarlett Road and Annette Street in the vicinity of the proposed The Building Box. Due to the large size of the development (13 193 square metres or 142,015 square feet) and the proximity of residential areas to the north, east and south, there is a high potential for staff and customers to travel to the property by bicycle. Staff recommend that bicycle parking standards of the former City of Toronto be incorporated into the draft Zoning By-law for the subject property. The standards are:

- (i) 1 bicycle parking space for every 1 250 square metres of gross leasable commercial floor area and with each building being provided with the required bicycle parking within 30 metres of a primary front entrance to the building;
- (ii) a bicycle parking space is an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles, and:
  - (a) where bicycles are parked on a horizontal surface, has horizontal dimensions of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres;
  - (b) where bicycles are parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.9 metres; and
- (iii) all bicycle parking spaces shall be provided and maintained a highly visible weather protected area.

The above noted provisions would result in the following minimum amount of bicycle parking being provided on the site:

- (1) The Building Box (not including the garden centre) – eight bicycle parking spaces; and
- (2) existing Office Building – three bicycle parking spaces.

The applicant is proposing 4 weather protected bicycle racks within 20 metres (65.6 feet) of the main entrance of the proposed home improvement store and 4 non-weather protected bicycle racks within approximately 45 metres (147 feet) of the main entrance of the existing office building. Staff will require that the bicycle parking for the existing office building be relocated closer to the building entrance and in a weather protected area.

It is suggested that The Building Box provide an employee change room and showers. The amount and location of bicycle parking will be addressed at the time of site plan review.

#### (29) Loading Spaces

The site plan shows two large loading areas measuring approximately 3.5 metres (11.4 feet) by 17 metres (55.7 feet) in addition to a compactor for recyclable collection, which is located adjacent to the loading areas at the southeast corner of the proposed home improvement store. No loading area is shown for the existing office building. Zoning By-law No. 1-83 requires three loading spaces (not including the garden centre). The applicant is required to comply with the Zoning By-law requirements with respect to loading or provide documentation to identify the adequacy of the proposed loading bays to service the site.

The applicant is proposing a contractor's loading area at the southwest corner of the store which may function more as a parking area and may be interpreted by the Building Division to be parking spaces.

The large loading spaces for The Building Box are on the southeast side of the building and are not visible from St. Clair Avenue West. Loading issues will be addressed at the time of site plan review.

#### (30) Outside Storage

The applicant has shown a 1 177 square metre (12,670 square foot) garden centre abutting the northeast wall of the proposed home improvement store. This paved area is separated from the widened St. Clair Avenue West right-of-way by a 2.97 metre (9.7 foot) wide landscaped area. It is anticipated that a home improvement store would have a lumber yard. However Planning staff recommend that lumber and building material products be stored indoors or in covered areas. The current SI zone does not permit outdoor storage within a front yard and requires that where outdoor storage areas are adjacent to a public street that they be screened by fencing, walls and/or landscape treatments of sufficient height to screen the storage area from view by a person standing at grade at those locations.

Staff recommend provisions in the Zoning By-law to ensure that the outdoor storage areas are screened from St. Clair Avenue West and Runnymede Road, that the storage area be a minimum of 14 metres (45.9 feet) from the St. Clair Avenue West right-of-way and that material storage be restricted in height. The proposed by-law contains a provision limiting outdoor storage to associated garden centre materials and packaged products.

(31) Shopping Cart Storage Area

The applicant has not shown a shopping cart storage area in the parking lot, therefore it is anticipated that all carts will be stored in the store. If the outside storage of carts is requested, the site plan should show the area and the amount of parking spaces be further reduced.

(32) Landscape Plan

Overall, the landscape plan submitted by the applicant is not satisfactory to Planning staff and the Forestry Section. There is a significant amount of existing landscaping between the existing office building and St. Clair Avenue West and Runnymede Road. Planning staff require that all existing significant vegetation be shown on the landscape plan, with an indication of whether it is to be retained or removed. A tree preservation plan is also required.

Urban Design guidelines for large parking lots associated with big box development lots suggest 1 tree for every 5 parking spaces. This guideline does not include required street trees. The guidelines also suggest that no parking stall be located further than 30 metres (98.4 feet) from a shade tree. The applicant proposes 457 parking spaces. Applying the guideline would require 91 trees to be planted on-site. The applicant proposes 42 trees on the lands to be severed. The applicant proposes 18 street trees along St. Clair Avenue West. These trees cannot be included for the required amount of on-site trees.

The distribution of the trees is not acceptable as there are parking spaces more than 45 metres (147.6 feet) from a shade tree.

The proposed 9 street trees planted in pits between the home improvement store and the existing sidewalk along St. Clair Avenue West are planted a minimum of 7 metres (23 feet) on centre. Trees in pits do not grow to the same size as trees planted in sodded areas. Additional trees could be planted in this area. The applicant proposes 9 street trees between the parking lot (west of the home improvement store) and St. Clair Avenue West. The Forestry Section recommends that the number of street trees in this area be increased to 10. Planning staff recommend a wider landscape area between the parking lot and St. Clair Avenue West which would provide an opportunity for a double row of trees consisting of street trees and trees on the property.

Planning staff recommend additional landscape areas to break up the parking lot, to provide a landscape buffer between the garden centre and St. Clair Avenue West, and to provide a continuous landscape area between the existing office building and the proposed home improvement centre. The proposed right-in and right-out driveway between the existing office building and the proposed home improvement store should be removed. The landscaping in this area should be increased to screen outdoor storage and parking areas. The applicant should provide trees and streetscaping details along the sidewalk abutting the west wall of the proposed home improvement store.

The parking lot abutting St. Clair Avenue West and Runnymede Road should meet the standards set out in the Urban Design Handbook which include a 1.5 metre (4.9 foot) minimum setback from property lines. The applicant is proposing a 0.185 metre (0.6 foot) setback for the parking lot to the west of the home improvement store. Parking spaces in this area will either have to be

shifted south or reduced in size to the minimum stall dimensions specified in the Zoning By-law or eliminated in order to meet this requirement.

If shared parking is not anticipated with the Canadian Pacific Railway property to the west, a 3.0 metre (9.8 foot) wide landscaped strip will be required along the proposed westerly property line. Planning staff require the applicant to indicate the location of an outdoor employee eating area on the landscape plan.

A revised landscape plan is required and will be reviewed at the site plan review stage. In addition to a landscaping letter of credit, the Forestry Section requires a City tree planting guarantee in the amount of \$11,000.00 plus an inspection fee of \$50.00.

### (33) On-site Pedestrian Circulation

Several improvements to on-site pedestrian circulation are required. Planning staff require that where walkways cross drive aisles throughout the site they are to be constructed in a material other than asphalt in order to reinforce and clarify the pedestrian movement patterns on site. The proposed painted lines which define the sidewalk along the west side of the home improvement store should be replaced by concrete curbs and planting in accordance with the City of Toronto Streetscape Manual in order to define the parking areas and allow for a protected area for pedestrians to pause before they cross the main vehicular drives.

The applicant has shown a weather protected walkway with a minimum width of 3 metres (9.8 feet) along the west wall of the home improvement store between the building entrance and the south-west corner of the store. Planning staff recommend that the weather protected walkway extend north of the main entrance to the north-west corner of the building abutting the widened St. Clair Avenue West right-of-way.

### (34) Lighting

Neither the site plan or the landscape plan indicate the proposed lighting on the buildings, walkway lighting and parking lot lighting. Pedestrian safety and security is a major concern. Lighting is an important component in crime prevention through environmental design. Planning staff recommend that a lighting plan be submitted prior to Site Plan Approval. The lighting plan should also include all street lights abutting the site along St. Clair Avenue West and Runnymede Road. Staff also recommend that prior to the issuance of an occupancy permit that on-site lighting be installed, inspected and be deemed to be satisfactory by Community Planning staff.

### (35) Fencing

The applicant has not shown fencing between the Canadian Pacific Railway yard and the lands to be severed. To discourage trespassing, staff recommend that a chain link fence with a minimum height of 1.83 metres (6 feet) be located at the west and south limit of the lands to be severed. The consent application includes an easement in favour of the Canadian Pacific Railway over the proposed north-south driveway abutting the west limit of the proposed severed lot. If access to the CP railway yard is to be granted, a gate at south-west corner of the retained lot is recommended. It is noted that the required noise study (discussed in the next section of the

report) addressing the Canadian Pacific Railway mainline may require an acoustical wall along the south limit of the lot to be severed. Fencing shall be addressed during site plan review.

(36) Railway Noise and Vibration

The Canadian Pacific Railway has indicated that they have no comments on this application. The Works and Emergency Services Department require conditions of approval related to rail noise and vibration. This Department requires that prior to the introduction of the necessary Bills to City Council for enactment, the applicant submit to, and have approved by, the Commissioner of Works and Emergency Services, a Noise Impact Statement in accordance with City Council's requirements for the review and approval of Commissioner of Works and Emergency Services. Site plan conditions of approval will require the following:

- (i) that a qualified architect/acoustical consultant certify, in writing, to the Commissioner of Works and Emergency Services that the development has been designed and constructed in accordance with the Noise Impact Statement approved by the Commissioner of Works and Emergency Services; and
- (ii) that the applicant provide, maintain and operate the noise impact measures, facilities and strategies stipulated in the plan approved by the Commissioner of Works and Emergency Services.

Conclusions:

The application has undergone a full circulation and community consultation, where no objections were filed regarding the proposal. The proposal respects the general intent of both the Official Plan and the performance standards of Zoning By-law No. 1-83. The application is recommended for approval subject to the fulfilment of the conditions of approval. The draft Zoning By-law appended as Attachment 6 to permit the development is also recommended for approval. Site plan approval requirements have also been identified.

Contact:

Al Rezoski, Senior Planner, Community Planning, West District  
Tel: (416) 394-2615; Fax: (416) 394-2782; E-mail: arezosk@city.toronto.on.ca

(The Attachments 1 to 6 referred to in the foregoing report were forwarded to all Members of the Humber York Community Council with the agenda for its meeting on June 4, 2002, and copies are on file in the office of the City Clerk, York Civic Centre.)

The Humber York Community Council also had before it during consideration of this proposal, a petition submitted by Mr. Jeff Jordan and signed by approximately 95 residents on Mould Avenue, expressing approval of the project, but disapproval of the proposed main entrance/exit.

The following persons appeared before the Community Council in connection with the foregoing matter:

- Mr. Jeff Jordan, Toronto – commented on the following proposals as stated in the petition:
  - that the entrance/exit directly between Mould Avenue and Castleton Avenue where an existing entrance/exit is located, be retained; that there be no direct traffic from the Building Box through the residential streets; that Building Box customers be forced to turn east or west only onto St. Clair Avenue West, as there will be no direct northbound route; motorists will not be invited to find a shortcut through the neighbourhood streets and will not turn onto unknown streets to find a new route; these proposals should maintain the current level of traffic which will preserve the area residents safety as it stands now; any increase in traffic volumes in the neighbourhood will be lessened if Building Box utilizes the existing entrance/exit; a lesser volume of non-resident drivers will be taking shortcuts through our neighbour; commercial vehicles will stay on the main routes rather than use unfamiliar residential streets; and that will be no increase in costs due to the need of traffic calming measures (signage, speed bumps, possible one-way street designation).
- Ms. Linda Kroboth, Toronto – also lives on Mould Avenue and advised that many residents have expressed concern regarding the increase in traffic into the neighbourhood, specifically on Mould Avenue; the majority of children live in closer proximity to the development; there is a safety factor regarding trucks loaded with lumber or building products accelerating through the amber light; at the bottom of the street there is a laneway used to access the rear of properties and to get onto to St. Clair Avenue West, and other streets east and westerly; this means traffic from both directions; also concerned that impatient motorists will use Mould Avenue as a shortcut to Corbett Avenue and Rockcliffe Boulevard; heavy vehicles exiting Highway 400 and Black Creek Drive with a lot of material will use the laneway and residential streets; and the right and left hand turns only should be introduced as a safety measure.
- Mr. Gregory Priamo, Principal Planner, Zelinka Priamo Ltd. – commented on the application and on the efforts to address the concerns of the residents.
- Mr. David Argue, iTrans Consulting Inc., Transportation Planning and Traffic Consultants.

Attachment 6 - Draft Zoning By-law

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

Enacted by Council:

CITY OF TORONTO

Bill No.

BY-LAW No. - 2002

To amend former City of York By-law No.1-83 in respect of lands on the south-west corner of St. Clair Avenue West and Runnymede Road

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law, and whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act.

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

SECTION 6 AMENDED

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

“(69) MAP 18

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

SECTION 16 AMENDED

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

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

Notwithstanding any provisions of Section 13 and any other provisions of this By-law, the lands municipally known as 2525 to 2535 St. Clair Avenue West, more particularly described in Schedule “A” to this Subsection and shown on the plans attached as



Schedule “B” and Schedule “C” hereto, (hereinafter referred to as “the Lands”) may be used for one or more of the following purposes:

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

subject to the following provisions:

- (a) The buildings excluding exits, shall be located within the area shown on the Site Plan attached as Schedule “C” to this By-law. The minimum setbacks to the building shall be those shown on the site plan and the setback shall include any lands conveyed to the City for municipal purposes.
- (b) The maximum height of the buildings shall be two storeys and 12 metres, exclusive of mechanical floors, walls or structures to screen mechanical equipment, roof stairwell enclosures, parapet walls, and the basement floor.
- (c) Canopies, awnings and roof overhangs may extend into the front yard and into the minimum setback area of a building a maximum of 3.0 metres but any projecting part of a building shall not:
  - (i) encroach onto lands conveyed to or granted as an easement to the City for municipal purposes; or
  - (ii) interfere with the use of a driveway required for access to a parking or loading area.
- (d) The maximum total gross floor area for all permitted principal uses shall be 13 200 square metres, the maximum gross floor area of a garden centre component shall be 1 200 square metres, and the maximum gross floor area for accessory buildings shall be 70 square metres.
- (e) Off-street parking shall be provided and maintained for commercial uses at a minimum rate of 1 parking space for each 47 square metres of gross floor area.
- (f) Off-street parking shall not encroach into the front yard and shall be located no closer than 1.5 metres from the St. Clair Avenue Road right-of-way. For the purposes of this paragraph, “front yard” shall mean the portion of the area of the lands marked as “Front Yard Area” on Schedule ‘C’ to this By-law.
- (g) The Chief Building Official for the City or his designate, prior to the issuance of any building permit for the development shall be provided with a completed “Record of Site Condition” pursuant to the Ministry of the Environment “Guideline for Use at Contaminated Sites in Ontario, February 1997”, as amended or updated, marked as having been received by the Ministry of Environment along

with a letter from the Ministry of Environment advising that the Record of Site Condition is not subject to an audit review; or, alternatively, a letter from the Ministry of Environment advising that the Record of Site Condition has passed a Ministry audit for compliance with the Guideline; and the suitable use or uses for the lands set out in Part 3 of the “Record of Site Condition” is consistent with the uses for the lands permitted by this Subsection.

- (h) Vehicular access to St. Clair Avenue West shall be restricted to one full turns access point opposite Mould Avenue, and one right-out access point opposite Castleton Avenue. Vehicular access to Runnymede Road consisting of one full turn access point shall be provided and maintained by way of an easement with a minimum width of 6 metres on the abutting lands to the south.
- (i) For buildings abutting the St. Clair Avenue West right-of-way, the following provisions shall apply:
  - (i) the primary entrance shall be located within 33 metres of the street; and
  - (ii) a minimum of 20 percent of the exterior façade of any wall abutting the St. Clair Avenue West right-of-way shall be constructed using glass materials. The glass shall be non-reflective and provide a clear view into active commercial space.
- (j) All rooftop mechanical units, flues and vents shall be screened.
- (k) Bicycle parking spaces shall be provided and maintained in accordance with the following minimum standards:
  - (1) 1 bicycle parking space for every 1 250 square metres of gross leasable commercial floor area and with each building being provided with the required bicycle parking within 30 metres of a primary front entrance to the building;
  - (2) a bicycle parking space is an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles, and:
    - (a) where bicycles are parked on a horizontal surface, such space has horizontal dimensions of at least 0.6 metres wide by 1.8 metres long and a vertical dimension of at least 1.9 metres high; and
    - (b) where bicycles are parked in a vertical position, such space has horizontal dimensions of at least 0.6 metres wide by 1.2 metres long and a vertical dimension of at least 1.9 metres high; and
  - (3) all bicycle parking spaces shall be provided and maintained a highly visible weather protected area.

- (l) Outdoor storage and display is permitted, subject to the following provisions:
- (a) no outdoor storage shall be located within 2 metres of the St. Clair Avenue West or Runnymede Road right-of-ways;
  - (b) the only form of outside storage permitted shall be related to the storage of associated garden centre products and packaged materials;
  - (c) outdoor storage shall be screened by fencing, walls and/or landscape treatments with a minimum height of 3.7 metres in order to screen the storage area from view by a person standing at grade at those locations;
  - (d) outdoor storage shall not exceed a height of 3.7 metres.
- (m) No buildings or structures, or outdoor storage and display shall be permitted within 5 metres of the Runnymede Road right-of-way.
- (n) On site landscaping shall include the provision and maintenance of trees planting at a minimum rate of 1 tree for every 5 parking spaces shall be provided on site.
- (o) All other provisions of this By-law shall continue to apply except in the case where provisions of this Subsection are in conflict in which case the provisions of this Subsection shall prevail.

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

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

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

ENACTED AND PASSED this     day of     A.D. 2002.

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Deputy Mayor

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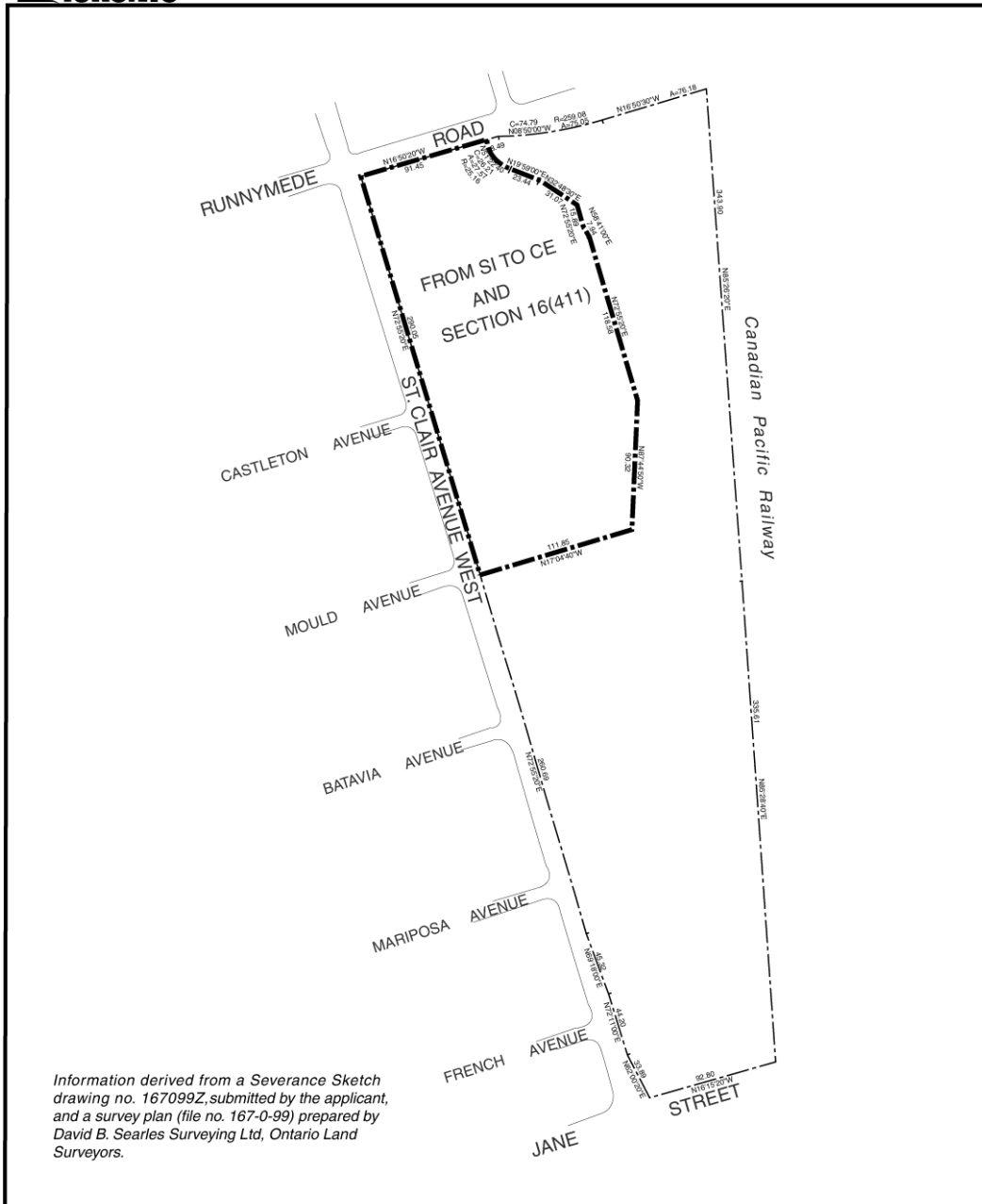
City Clerk

SCHEDULE “A” to BY-LAW No.  
and to Section 6(69) and Section 16(411) of ZONING BY-LAW 1-83

SCHEDULE “A”



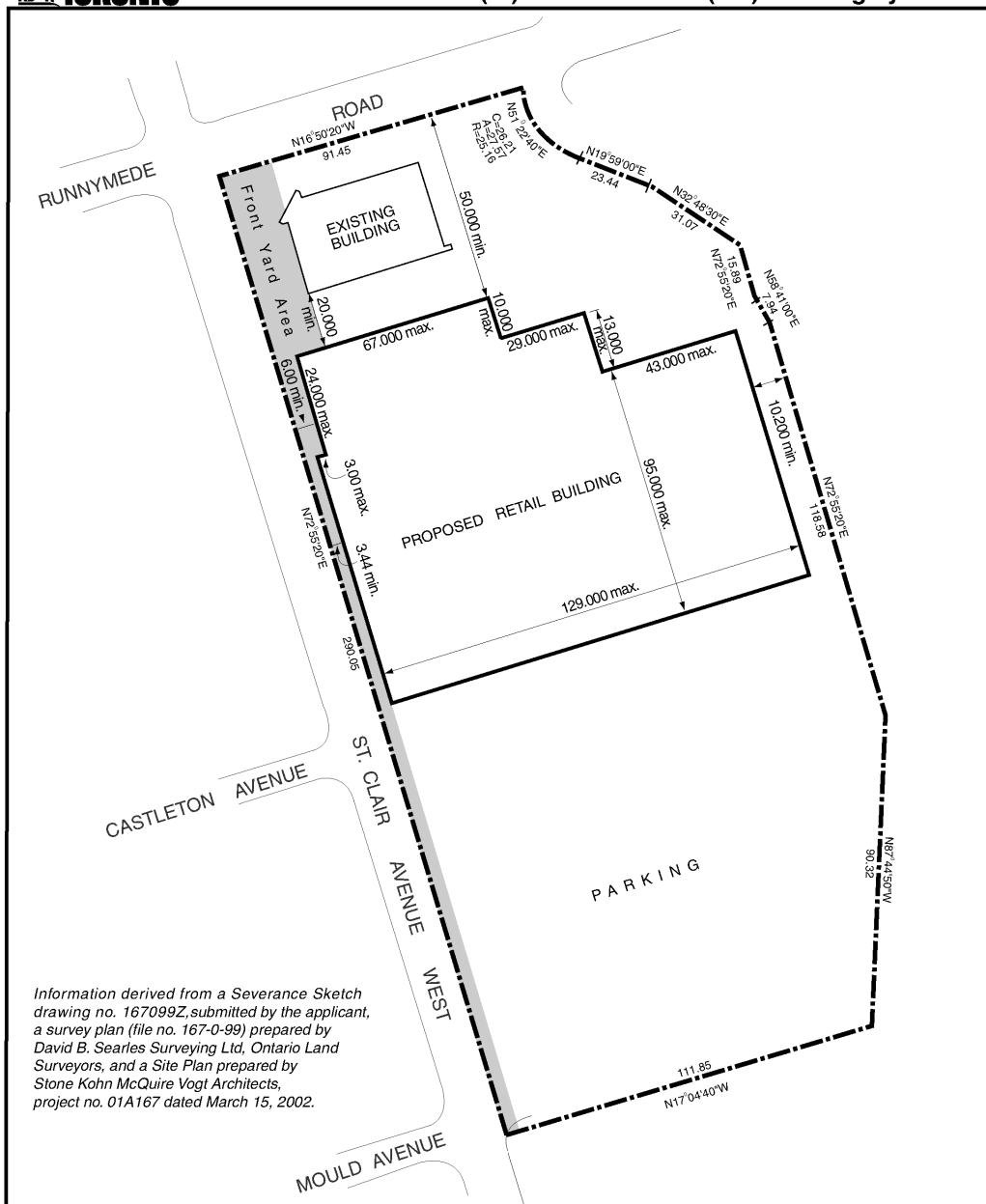
**Schedule 'B' to By-Law Number \_\_\_\_\_**  
**Section 6(69) and to Section 16(411) of Zoning By-Law 1-83**



Applicant's Name: <b>ZELINKA PRIAMO ( 2525-2535 ST. CLAIR AVENUE WEST )</b>							
Assessment Map:		Zoning Code Map/s Not Applicable		Not to Scale		 NORTH	
File No. TC ZBL 2002 0008c TC SPC 2002 0006c	Drawing No. TC ZBL 2002 0008d TC SPC 2002 0006d	Date: 05/14/02					



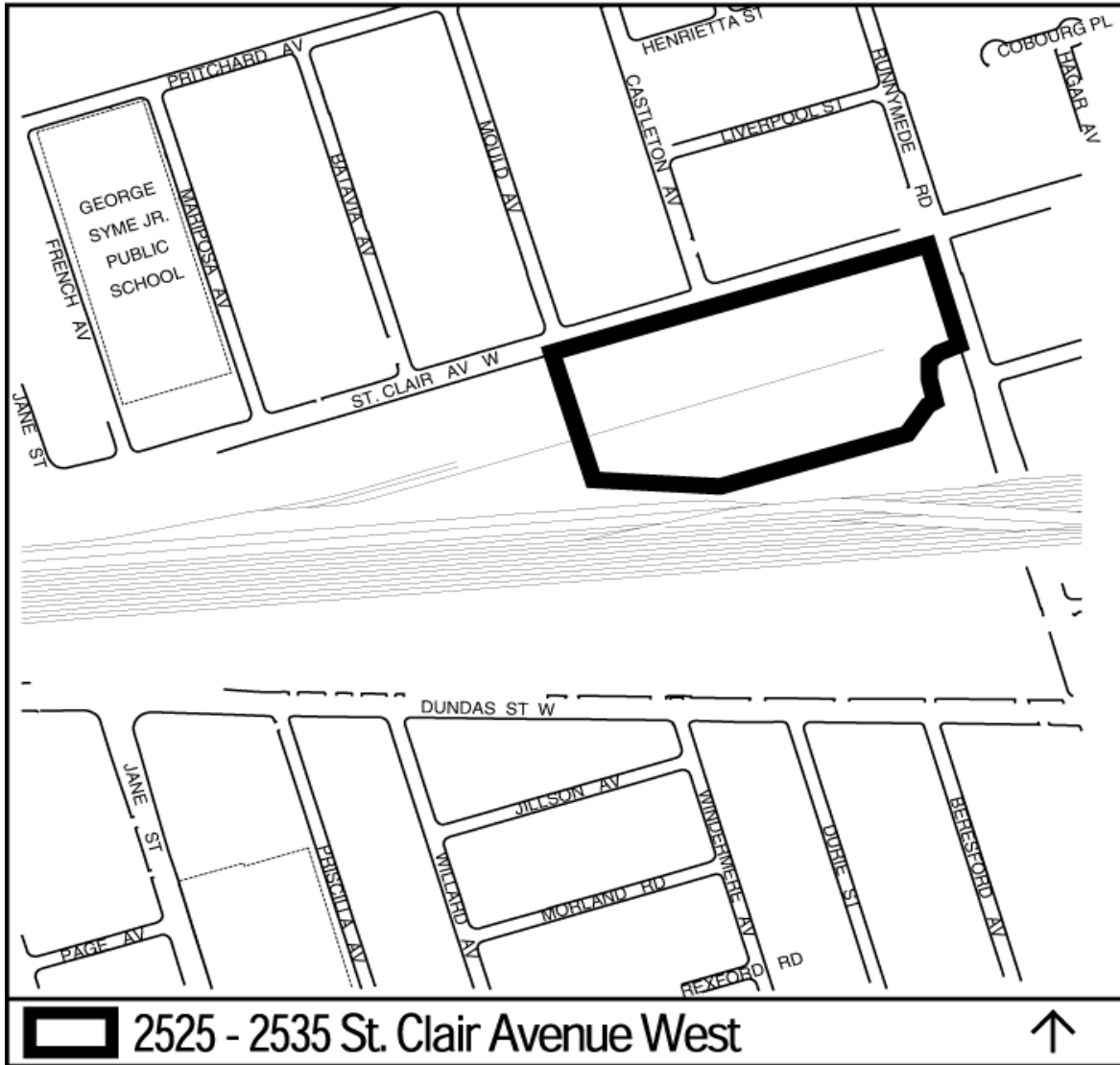
**Schedule 'C' to By-Law Number \_\_\_\_\_**  
**Section 6(69) and to Section 16(411) of Zoning By-Law 1-83**



Applicant's Name: <b>ZELINKA PRIAMO ( 2525-2535 ST. CLAIR AVENUE WEST )</b>			
Assessment Map:	Zoning Code Map/s	Not Applicable	
File No. TC ZBL 2002 0008c TC SPC 2002 0006c	Drawing No. TC ZBL 2002 0008c TC SPC 2002 0006c	Date: 05/14/02	Not to Scale



### Site Location Map



*(City Council on June 18, 19 and 20, 2002, had before it, during consideration of the foregoing Clause, the following report (June 14, 2002) from the Commissioner of Urban Development Services:*

*Purpose:*

*To report on additional matters as directed by the Humber York Community Council regarding a proposal to amend the Zoning By-law No. 1-83 of the former City of York to permit a one storey 9 893 square metre (106,493 square foot) big box home improvement store with a 1 177 square metre (12,670 square foot) garden centre and associated parking area.*

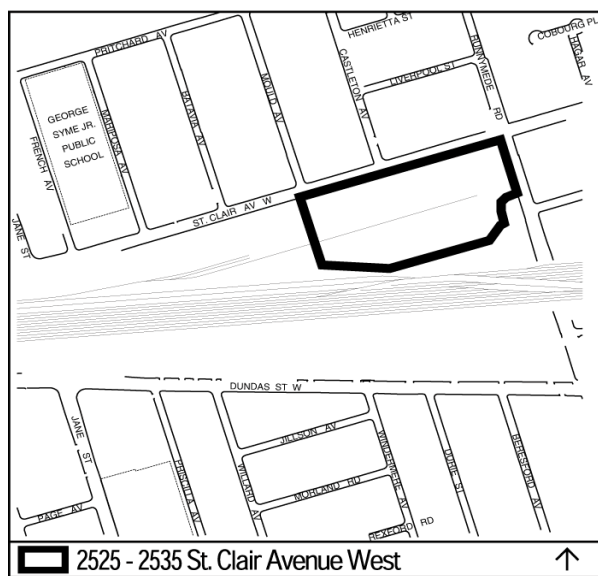
*Financial Implications and Impact Statement:*

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

*Recommendations:*

*It is recommended that:*

- (1) The recommendations contained in the final report dated May 17, 2002 be modified as follows:*



- (a) That recommendation (4) be deleted and the following substituted in lieu thereof:*
  - “(4) prior to the introduction of the necessary Bill to City Council for enactment, The Building Box (Reno Depot Inc.) shall provide an undertaking satisfactory to the Director of Community Planning which indicates that prior to site plan approval The Building Box (Reno Depot Inc.):*

- (i) *agrees to provide the City of Toronto with an irrevocable Letter of Credit for \$50,000 for the purchase and installation of signal priority technology for transit vehicles at two intersections in the vicinity of the proposed development, on the understanding that the Letter of Credit cannot be drawn upon until the building permit has been issued;*
  - (ii) *agrees that signal priority technology for transit vehicles will be incorporated in the design of the new traffic control signals proposed at the entrance to the development at the intersection of St. Clair Avenue West and Mould Avenue and that all costs associated with the purchase and installation of this signal priority technology for transit vehicles, to a maximum of \$25,000., will be borne by The Building Box (Reno Depot Inc.); and*
  - (iii) *agrees that the Letter of Credit will be provided to the City of Toronto for a period not to exceed 90 days subsequent to the opening of The Building Box (Reno Depot Inc.) retail store at the subject site. If the signal priority equipment is not installed and operational at the two intersections in the vicinity of the proposed new development within that time period, then the Letter of Credit will be returned to The Building Box (Reno Depot Inc.).”*
- (b) *That recommendation (5) of the final report dated May 17, 2002 be modified as follows:*
  - (i) *Recommendation (5)(f):*

*that this recommendation be deleted and the following substituted in lieu thereof:*

*“(5)(f) Provide a Letter of Credit to be held for one year from the occupancy of the home improvement store in the amount of \$25,000.00 to cover the costs associated with the following measures, as deemed appropriate by the Commissioner of Works and Emergency Services:*

    - (i) *Implementing neighbourhood traffic calming measures, if any, as identified in Recommendation No. 5(e) above,*
    - (ii) *Implementing the signal timing modifications identified in the iTRANS report dated April 2002, which are attributable to this development, if any;”*



(ii) *Recommendation (5)(p):*

*that this recommendation be deleted and the following substituted in lieu thereof:*

*“(5)(p)(1) The proponent must submit all environmental information related to on-site contamination, off-site contamination/impact or lands to be dedicated to the City for road or parkland purposes to the Works and Emergency Services Department for the peer review process. Please note that the cost of the peer review will be borne by the developer.*

*(2) If the proposal involves lands to be dedicated to the City for road or parkland purposes, the lands must meet Ministry of the Environment (MOE) soil and groundwater criteria listed in the current MOE Guidelines. Where different land uses occur on opposite sides of a road, the more stringent criteria must be met. The City will not accept ownership of any parcel of land where contamination exceeds criteria listed in the current MOE Guidelines.*

*(3) If migration of contaminants from the site is indicated during the environmental site assessment, and the migration affects City property and/or utilities, the proponent or the polluter is required to address the issue by either:*

*(a) Cleaning up the affected area to meet MOE soil and groundwater criteria listed in the current MOE Guidelines, or*

*(b) Ensuring that the contamination, if left at the affected area, will not have a negative impact on the proposed development or the affected off-site area. If the City’s peer reviewer concurs with the proponent’s consultant that contamination may be left at the affected area, the proponent or the polluter shall sign an indemnity agreement with the City.*

(4) *All correspondence from the proponent's consultant(s) to the City must state that the City and its peer reviewer can rely on the information. The proponent should contact Works staff to clarify submission requirements, costs and timeframe associated with the review, and the clearance process."*

(iii) *Recommendation (5)(v)(iii):*

*that this recommendation be deleted and the following substituted in lieu thereof:*

*"(5)(v)(iii) a continuous sidewalk with a minimum width of 3.4 metres shall be located within the St. Clair Avenue West right-of-way where the home improvement store abuts the right-of-way;"*

(iv) *Recommendation (5)(v)(vi):*

*that this recommendation be deleted, and the following substituted in lieu thereof:*

*"(5)(v)(vi) all sidewalk crossings of driveways shall be distinguished from driving surfaces, by the use of special pavers, bricks, scored concrete or other surfacing materials acceptable to the Commissioner of Urban Design so as to promote pedestrian safety;"*

(v) *Add new Recommendation (5)(v)(xi) as follows:*

*"(5)(v)(xi) buildings with a wall facing St. Clair Avenue West shall be provided some form of non-reflective glazing in order to provide a clear view into the active commercial space to the satisfaction of the Director of Community Planning, West District and the Director of Urban Design;" and*

(2) *Zoning By-law No. 1-83 be amended generally in accordance with the revised draft Zoning By-law appended to this report as Attachment 1, and worded to the satisfaction of the City Solicitor to reflect the following;*

(a) *That section (b) be deleted and the following substituted in lieu thereof:*

*"(b) The maximum height of the buildings shall be 12 metres, exclusive of mechanical floors, walls or structures to screen mechanical equipment, roof stairwell enclosures, parapet walls, and the basement floor."*

- (b) *That section (c) be deleted and the following substituted in lieu thereof:*
- “(c) *Canopies, awnings and roof overhangs may extend into the front yard a maximum of 3.0 metres but any projecting part of a building shall not:*
- (i) *encroach onto lands conveyed to or granted as an easement to the City for municipal purposes; or*
- (ii) *interfere with the use of a driveway required for access to a parking or loading area.”*
- (c) *That section (d) be deleted and the following substituted in lieu thereof:*
- “(d) *The maximum total gross floor area for all permitted principal uses shall be 14 700 square metres, the maximum gross floor area of a garden centre component shall be 2 000 square metres, and the maximum gross floor area for accessory buildings shall be 100 square metres.”*
- (d) *That section (f) be deleted and the following substituted in lieu thereof:*
- “(f) *Off-street parking shall not encroach into the front yard. For the purposes of this paragraph, “front yard” shall mean the portion of the area of the lands marked as “Front Yard Area” on Schedule ‘C’ to this By-law.”*
- (e) *That section (g) be deleted;*
- (f) *That section (h) be deleted and the following substituted in lieu thereof:*
- “(h) *Vehicular access to St. Clair Avenue West shall be restricted to one full turns access point opposite Mould Avenue, one right-out access point opposite Castleton Avenue, and one minor access point between the retail store and the office building. Vehicular access to Runnymede Road consisting of one full turn access point shall be provided and maintained by way of an easement with a minimum width of 6 metres on the abutting lands to the south.”*
- (g) *That section (I) be deleted and the following substituted in lieu thereof:*
- “(i) *For buildings abutting the St. Clair Avenue West right-of-way the primary entrance shall be located within 35 metres of the street;”*
- (h) *That section (l)(b) be deleted and the following substituted in lieu thereof:*
- “(l)(b) *the only form of outside storage permitted shall be related to the storage of associated garden centre and yard products and packaged materials, lumber and building supplies;”*

- (i) *That section (l)(d) be deleted and the following substituted in lieu thereof:*
- “(l)(d) the outdoor storage of lumber and building supplies shall be located within 40 metres of the rear wall of the retail building;”*
- (j) *That section (l)(e) be added as follows:*
- “(l)(e) all loose building materials that are not packaged and are stored on site be fully enclosed, excluding lumber;”*
- (k) *That section (m) be deleted; and*
- (3) *authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required;*
- (4) *In consideration of the By-law revisions noted in this report, it is recommended that no further notice of a public meeting be given in respect of the revised draft the revised draft Zoning By-law.*

*Background:*

*On June 4, 2002, the Humber York Community Council considered a final report from the Director of Community Planning West District dated May 17, 2002 and recommended adoption of the report, subject to the following:*

- (1) *That Recommendation (3) be deleted and the following substituted in lieu thereof:*
- “(3) prior to site plan approval, submit to, and have approved by, the Commissioner of Works and Emergency Services, a Noise Impact Statement in accordance with City Council's requirements for the review and approval of Commissioner of Works and Emergency Services;”*
- (2) *That Recommendation (4) be deleted and the following substituted in lieu thereof:*
- “(4) prior to site plan approval, require the applicant to submit to the TTC financial security or payment for \$75,000.00 for the installation of signal priority technology for the three intersections in the vicinity of the property;” and*

*The Humber York Community Council reported for the information of Council, having requested the Commissioner, Urban Development Services to consult with the local Councillor with respect to the following proposed amendments to Recommendation (5) and the Draft Zoning By-law (Attachment 6), in order to review the conditions contained therein and to negotiate modifications to the sections, and submit a report directly to the June 18, 2002 meeting of City Council:*

*Recommendation (5)(f):*

*“(5)(f) that the words “to be held for one year from the occupancy of the home improvement store” be added after the words “Provide a Letter of Credit”;*”

*Recommendation (5)(v)(iii):*

*that this recommendation be deleted and the following substituted in lieu thereof:*

*“(5)(v)(iii) a continuous sidewalk with a minimum width of 3.4 metres shall be located within the St. Clair Avenue West right-of-way where the home improvement store abuts the right-of-way;”*

*Recommendation (5)(v)(vi):*

*that this recommendation be deleted, and the following substituted in lieu thereof:*

*“(5)(v)(vi) all sidewalk crossings of driveways shall be distinguished from driving surfaces, by the use of special pavers, bricks or a scored concrete so as to promote pedestrian safety;”*

*Add new Recommendation (5)(v)(xi) as follows:*

*“(5)(v)(xi) buildings with a wall facing St. Clair Avenue West shall be provided some form of non-reflective glazing in order to provide a clear view into the active commercial space to the satisfaction of the Director of Community Planning, West District and the Director of Urban Design;” and*

*Add new Recommendation (5)(v)(xii) as follows:*

*“(5)(v)(xii) no buildings or structures, or outdoor storage and display shall be permitted within 5 metres of the Runnymede Road right-of-way, save and except for signage.”*

*Proposed modifications to the Draft Zoning By-law (Attachment 6):*

*That section (b) be deleted and the following substituted in lieu thereof:*

*“(b) The maximum height of the buildings shall be 12 metres, exclusive of mechanical floors, walls or structures to screen mechanical equipment, roof stairwell enclosures, parapet walls, and the basement floor.”*

*That section (c) be deleted and the following substituted in lieu thereof:*

*“(c) Canopies, awnings and roof overhangs may extend into the front yard a maximum of 3.0 metres but any projecting part of a building shall not:*

- (i) *encroach onto lands conveyed to or granted as an easement to the City for municipal purposes; or*
- (ii) *interfere with the use of a driveway required for access to a parking or loading area.”*

*That section (d) be deleted and the following substituted in lieu thereof:*

*“(d) The maximum total gross floor area for all permitted principal uses shall be 14 700 square metres, the maximum gross floor area of a garden centre component shall be 2 000 square metres, and the maximum gross floor area for accessory buildings shall be 100 square metres.”*

*That section (f) be deleted and the following substituted in lieu thereof:*

*“(f) Off-street parking shall not encroach into the front yard. For the purposes of this paragraph, “front yard” shall mean the portion of the area of the lands marked as “Front Yard Area” on Schedule ‘C’ to this By-law.”*

*That section (g) be deleted;*

*That section (h) be deleted and the following substituted in lieu thereof:*

*“(h) Vehicular access to St. Clair Avenue West shall be restricted to one full turns access point opposite Mould Avenue, one right-out access point opposite Castleton Avenue, and one minor access point between the retail store and the office building. Vehicular access to Runnymede Road consisting of one full turn access point shall be provided and maintained by way of an easement with a minimum width of 6 metres on the abutting lands to the south.”*

*That section (i) be deleted and the following substituted in lieu thereof:*

*“(i) For buildings abutting the St. Clair Avenue West right-of-way the primary entrance shall be located within 35 metres of the street;”*

*That section (l)(b) be deleted and the following substituted in lieu thereof:*

*“(l)(b) the only form of outside storage permitted shall be related to the storage of associated garden centre and yard products and packaged materials, lumber and building supplies;”*

*That section (l)(d) be deleted and the following substituted in lieu thereof:*

*“(l)(d) the outdoor storage of lumber and building supplies shall be located within 40 metres of the rear wall of the retail building;”*

*That section (m) be deleted;*

*The Humber York Community Council also reported for the information of Council, having:*

- (i) requested the Commissioner, Urban Development Services, to include in the report to the June 17, 2002 meeting of City Council:*
    - (a) a revised Schedule 'C' to the Draft By-law, to reflect minor changes to the squaring of the building area, and to allow for the canopy extension at the rear of the store;*
    - (b) limits regarding the height of the building, to be determined in discussions with the local Councillor and Planning staff;*
    - (c) a requirement that all building materials stored on site, be fully enclosed, exclusive of lumber;*
  - (ii) been advised that the consultant for this project will be undertaking the study with respect to the Noise Impact Statement referred to in Recommendation (3) above, such document to be available for the City Council meeting on June 18, 2002, if possible;*
  - (iii) requested the Commissioner, Works and Emergency Services, to report to the Humber York Community Council on:*
    - (a) the removal of the bicycle lanes on Runnymede Road between St. Clair Avenue West and Dundas Street West; and*
    - (b) an operational review of the traffic lights regarding the feasibility of :*
      - an alternate location for the lights;*
      - relocating the entrance/exit;*
      - prohibitions to restrict northbound through traffic by right and left turns only;*
      - installing a concrete triangle or traffic calming measures, as appropriate;*
- and that the above review be included in the Site Plan, and that the local Councillor meet with staff and the residents to discuss the foregoing.*

*Comments:*

*Subsequent to the June 4, 2002 Humber York Community Council Meeting, staff have met with the local councillor and the applicant. The following list identifies changes to conditions of approval recommended by the Humber York Community Council and the staff comments in that regard.*

(1) *That Recommendation (3) be deleted and the following substituted in lieu thereof:*

*“(3) prior to site plan approval, submit to, and have approved by, the Commissioner of Works and Emergency Services, a Noise Impact Statement in accordance with City Council's requirements for the review and approval of Commissioner of Works and Emergency Services;”*

*The recommendation in the May 17, 2002 final report required that the Noise Impact Statement be submitted and approved by the Commissioner of Works and Emergency Services prior to the introduction of the necessary Bill to City Council for enactment. The Noise Impact Statement was submitted on June 14, 2002 and is being reviewed by the Works and Emergency Services Department. The statement concludes that the existing noise environment surrounding the site should not impact on its suitability as a building material and home renovation retail outlet. Staff support the condition being tied to site plan approval, and concur with the preceding recommendation.*

(2) *That Recommendation (4) be deleted and the following substituted in lieu thereof:*

*“(4) prior to site plan approval, require the applicant to submit to the TTC financial security or payment for \$75,000.00 for the installation of signal priority technology for the three intersections in the vicinity of the property;”*

*The recommendation in the May 17, 2002 final report required that the cheque be submitted to the TTC prior to the introduction of the necessary Bill to City Council for enactment. The applicant and the TTC have reached an agreement that the condition of approval be modified to require:*

*“(4) prior to the introduction of the necessary Bill to City Council for enactment, The Building Box (Reno Depot Inc.) shall provide an undertaking satisfactory to the Director of Community Planning which indicates that prior to site plan approval The Building Box (Reno Depot Inc.):*

- (i) agrees to provide the City of Toronto with an irrevocable Letter of Credit for \$50,000 for the purchase and installation of signal priority technology for transit vehicles at two intersections in the vicinity of the proposed development, on the understanding that the Letter of Credit cannot be drawn upon until the building permit has been issued;*
- (ii) agrees that signal priority technology for transit vehicles will be incorporated in the design of the new traffic control signals proposed at the entrance to the development at the intersection of St. Clair Avenue West and Mould Avenue and that all costs associated with the purchase and installation of this signal priority technology for transit vehicles, to a maximum of \$25,000., will be borne by The Building Box (Reno Depot Inc.); and*



- (iii) *agrees that the Letter of Credit will be provided to the City of Toronto for a period not to exceed 90 days subsequent to the opening of The Building Box (Reno Depot Inc.) retail store at the subject site. If the signal priority equipment is not installed and operational at the two intersections in the vicinity of the proposed new development within that time period, then the Letter of Credit will be returned to The Building Box (Reno Depot Inc.).”*

*The applicant agreed to this revised condition in light of the TTC not requiring the 5 metre (16.4 foot) wide no build area along Runnymede Road. This was required by recommendation (5)(v)(xii). Staff recommend that this condition be deleted . It is noted that at some future date the TTC may require the 5 metre (16.4 foot) wide road widening and that further development applications may be impacted.*

*Urban Development Services staff have consulted with the local Councillor with respect to proposed amendments to Recommendation (5) and the Draft Zoning By-law (Attachment 6), in order to review the conditions contained therein and to negotiate modifications to the sections.*

*An Undertaking from the owner has been provided consistent with the proposed preceding recommendation.*

*(5) Amendments to Recommendation (5)*

*With respect to recommendation 5, it was agreed that the words “to require” should be retained for items to be addressed in a Site Plan Agreement or Undertaking. The applicant has agreed.*

*With respect to recommendation (5)(f), staff agree to the text that requires the Letter of Credit for \$25,000.00 to address traffic calming on the residential streets to the north of the development site to be held for one year from the occupancy of the home improvement store.*

*With respect to recommendation (5)(p), Works and Emergency Services Department staff advise that a record of site condition will not be required for this site. A revised condition requiring a peer review of the environmental information is recommended at the site plan approval stage.*

*With respect to recommendation (5)(v)(iii), staff recommend a revised condition to require a continuous sidewalk with a minimum width of 3.4 metres to ensure that the entire front yard of the home improvement store is a hard surfaced area for pedestrians.*

*With respect to recommendation (5)(v)(vi), staff recommend a revised condition to permit the sidewalk crossings of driveways to be other surfacing material acceptable to the Commissioner of Urban Design.*

*With respect to adding new recommendation (5)(v)(xi) that provides for non-reflective glazing for buildings with a wall facing St. Clair Avenue West, staff do not object to the text relating to glazing being deleted from the draft zoning by-law and added to the requirements for site plan approval.*

*As stated earlier in this report, staff have been advised by the TTC that the 5 metre wide no build area along Runnymede Road is not required at this time. As a result, staff do not recommend text (i.e. adding (5)(v)(xii)) to require this to be addressed at the time of site plan approval.*

*(6) Amendments to Draft Zoning By-law (Attachment 6)*

*With respect to the limits regarding the height of the building (provision b)), the local Councillor and Planning staff have agreed that limiting the number of storeys to 3 is not necessary because the draft by-law restricts the height to 12 metres.*

*With respect to the canopies, awnings and roof overhangs extending beyond the building (provision c)), staff recommend that the text be modified to address extensions into the front yard only. Other extensions have been addressed by extending the building area on a modified Schedule 'C' which is contained in the revised draft zoning by-law (attached as Attachment 1).*

*With respect to the maximum total gross floor area, the maximum gross floor area of a garden centre and the maximum gross floor area for accessory buildings (provision d)), staff recommend slightly higher floor areas so that the applicant has some flexibility in finalizing the site plan.*

*With respect to the off-street parking being setback 1.5 metres from the St. Clair Avenue right-of-way (provision f)), staff recommend that this text be deleted. The setback to St. Clair Avenue West and landscaping in this area can be addressed at the time of site plan review.*

*With respect to a record of site condition being submitted prior to a building permit (provision g)), staff recommend that this text be deleted and replaced with text reflecting a peer review process under the recommendations for site plan approval. The Works and Emergency Services Department does not require a record of site condition for this site. A peer review of the environmental information will be required at the site plan approval stage.*

*With respect to the vehicular access to the site, (provision h)), the applicant's traffic consultant has verified that the proposed access point at St. Clair Avenue West between the retail store and the office building is required for the proper functioning of the site. Staff recommend that this text be modified to permit one minor access point. Planning staff require that the width of the driveway be reduced from 7.5 metres (24.6 feet) to a minimum of 6 metre (19.6 feet) or maximum of 7 metres (23 fee) and the large pork chop shaped island at St. Clair Avenue West be reduced in size. The design of the minor access point will be finalized at the time of site plan review.*

*With respect to buildings abutting the St. Clair Avenue West right-of-way and the maximum location of the primary entrance to the street, (provision i)), staff recommend that the distance be increased from 33 metres to 35 metres in order to give the applicant flexibility in locating the primary entrance. The building entrances will be addressed at the time of site plan review.*

*With respect to the type of outdoor storage permitted (provision (l)(b)), the applicant has requested yard products and building supplies. Staff have no objection to the addition types of outdoor storage.*

*With respect to the deletion of the requirement that outdoor storage not exceed a height of 3.7 metres (provision (l)(d)), staff do not object to this deletion since there is a provision to require screening with a minimum height of 3.7 metres. The applicant has requested that outdoor storage of lumber be permitted. Staff support the substitution of the requirement that outdoor storage of lumber and building supplies be located within 40 metres of the rear wall of the retail building. The applicant has agreed to this provision.*

*As noted earlier in this report, staff can support the deletion of the 5 metre wide no build area along the Runnymede Road right-of-way. The TTC has indicated that the no build provision is not required at this time. Therefore it is recommended that provision (5) (m) in the draft Zoning By-law be deleted.*

*With respect to the request by the Humber York Community Council that the Commissioner of Urban Development Services include in the report a revised Schedule 'C' to the Draft By-law, to reflect minor changes to the squaring of the building area, and to allow for the canopy extension at the rear of the store, a revised Schedule 'C' is included in Attachment 1 to this report.*

*With respect to the request by the Humber York Community Council that a requirement be included that all building materials stored on site, be fully enclosed, exclusive of lumber, staff recommend an additional zoning by-law provision (l)(e) that all loose building materials that are not packaged and are stored on site be fully enclosed, excluding lumber.*

*Changes to the draft zoning by-law in accordance with the preceding discussion are recommended and contained in the revised draft Zoning By-law attached as Attachment 1 to this report. Since staff deem these changes to be minor and since they are recommended subsequent to the Public Meeting held on June 4, 2002, it is recommended that no further notice of a public meeting be given in respect of the revised draft the revised draft Zoning By-law.*

(7) *Status of the Noise Impact Statement*

*As noted earlier in this report the Noise Impact Statement was submitted on June 14, 2002. Approval of the statement is required prior to site plan approval.*

(8) *Report by the Commissioner of Works and Emergency Services to the Humber York Community Council*

*Regarding the request for the Commissioner of Works and Emergency Services to report to the Humber York Community Council on the removal of the bicycle lanes on Runnymede Road between St. Clair Avenue West and Dundas Street West, Works and Emergency Service Department staff advise that a report will be submitted for the September 17, 2002 Humber York Community Council meeting. The Department is evaluating this request along with alternatives such as moving the stop line for the northbound vehicles on Runnymede Road turning left (west) onto St. Clair Avenue West 3 metres south and changing the curb radius at the south-west corner of Runnymede Road and St. Clair Avenue West (within the St. Clair Avenue West road widening that will result from this development).*

*The Works and Emergency Services Department is also to report on an operational review of the traffic lights regarding the feasibility of:*

- (1) an alternate location for the lights;*
- (2) relocating the entrance/exit;*
- (3) prohibitions to restrict northbound through traffic by right and left turns only; and*
- (4) installing a concrete triangle or traffic calming measures, as appropriate.*

*The Humber York Community Council requested that the above review be included in the Site Plan, and that the local Councillor meet with staff and the residents to discuss the foregoing.*

*The Works and Emergency Services Department have met with planning staff, the applicant and the applicant's traffic consultant. The Works and Emergency Services Department have advised that there is no other acceptable option for the signalized intersection and that it must be at the St. Clair Avenue West and Mould Avenue intersection.*

*The Works and Emergency Services Department recommends prohibitions in the form of pavement markings and signage and by enactment of a by-law to restrict northbound through traffic by right and left turns only from the site.*

*Regarding installing a concrete triangle or traffic calming measures, the Works and Emergency Services Department advise that a concrete triangle is not feasible on the south side of the St. Clair Avenue West and Mould Avenue intersection. A triangle in this location would have to be flat due to the driveway width and would therefore be ineffective at stopping through traffic and would not be safe for pedestrians. Works and Emergency Services Department staff will evaluate a concrete triangle on the north side of St. Clair Avenue West and Mould Avenue intersection. A triangle at this location would limit access to the site from the customer service area to the north of the home improvement store. Other traffic calming measures such as establishing Mould Avenue as a one way south street and narrowing the street at St. Clair Avenue West will be evaluated and reported on for the September 17, 2002 Humber York Community Council meeting.*

*Conclusions:*

*The issues raised by the Humber York Community Council have been addressed as discussed in this report. The applicant has agreed to changes to the conditions of approval and the draft*

*Zoning By-law. Staff recommend approval of the application subject to the revised conditions and a revised draft zoning by-law (attached as Attachment 1 to this report) and that no further notice of a public meeting be given in respect of the revised draft Zoning by-law.*

Contact:

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*Attachment 1: Revised Draft Zoning By-law*

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

*Enacted by Council:*

*CITY OF TORONTO*

*Bill No.*

*BY-LAW No. - 2002*

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

*WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law, and whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act.*

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

*SECTION 6 AMENDED*

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

*“(69) MAP 18*

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

*SECTION 16 AMENDED*

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

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

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

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

*subject to the following provisions:*

- a) *The buildings excluding exits, shall be located within the area shown on the Site Plan attached as Schedule “C” to this By-law. The minimum setbacks to the building shall be those shown on the site plan and the setback shall include any lands conveyed to the City for municipal purposes.*
- b) *The maximum height of the buildings shall be 12 metres, exclusive of mechanical floors, walls or structures to screen mechanical equipment, roof stairwell enclosures, parapet walls, and the basement floor.*
- c) *Canopies, awnings and roof overhangs may extend into the front yard a maximum of 3.0 metres but any projecting part of a building shall not:*
- i) *encroach onto lands conveyed to or granted as an easement to the City for municipal purposes; or*
- ii) *interfere with the use of a driveway required for access to a parking or loading area.*
- d) *The maximum total gross floor area for all permitted principal uses shall be 14 700 square metres, the maximum gross floor area of a garden centre component shall be 2 000 square metres, and the maximum gross floor area for accessory buildings shall be 100 square metres.*
- e) *Off-street parking shall be provided and maintained for commercial uses at a minimum rate of 1 parking space for each 47 square metres of gross floor area.*

- f) *Off-street parking shall not encroach into the front yard. For the purposes of this paragraph, “front yard” shall mean the portion of the area of the lands marked as “Front Yard Area” on Schedule ‘C’ to this By-law.*
- g) *Vehicular access to St. Clair Avenue West shall be restricted to one full turns access point opposite Mould Avenue, one right-out access point opposite Castleton Avenue and one minor access point between the retail store and the office building. Vehicular access to Runnymede Road consisting of one full turn access point shall be provided and maintained by way of an easement with a minimum width of 6 metres on the abutting lands to the south.*
- h) *For buildings abutting the St. Clair Avenue West right-of-way, the primary entrance shall be located within 35 metres of the street.*
- i) *All rooftop mechanical units, flues and vents shall be screened.*
- j) *Bicycle parking spaces shall be provided and maintained in accordance with the following minimum standards:*
  - (1) *1 bicycle parking space for every 1 250 square metres of gross leasable commercial floor area and with each building being provided with the required bicycle parking within 30 metres of a primary front entrance to the building;*
  - (2) *a bicycle parking space is an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles, and:*
    - a) *where bicycles are parked on a horizontal surface, such space has horizontal dimensions of at least 0.6 metres wide by 1.8 metres long and a vertical dimension of at least 1.9 metres high; and*
    - b) *where bicycles are parked in a vertical position, such space has horizontal dimensions of at least 0.6 metres wide by 1.2 metres long and a vertical dimension of at least 1.9 metres high; and*
  - 1) *all bicycle parking spaces shall be provided and maintained a highly visible weather protected area.*
- k) *Outdoor storage and display is permitted, subject to the following provisions:*
  - (a) *no outdoor storage shall be located within 2 metres of the St. Clair Avenue west or Runnymede Road right-of-ways;*
  - (b) *the only form of outside storage permitted shall be related to the storage of associated garden centre and yard products and packaged materials, lumber and building supplies;*

- (c) *outdoor storage shall be screened by fencing, walls and/or landscape treatments with a minimum height of 3.7 metres in order to screen the storage area from view by a person standing at grade at those locations;*
- (d) *the outdoor storage of lumber and building supplies shall be located within 40 metres of the rear wall of the retail building; and*
- (e) *all loose building materials that are not packaged and are stored on site shall be fully enclosed, excluding lumber.*
- l) *On site landscaping shall include the provision and maintenance of trees planting at a minimum rate of 1 tree for every 5 parking spaces shall be provided on site.*
- m) *All other provisions of this By-law shall continue to apply except in the case where provisions of this Subsection are in conflict in which case the provisions of this Subsection shall prevail.*

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

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

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

*ENACTED AND PASSED this day of A.D. 2002.*

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*Deputy Mayor*

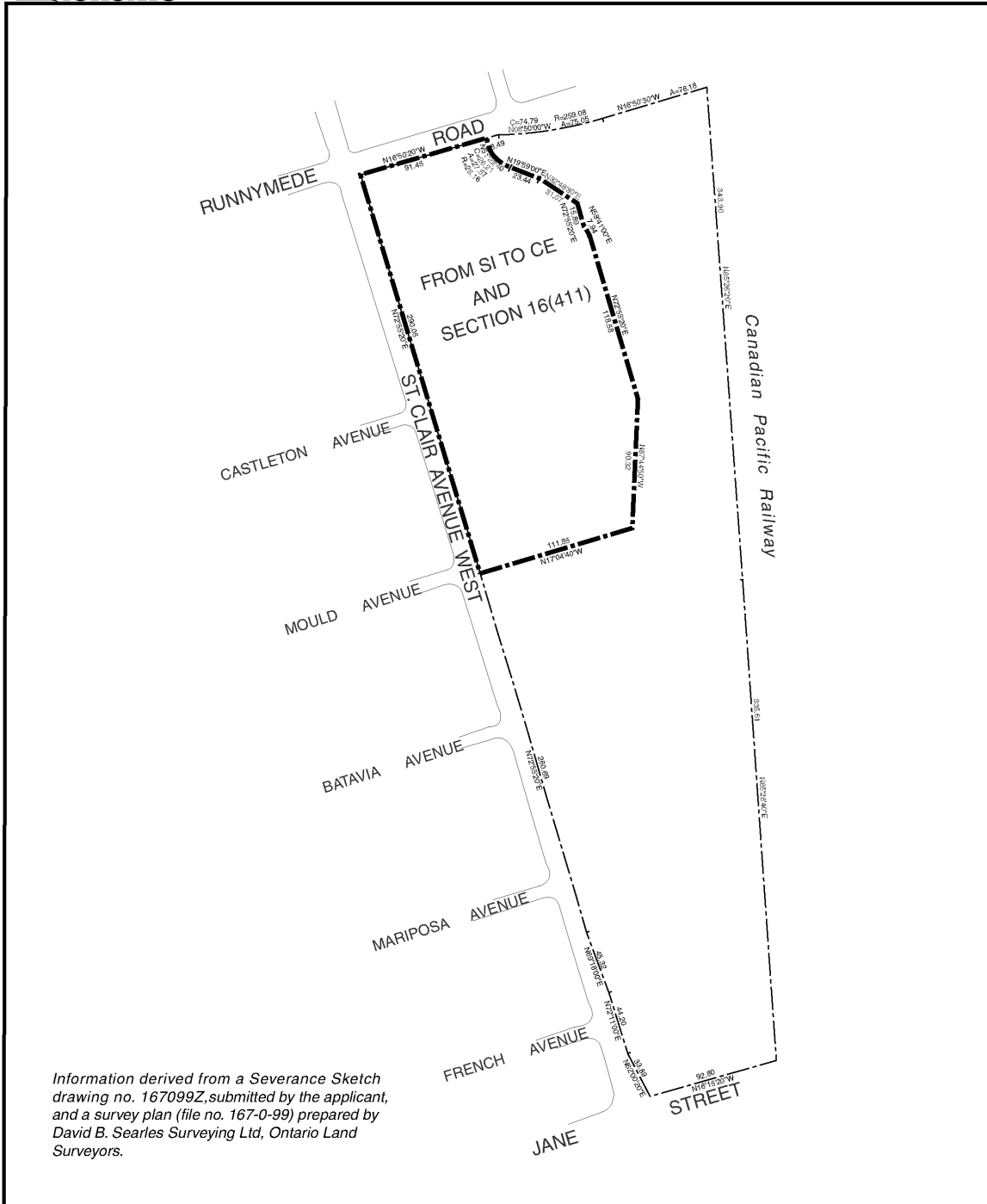
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*City Clerk*





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



*Information derived from a Severance Sketch drawing no. 167099Z, submitted by the applicant, and a survey plan (file no. 167-0-99) prepared by David B. Searles Surveying Ltd, Ontario Land Surveyors.*

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





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

