

Authority: Scarborough Community Council Report No. 5, Clause No. 22,
as adopted by City of Toronto Council on June 24, 25 and 26, 2003
Enacted by Council: June 26, 2003

CITY OF TORONTO

BY-LAW No. 597-2003

To amend the West Hill Community Zoning By-law No. 10327.

WHEREAS authority is given to Council by Sections 34 and 36 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

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

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

1. **CLAUSE IV - ZONES** is amended by adding the Commercial/Residential Zone (CR).
2. **CLAUSE V - INTERPRETATION (f) Definitions** is amended by adding the following:

Institutional

shall mean buildings, structures and facilities used for Public and Semi-Public uses and/or Institutional Uses such as the following:

- Fraternal Organizations
- Homes for the Aged
- Hospitals within the meaning of relevant Provincial Legislation
- Nursing Homes
- Private and Public Educational Institutions
- Private and Public Recreational Uses including incidental Commercial Uses
- Retirement Homes
- Senior Citizen Apartments

Personal Service Shop

shall mean buildings, structures and facilities used for personal grooming and services including beauty parlours, hair styling, manicures, tailor shops, therapeutic and aroma-therapy massages, acupuncture, but does not include an **Adult Entertainment Parlour**.

45 degree Angular Plane

shall mean the line originating at a lot line projecting at a 45 degree vertical angle toward the **Street** line.

3. **CLAUSE VI – PROVISIONS FOR ALL ZONES** is amended by adding the “CR” zone to the following sub-clauses between the “CC” and “HC” zone: sub-clause 5, **Landscaping Requirements**, sub-clause 13, **Underground Structures In “NC”, “CC”, “CR”, “HC” and “OU” Zones** and sub-clause 14, **Lands Not Covered by Buildings**.

4. **CLAUSE VI - PROVISIONS FOR ALL ZONES** is amended by adding the reference of the Commercial/Residential “CR” zone to sub-section 17, **Non-Accessory Signs**, paragraph 17.1 and paragraph 17.4.

5. **CLAUSE VIII - ZONE PROVISIONS** is amended by adding the following:

14. Commercial/Residential Zone (CR)

(a) Permitted Uses

- **Day Nurseries**
- Financial Institutions
- Funeral Homes
- Hotels and Motels
- **Institutional**
- Medical Centres
- Offices
- **Personal Service Shops**
- **Places of Worship**
- **Places of Entertainment**
- **Private Home Daycare**
- Residential uses
- Restaurants
- Retail Stores
- **Recreational Uses**
- Specialized Commercial Uses

(b) Prohibited Uses

- Automobile Sales, Service and Maintenance Uses
- Auto Sales Rooms
- Single-Family Detached Dwellings
- **Semi-Detached Dwellings**
- Duplexes

6. Schedule “A” is amended by deleting the Zoning for the lands outlined on Schedule “1” (Maps A-G), and adding the following Zoning to the outlined lands:

CR - 86 - 203 - 324 - 325 - 400 - 600 - 601 - 602 - 603 - 604

P

7. Schedule “B”, **PERFORMANCE STANDARD CHART**, is amended by adding the following Performance Standards:

LANDSCAPING

203. A minimum 1.5 metres wide landscape strip shall be provided at the rear abutting “S”, “ST” and “M” zones.

PARKING

324. Notwithstanding the provisions of **CLAUSE VII - GENERAL PARKING REGULATIONS FOR ALL ZONES**, office and retail uses in residential/commercial mixed use buildings shall provide a minimum of 2.5 spaces per 100 square metres of **gross floor area** of these uses.
325. Notwithstanding the provisions of **CLAUSE VII - GENERAL PARKING REGULATIONS FOR ALL ZONES**, the first 100 square metres of restaurant **gross floor area** shall provide a minimum of 5.4 parking spaces per 100 square metres of **gross floor area**.

MISCELLANEOUS

600. Buildings shall not exceed a **45-degree angular plane** from the lot line of abutting “S”, “ST” and “M” zones.
601. Automobile service stations are not permitted within the Commercial/Residential (CR) Zone, except where they existed on the day of the passage of this Zoning By-law by City Council.
602. The wall of the building fronting or abutting Kingston Road shall be a minimum width of 70% of the lot at the **Street** line for lots having frontage or flankage of more than 30 metres and 60% for lots having frontage or flankage of less than 30 metres and shall be set back a minimum of 3 metres and a maximum of 5 metres from the street line.
603. Minimum two **storeys** and maximum eight **storeys**, excluding basements and rooftop mechanical penthouses.
604. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Section 6, **Coverage**, shall not apply.
8. Schedule “C” is amended by deleting Exception Numbers 1, 4, and 14 from the lands outlined on Schedule “2” (Map A, B and C).

9. Schedule “C” is amended by deleting the contents of Exception Number 6 and replacing it with the following:

On those lands identified as Exception Number 6 on the accompanying map, the following provisions shall apply:

6. (a) Permitted uses on the site prior to the removal of the Holding Provision (H) from the zoning shall be restricted to all uses permitted in a **Highway Commercial (HC)** zone together with the following Performance Standards:

HC - 29 - 35 - 51 - 74 - 86

- (b) The Holding Provision (H) used in conjunction with the **Commercial/ Residential Zone (CR)** zone shall be removed by amending By-law when:

- (i) Council is satisfied as to the availability of all road improvements, infrastructure and servicing which are necessary to accommodate the proposed development;
- (ii) the owner has submitted a Site Plan Application to the satisfaction of UDS to address the Development Criteria and Urban Design Guidelines to ensure a significant building presence having a multi-storey element. The proposed buildings are to be designed to complement and contribute to a desirable community character in terms of massing, pedestrian linkages to ensure a safe pedestrian environment and to establish landscaping that integrates the street, the development and neighbouring properties.
- (iii) any new residential development shall maintain a minimum 30 m dwelling setback from the railway right-of-way, in conjunction with a 2.5 m high earthen berm.

10. Schedule “C” is amended by deleting the contents of Exception Number 54 and replacing it with the following:

54. On those lands identified as Exception Number 54 on the accompanying map, the following provisions shall apply:

- (a) Permitted uses on the site prior to the removal of the Holding Provision (H) from the zoning shall be restricted to all uses permitted in a **Community Commercial (CC)** zone together with the following Performance Standards:

CC - 40 - 147 - 164

- (b) For development that existed prior to the passage of this Zoning By-law Amendment, Parking shall be provided at the following minimum rates:

If the total **gross floor area** of Commercial Uses on the site, minus the **gross floor area** of buildings or floors used for office uses, exceeds 20 000 m²:

No parking spaces for the first 4100 m² **gross floor area** of buildings or floors used for offices; and

A minimum of 2.6 **parking spaces** per 100 m² of gross floor area in excess of 4100 m² for buildings or floors used for offices; and

A minimum of 4.9 **parking spaces** per 100 m² **gross floor area**, minus the **gross floor area** of public walkways and malls and truck access, for all other Commercial Uses;

-AND -

If the total **gross floor area** of Commercial Uses, minus the **gross floor area** of buildings or floors used for office uses is not greater than 20 000 m², the GENERAL PARKING REGULATIONS FOR ALL ZONES shall apply.

The Parking Regulations contained in **CLAUSE VII - GENERAL PARKING REGULATIONS FOR ALL ZONES**, shall apply to any development on the site after the passage of this By-law.

- (c) The Holding Provision (H) used in conjunction with the **Commercial/ Residential Zone (CR)** zone shall be removed by amending By-law when:
- (i) Council is satisfied as to the availability of all road improvements, infrastructure and servicing which are necessary to accommodate the proposed development;
 - (ii) the owner has submitted a Site Plan Application to the satisfaction of UDS to address the Development Criteria and Urban Design Guidelines to ensure a significant building presence having a multi-storey element. The proposed buildings are to be designed to complement and contribute to a desirable community character in terms of massing, pedestrian linkages to ensure a safe pedestrian environment and to establish landscaping that integrates the street, the development and neighbouring properties.

11. Schedule “C” is amended by adding Exception Number 64 to the lands outlined on Schedule 2 (Map C) as follows:

64. On those lands identified on the accompanying map, the following provisions shall apply:

- (a) Permitted uses on the site prior to the removal of the Holding Provision (H) from the zoning shall be restricted to all uses permitted in a **Community Commercial (CC)** zone together with the following Performance Standards:

CC - 40E - 75 - 169A - 200

- (b) The Holding Provision (H) used in conjunction with the **Commercial/ Residential Zone (CR)** zone shall be removed by amending By-law when:

- (i) Council is satisfied as to the availability of all road improvements, infrastructure and servicing which are necessary to accommodate the proposed development;
- (ii) the owner has submitted a Site Plan Application to the satisfaction of UDS to address the Development Criteria and Urban Design Guidelines to ensure a significant building presence having a multi-storey element. The proposed buildings are to be designed to complement and contribute to a desirable community character in terms of massing, pedestrian linkages to ensure a safe pedestrian environment and to establish landscaping that integrates the street, the development and neighbouring properties.

12. Schedule “C” is amended by deleting the contents of Exception Number 65 and replacing it with the following:

65. On those lands identified as Exception Number 65 on the accompanying map, the following provisions shall apply:

- (a) Permitted uses on the site prior to the removal of the Holding Provision (H) from the zoning shall be restricted to all uses permitted in a **Community Commercial (CC)** zone together with the following Performance Standards and provisions:

(i) CC - 40A - 168 – 171

(ii) A Medical Office shall be permitted;

(iii) The uses in Clause VIII - ZONE PROVISIONS, Section 6, Community Commercial (CC), shall not apply;

- (iv) The provisions of Clause VI, PROVISIONS FOR ALL ZONES, Landscaping Requirements, shall not apply;
 - (v) A minimum 1.2 metres wide strip of land abutting “S” Zones to be used for no other purpose than landscaping.
- (b) The Holding Provision (H) used in conjunction with the **Commercial/ Residential Zone (CR)** zone shall be removed by amending By-law when:
- (i) Council is satisfied as to the availability of all road improvements, infrastructure and servicing which are necessary to accommodate the proposed development;
 - (ii) the owner has submitted a Site Plan Application to the satisfaction of UDS to address the Development Criteria and Urban Design Guidelines to ensure a significant building presence having multi-storey element. The proposed buildings are to be designed to complement and contribute to a desirable community character in terms of massing, pedestrian linkages to ensure a safe pedestrian environment and to establish landscaping that integrates the street, the development and neighbouring properties.
- 13.** Schedule “C” is amended by deleting the contents of Exception Number 68 and replacing it with the following:
68. On those lands identified as Exception Number 68 on the accompanying map, the following provisions shall apply:
- Automobile Sales, Service and Maintenance Uses excluding auto body repair and or auto wrecking yards shall also be permitted.
- 14.** Schedule “C” is amended by deleting the contents of Exception Number 72 and replacing it with the following:
72. On those lands identified as Exception Number 72 on the accompanying map the following provisions shall apply:
- (a) Permitted uses on the site prior to the removal of the Holding Provision (H) from the zoning shall be restricted to all uses permitted in a **Community Commercial (CC)** zone together with the following Performance Standards:
- CC - 74 - 303 - 400 - 402

- (b) Automobile sales, service and repair; pinball machines and other electronic or manually operated games; restaurants, tea rooms, cafeterias and taverns; and establishments for the preparation of foods are prohibited.
 - (c) The Holding Provision (H) used in conjunction with the **Commercial/Residential Zone (CR)** zone shall be removed by amending By-law when:
 - (i) Council is satisfied as to the availability of all road improvements, infrastructure and servicing which are necessary to accommodate the proposed development;
 - (ii) the owner has submitted a Site Plan Application to the satisfaction of UDS to address the Development Criteria and Urban Design Guidelines to ensure a significant building presence having multi-storey element. The proposed buildings are to be designed to complement and contribute to a desirable community character in terms of massing, pedestrian linkages to ensure a safe pedestrian environment and to establish landscaping that integrates the street, the development and neighbouring properties.
15. Schedule “C” is amended by adding Exception Number 88 to the land outlined on Schedule 2 (Map A) as follows:
88. On those lands identified as Exception Number 88 on the accompanying map, the following provisions shall apply:
- 1. The provisions of Performance Standard 602 shall not apply.
 - 2. A minimum of 1 parking space per dwelling unit shall be provided as enclosed parking for residents and a minimum of 0.3 parking spaces per dwelling unit shall be provided for visitors.
 - 3. Maximum building coverage - 45 percent of the lot area.
 - 4. Minimum building setback of 5.6 metres abutting Two-Family Residential (T) zone.
 - 5. Minimum side yard building setback 4.5 metres.

16. Schedule “C” is amended by adding Exception Number 89 to the lands outlined on Schedule 2 (Map C) as follows:

89. On those lands identified as Exception Number 89 on the accompanying map, the following provisions shall apply:

- (a) Permitted uses on the site prior to the removal of the Holding Provision (H) from the zoning shall be restricted to all uses permitted in a **Community Commercial (CC)** zone together with the following Performance Standards:

CC - 80Y - 147

- (b) The Holding Provision (H) used in conjunction with the **Commercial/Residential Zone (CR)** zone shall be removed by amending By-law when:

- (i) Council is satisfied as to the availability of all road improvements, infrastructure and servicing which are necessary to accommodate the proposed development;
- (ii) the owner has submitted a Site Plan Application to the satisfaction of UDS to address the Development Criteria and Urban Design Guidelines to ensure a significant building presence having multi-storey element. The proposed buildings are to be designed to complement and contribute to a desirable community character in terms of massing, pedestrian linkages to ensure a safe pedestrian environment and to establish landscaping that integrates the street, the development and neighbouring properties.

ENACTED AND PASSED this 26th day of June, A.D. 2003.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)



Urban
Development Services

Zoning By-Law Amendment

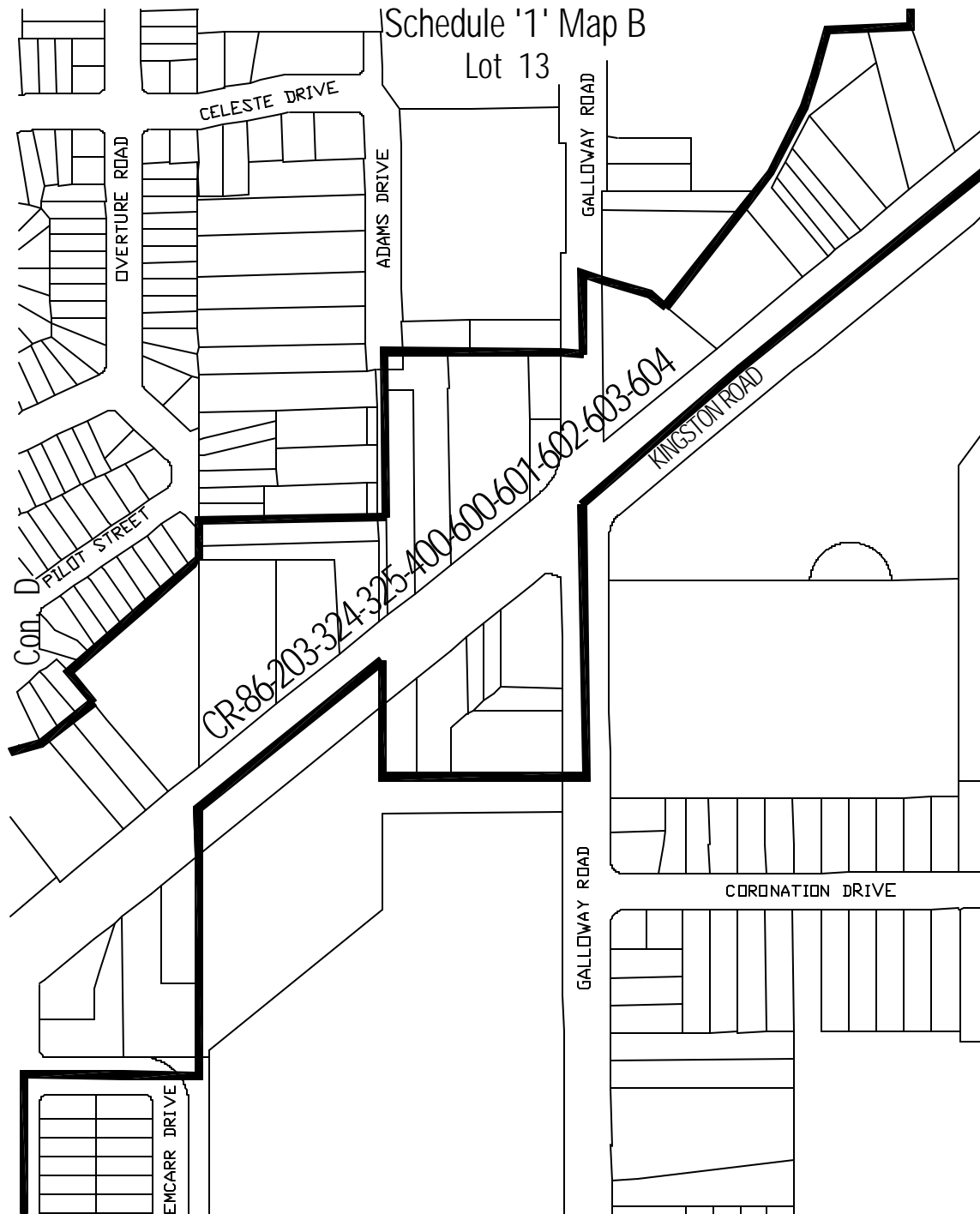
THE AVENUES KINGSTON ROAD



Area Affected By This By-Law



Not to Scale
West Hill Community By-law
Extracted 4/24/03 - BP
Job No. Kingston-Z1



Urban
Development Services

Zoning By-Law Amendment

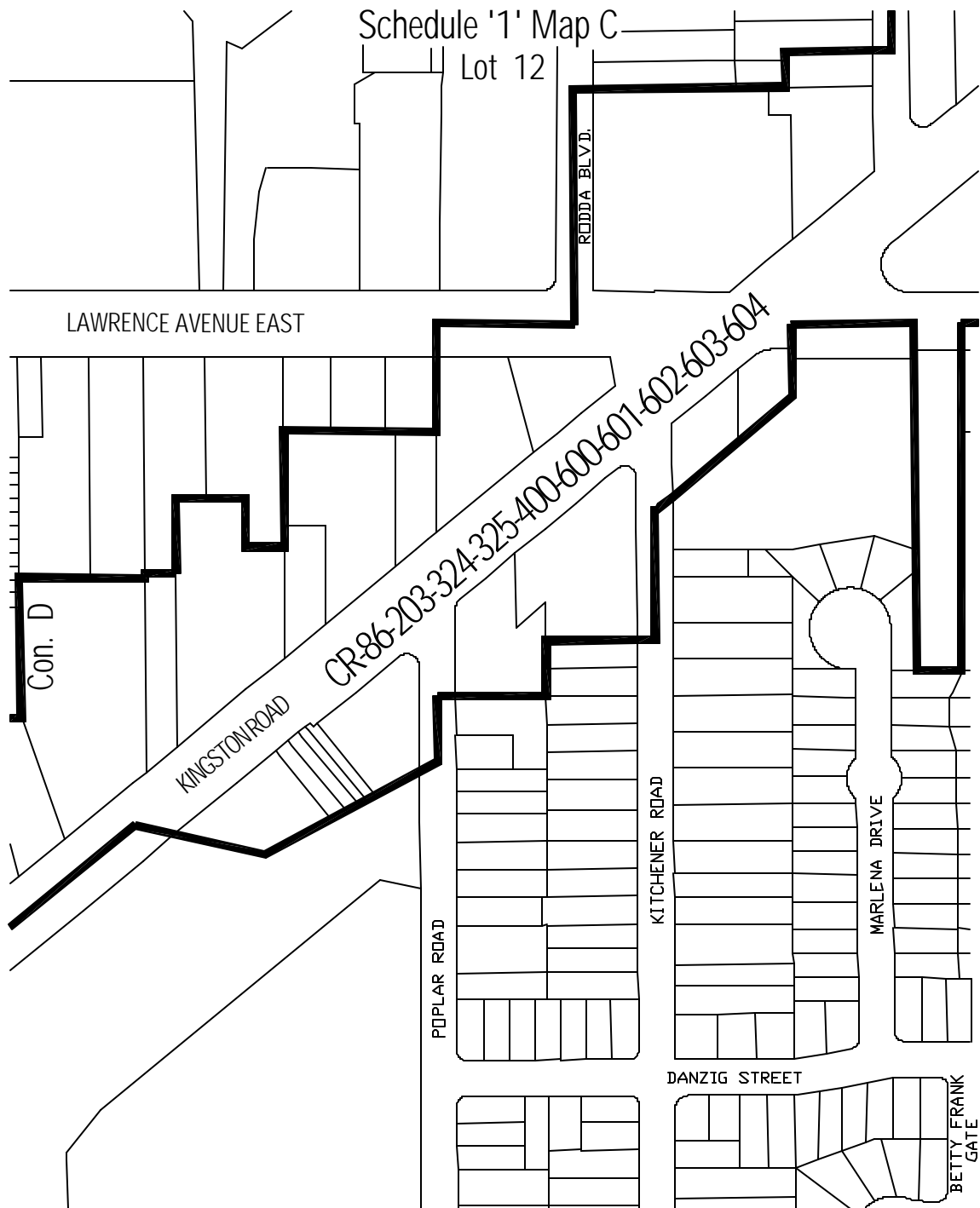
THE AVENUES
KINGSTON ROAD



Area Affected By This By-Law



Not to Scale
West Hill Community By-law
Extracted 4/24/03 - BP
Job No. Kingston-Z1



Urban
Development Services

Zoning By-Law Amendment

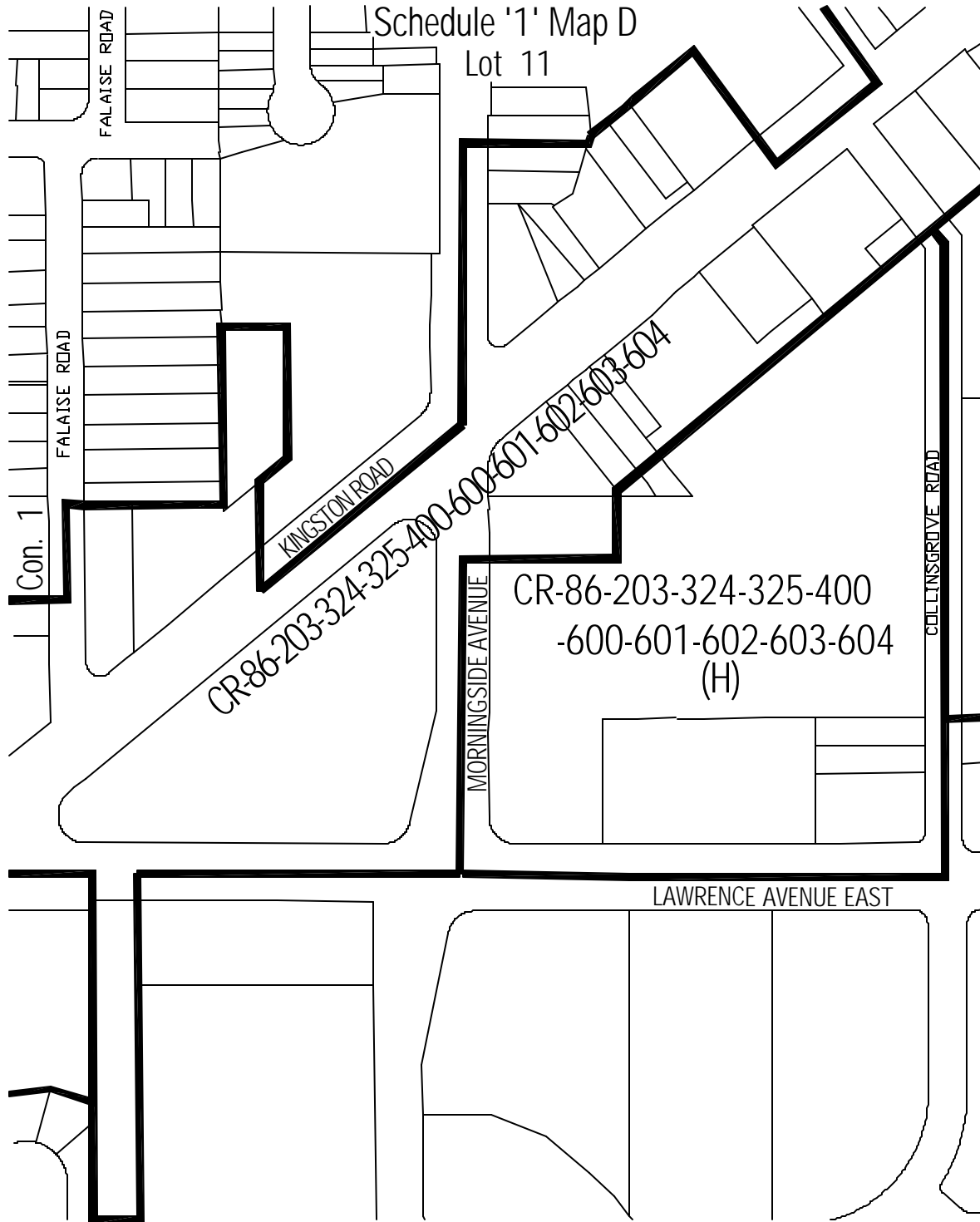
THE AVENUES KINGSTON ROAD



Area Affected By This By-Law



Not to Scale
West Hill Community By-law
Extracted 4/24/03 - BP
Job No. Kingston-Z1



Urban
Development Services

Zoning By-Law Amendment

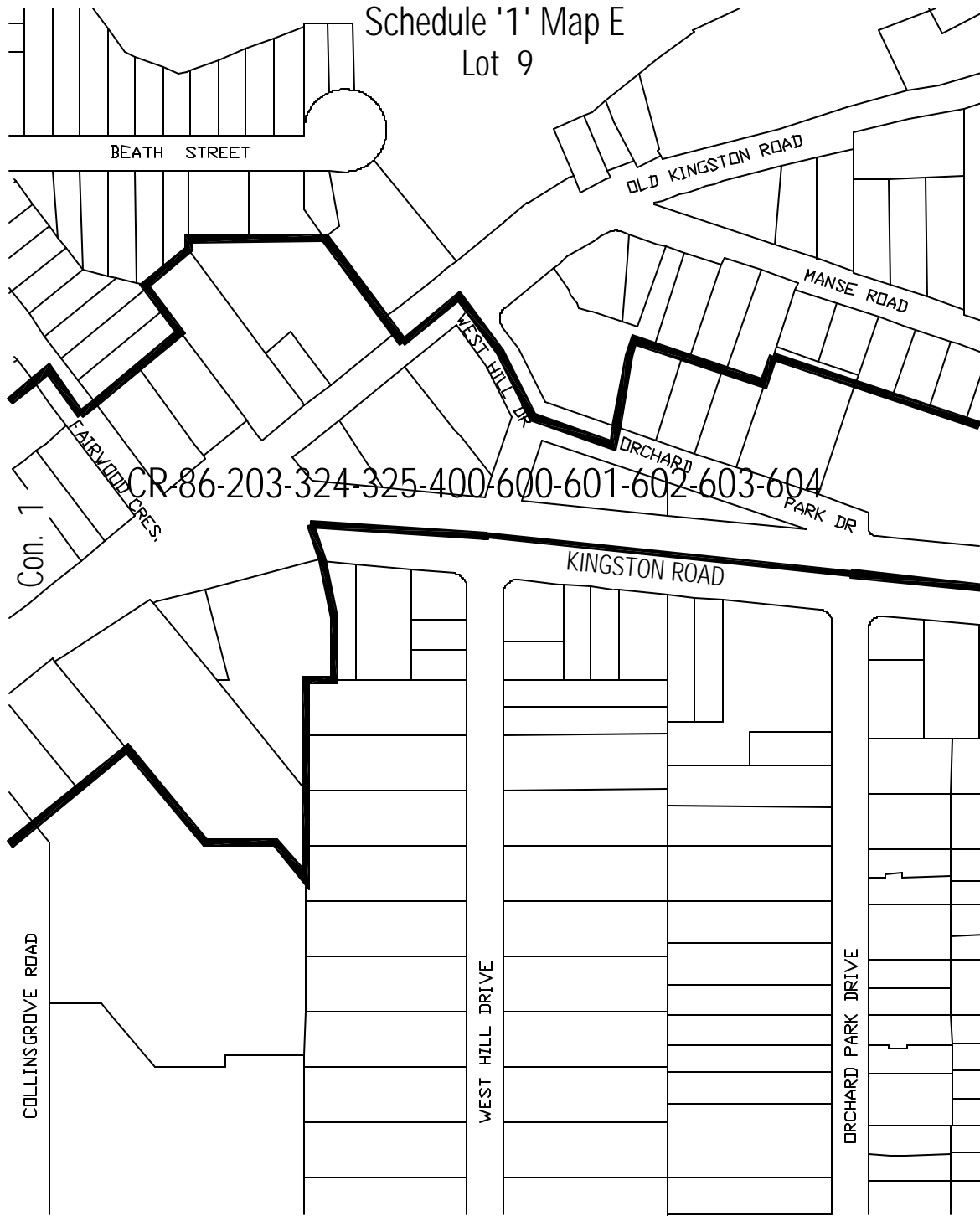
THE AVENUES
KINGSTON ROAD



Area Affected By This By-Law



Not to Scale
West Hill Community By-law
Extracted 4/24/03 - BP
Job No. Kingston-Z1



Urban
Development Services

Zoning By-Law Amendment

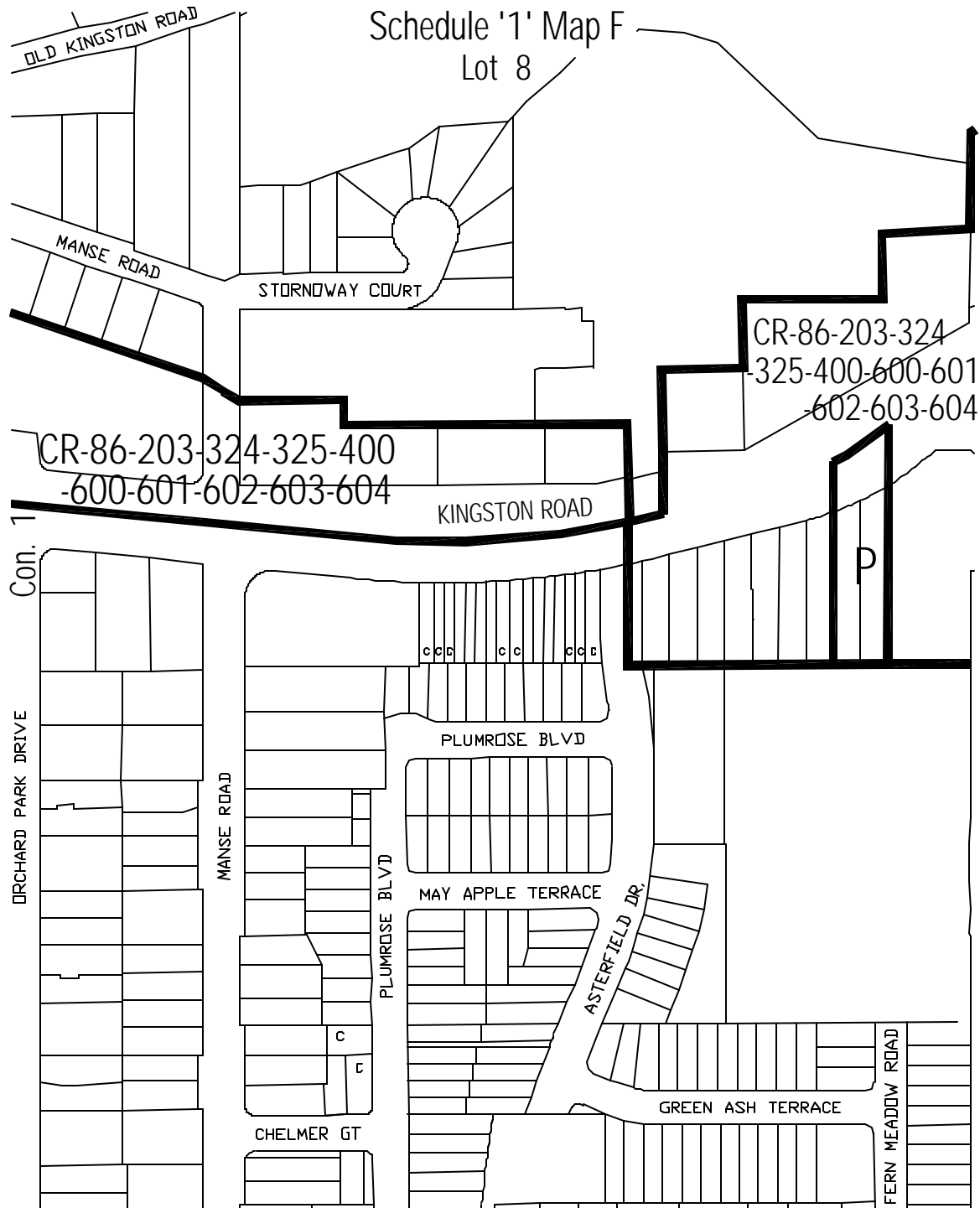
THE AVENUES KINGSTON ROAD



Area Affected By This By-Law



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West Hill Community By-law
Extracted 4/24/03 - BP
Job No. Kingston-Z1



Zoning By-Law Amendment

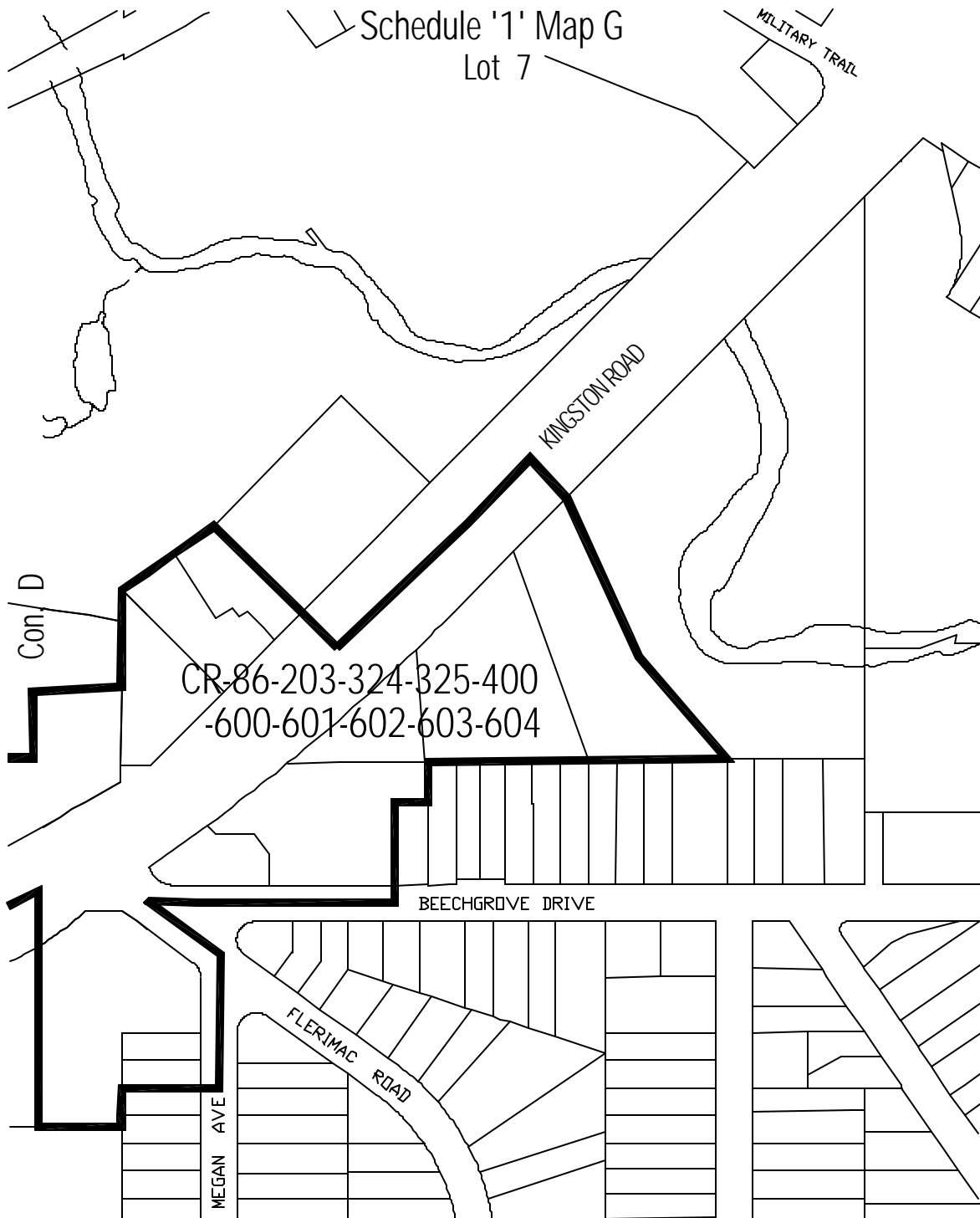
THE AVENUES KINGSTON ROAD



Area Affected By This By-Law



Not to Scale
West Hill Community By-law
Extracted 4/24/03 - BP
Job No. Kingston-Z1



Urban
Development Services

Zoning By-Law Amendment

THE AVENUES KINGSTON ROAD



Area Affected By This By-Law



Not to Scale
West Hill Community By-law
Extracted 4/24/03 - BP
Job No. Kingston-Z1



Urban
Development Services

Zoning By-Law Amendment-Exception Map

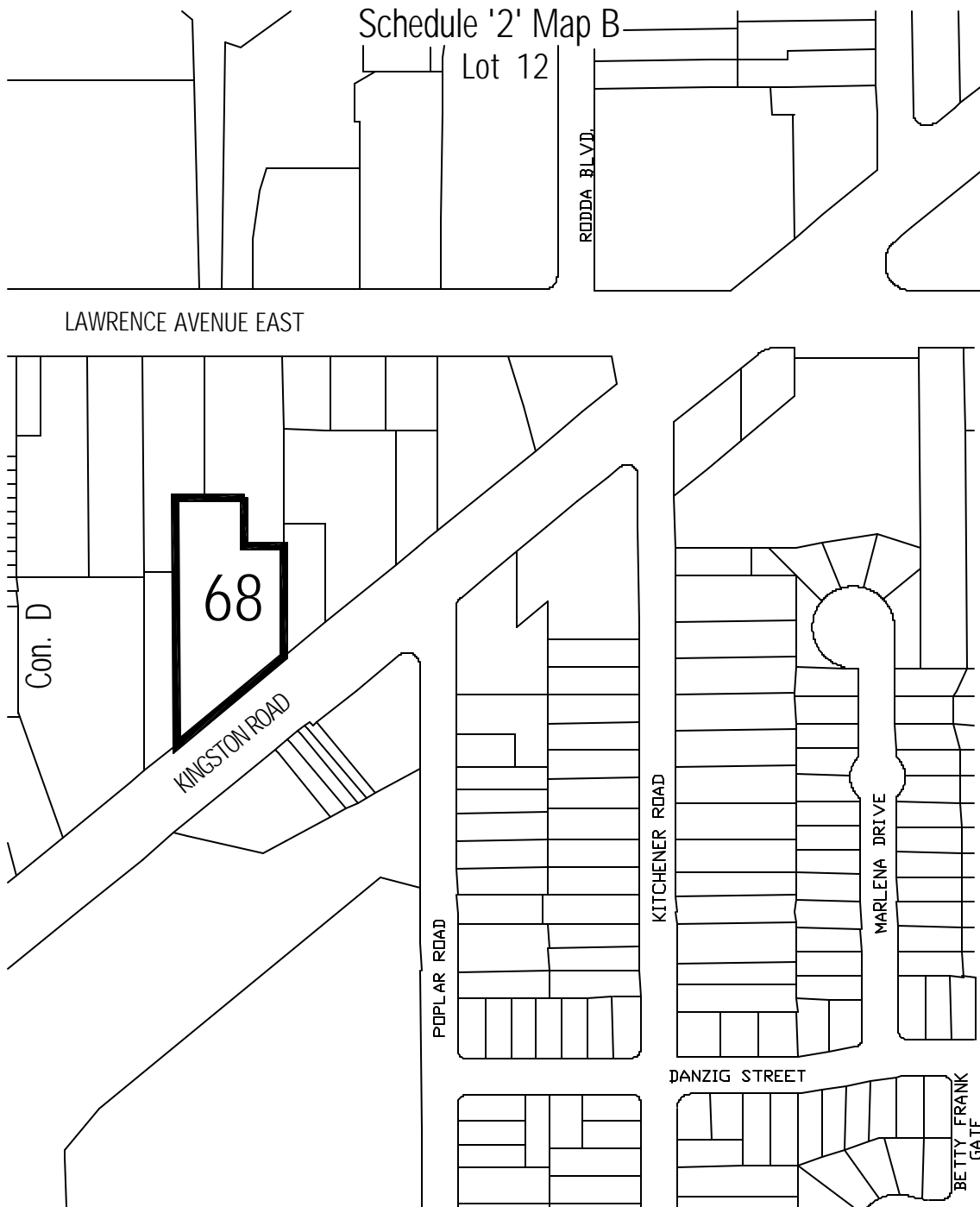
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Area Affected By This By-Law



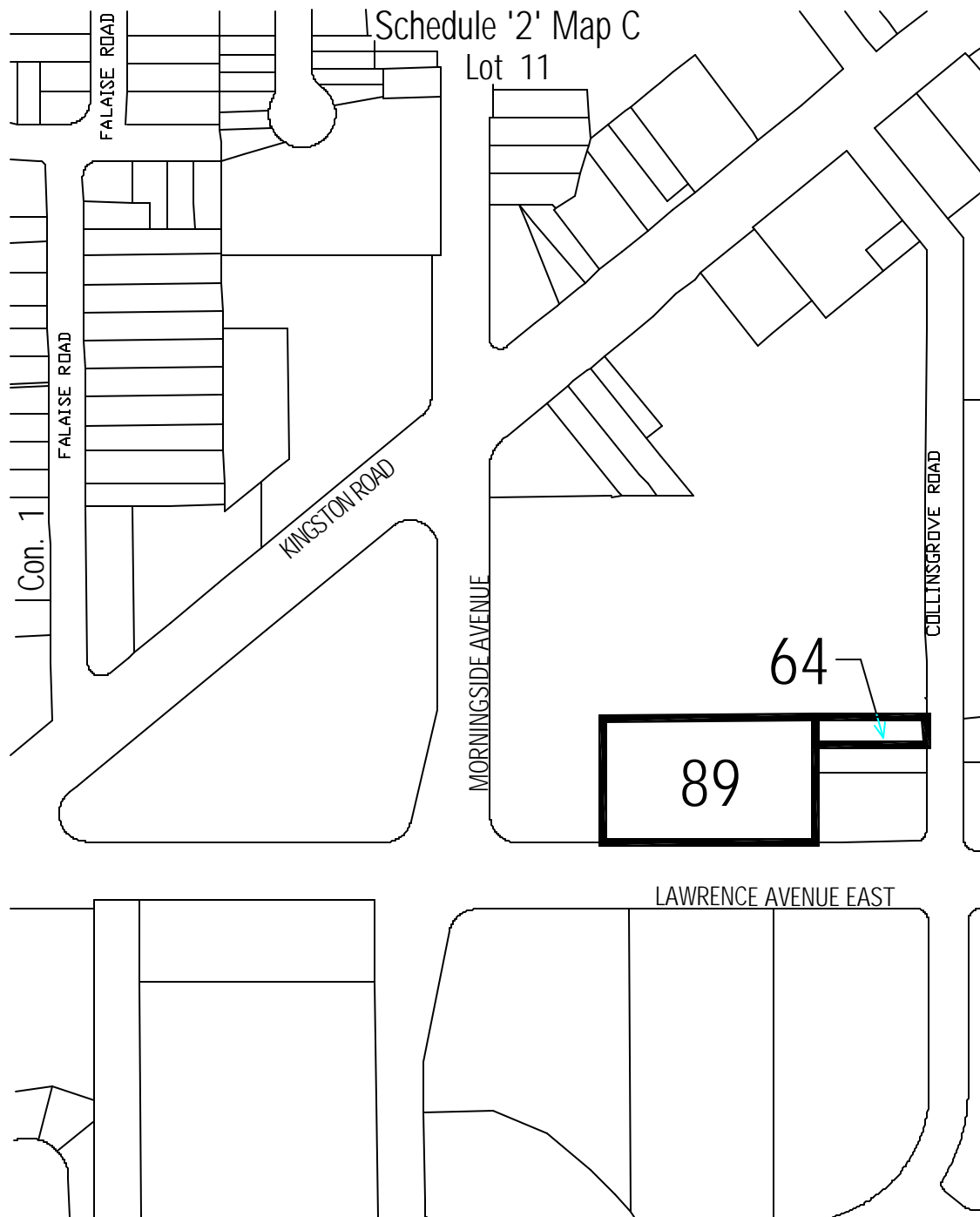
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Extracted 4/24/03 - BP
Job No. Exception-1



Area Affected By This By-Law



Not to Scale
West Hill Community By-law
Extracted 4/24/03 - BP
Job No. Exception-2



Urban
Development Services

Zoning By-Law Amendment-Exception Map

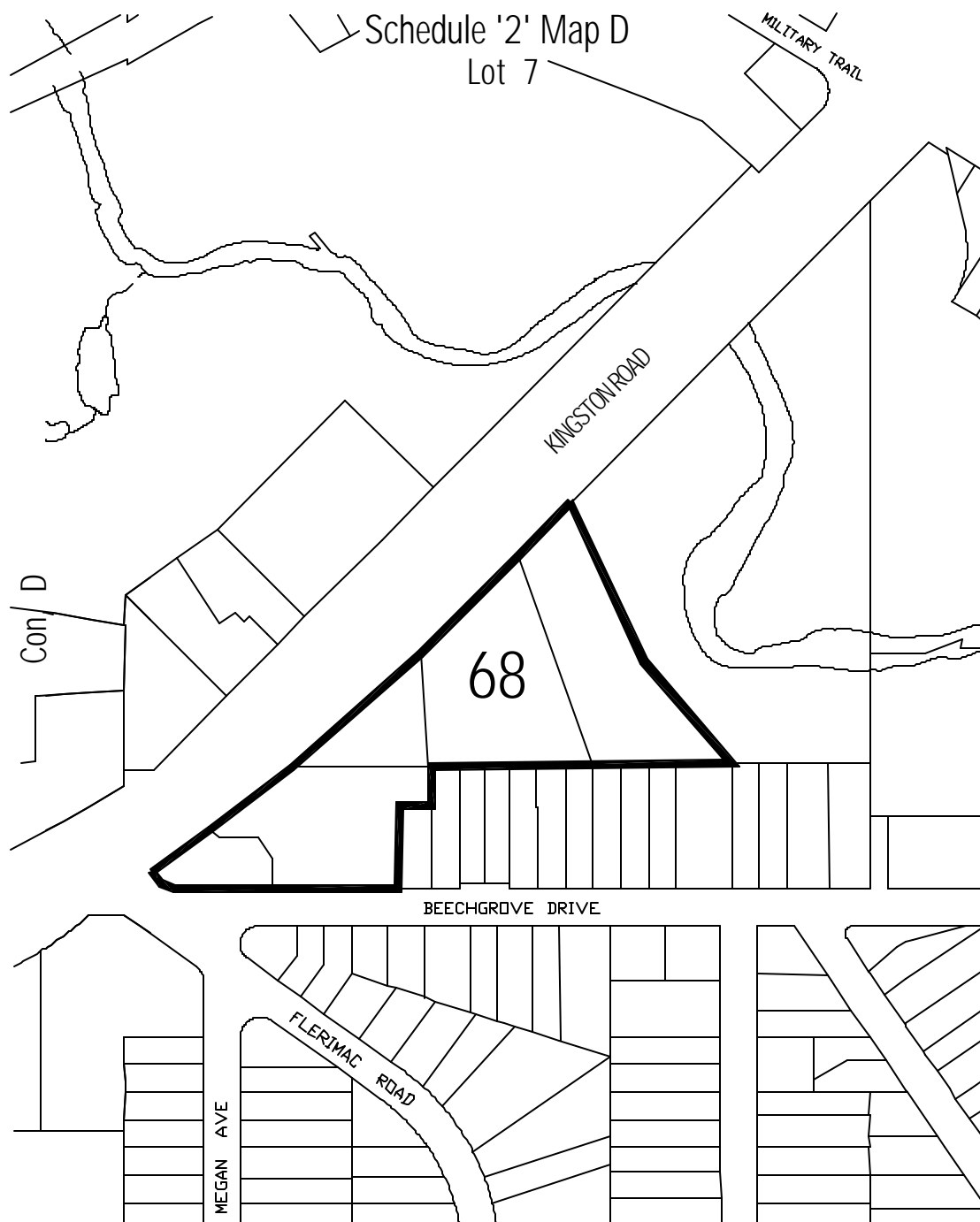
THE AVENUES KINGSTON ROAD



Area Affected By This By-Law



Not to Scale
West Hill Community By-law
Extracted 4/24/03 - BP
Job No. Kingston-Z1



Urban
Development Services

Zoning By-Law Amendment-Exception Map

THE AVENUES KINGSTON ROAD



Area Affected By This By-Law



Not to Scale
West Hill Community By-law
Extracted 4/24/03 - BP
Job No. Exception-4