

Authority: Planning and Transportation Committee Report No. 9, Clause No. 2,
adopted as amended, by City of Toronto Council on October 26, 27, 28 and 31, 2005
Enacted by Council: October 28, 2005

CITY OF TORONTO

BY-LAW No. 950-2005

**To enact a new City of Toronto Zoning By-law with respect to lands east of
Warden Avenue north and south of St. Clair Avenue, to be known as the
Warden Woods Community.**

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

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

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

1. Warden Woods Community Zoning By-law, consisting of the attached text and Schedules '1', '2' and '3', is hereby adopted.
2. Schedule "A" of the Employment Districts Zoning By-law No. 24982 (Golden Mile Employment District – East) is amended by deleting the current zoning for the lands north of St. Clair Avenue and substituting the amended zoning as follows on Schedule '1' attached hereto and forming part of this By-law, together with the following letters and numerals:

CR (H) – 80 – 100 – 101 – 102 – 121 – 143 – 163 – 200 – 202
O

3. Schedule "A" of the Employment Districts Zoning By-law No. 24982 (Oakridge Employment District) is amended by deleting the current zoning for the lands south of St. Clair Avenue and substituting the amended zoning as follows on Schedule '1' attached hereto and forming part of this By-law, together with the following letters and numerals:

CR (H) – 80 – 100 – 101 – 102 – 121 – 144 – 164 – 201 – 202

ENACTED AND PASSED this 28th day of October, A.D. 2005.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

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CLAUSE I - LANDS REGULATED

1. The lands regulated by this By-law are shown outlined with a heavy black line on Schedule “A” annexed hereto, and the regulations applicable to such lands shall be in accordance with the Clauses and Schedules of this By-law.
2. Where lands on Schedule “A” do not have letters or numbers noted thereon, the regulations applicable to such lands shall be as follows:

- 2.1 **Streets and Watercourses**

The regulations on lands adjacent to a street or watercourse shall extend to the centre lines of the streets or watercourses.

CLAUSE II - GENERAL PROVISIONS

1. **Restrictions on the Use of Land and/or Buildings**

No building, structure or land shall hereafter be used or occupied, and no building or structure, or part thereof, shall be erected, moved or altered except in conformity with provisions of this By-law.

2. **Holding Provision (H)**

Where a Holding Provision (H) follows a zone category, the subject land shall not be used for any purpose in that zone category except as provided for in Schedule “C”, **EXCEPTION LIST**, until the Holding Provision (H) is removed, in whole or part.

3. **General Exemption**

Where existing buildings and structures have been lawfully erected and a By-law, or amendments to it, have been subsequently enacted with the result that some characteristic of the building or structure does not conform, but the existing uses conform to the land uses specifically permitted on the parcel by the applicable provisions set out in Schedule “A” and Schedule “C” of the By-law; those provisions of the By-law which cause the non-conformity shall not apply with respect to:

- 3.1 The reconstruction or renovation of an existing building, or structure which has been damaged or destroyed by fire, explosion, Act of God or any other cause beyond the owner’s control, after October 28, 2005, provided that:
 - 3.1.1 The replacement buildings or structures erected on the parcel shall conform to the By-law to the same, or to a greater extent, as those existing on the date the damage occurred, and shall be reconstructed or renovated for the same land use which existed on the parcel on the date the damage occurred; and

- 3.1.2 In instances where the number of parking spaces supplied on the parcel on the date the damage occurred was insufficient to meet the minimum requirement for parking spaces for the uses which existed on the date the damage occurred, this **parking space deficiency** shall not be increased as a result of the reconstruction or renovation, and the total number of parking spaces on the parcel shall not be decreased.

A building or structure renovated or reconstructed pursuant to this Section shall be deemed to have been erected on the day of original construction for the purpose of this By-law.

- 3.2 A change in the use of an existing building or structure to other land uses specifically permitted by the applicable provisions set out in Schedule “A” and Schedule “C” of the By-law, provided that:

- 3.2.1 The land use changes in the buildings or structures, in combination with all other uses on the parcel, shall not increase the extent of the non-conformity; and

- 3.2.2 In instances where the existing number of parking spaces supplied on the parcel is insufficient to meet the minimum requirement for parking spaces for the existing uses, this **parking space deficiency** shall not be increased as a result of the change to the new use, and the total number of parking spaces on the parcel shall not be decreased.

- 3.3 The construction of additional buildings or structures on a parcel, provided that:

- 3.3.1 Any additional buildings or structures shall conform to all the provisions of the By-law; and

- 3.3.2 Any additional buildings, and structures, and uses, in combination with all other buildings, structures, and uses on the parcel, shall not increase the extent of non-conformity; and

- 3.3.3 In instances where the existing number of parking spaces supplied on the parcel is insufficient to meet the minimum requirement for parking spaces for the existing uses, the **parking space deficiency** shall not be increased as a result of the additional buildings, structures, and uses, and the total number of parking spaces on the parcel shall not be decreased.

4. Expansion of Non-Conforming Buildings and Structures

Where existing buildings and structures have been lawfully erected and the By-law or amendments to it have been subsequently enacted with the result that some characteristic of the building or structure does not conform, but the existing land uses conform to the land uses specifically permitted on the parcel by the applicable provisions set out in Schedule “A” and Schedule “C” of the By-law:

- 4.1 The existing buildings and structures may be structurally altered or renovated provided that:
- 4.1.1 The altered or renovated buildings or structures shall continue to conform to all provisions of the By-law, to which the existing buildings or structures conformed.
 - 4.1.2 Any structural alterations and renovations, in combination with all other buildings and structures on the parcel, shall not increase the extent of non-conformity; and
 - 4.1.3 In instances where the existing number of parking spaces supplied on a parcel is insufficient to meet the minimum requirement for parking spaces for the existing use, this **parking space deficiency** shall not be increased as a result of the alterations or renovations and the total number of parking spaces on the parcel shall not be decreased.
- 4.2 The existing buildings and structures may be enlarged, provided that:
- 4.2.1 Any enlargement to buildings or structures shall conform to all the provisions of the By-law; and
 - 4.2.2 The enlargement, in combination with all other buildings, structures, and uses on the parcel, shall not increase the extent of non-conformity; and
 - 4.2.3 In instances where the existing number of parking spaces supplied on the parcel is insufficient to meet the minimum requirement for parking spaces for the existing uses, this **parking space deficiency** shall not be increased as a result of the enlargement and the total number of parking spaces on the parcel shall not be decreased.

5. Parking Space Deficiency

For the purposes of the regulations in this Clause, a **parking space** deficiency occurs when the number of **parking spaces** provided on a **lot** is less than the number of **parking spaces** required for these uses. The extent of the **parking space** deficiency shall be calculated by subtracting the number of **parking spaces** provided from the number of **parking spaces** required.

6. Second Suite Permission when the Existing Use is Legal Non-Conforming

When the existing use is legal non-conforming, a **second suite** may be provided in the existing **single-detached dwellings** and existing **semi-detached dwellings**, notwithstanding Section 3. **Expansion of Non-Conforming Buildings and Structures** of **CLAUSE II-GENERAL PROVISIONS**. A **parking space** required for the **second suite** shall be provided.

CLAUSE III - SCHEDULES

Schedules “A” and “B” with notations and references shown thereon, and also Schedule “C”, are hereby declared to be part of this By-law and are described as follows:

<u>Schedule</u>	<u>Title</u>
“A”	Warden Woods Community Map
“B”	Performance Standard Chart
“C”	Specific exceptions to the provisions of this By-law

CLAUSE IV - ZONES

For the purposes of this By-law the following zones are hereby established:

<u>Zone</u>	<u>Letter</u>
Single-Detached Residential	S
Semi-Detached Residential	SD
Townhouse Residential	TH
Apartment Residential	A
Open Space	O
Park	P
Commercial-Residential	CR
Public Utilities	PU
Institutional – Public Transit	I-PT

CLAUSE V - INTERPRETATION

To interpret the restrictions applicable to any particular parcel of land or building the following procedure shall be adopted:

- (a) Refer to the regulations applicable to all areas restricted by this By-law as found in Clauses II, VI, and VII.
- (b) Refer to Schedule “A” and note the characters (letters and numbers) applicable to the particular area under consideration (subject area bounded by heavy black line).
- (c) The letter or letters refer to one of the zones established by Clause IV of this By-law. Uses Permitted in each of the Zones are set forth in respective Sub-Clauses of Clause VIII of this By-law under appropriate headings. For example, “A” refers to the Apartment Residential provisions in Sub-Clause 4; “S” refers to the Single-Detached Residential provisions in Sub-Clause 1, etc.

- (d) The number or numbers in Schedule “A” refer to required standards of performance specific details of which shall be ascertained by reference to the Performance Standard Chart (Schedule “B”).
- (e) Refer to Schedule “C” for specific exceptions to the provisions of this By-law.
- (f) **Definitions**

Accessory Sign

shall mean a sign that relates exclusively to the use of the premises on which the sign is situated.

Accessory Building

shall mean a subordinate **building** or portion of the main **building** the use of which is incidental to that of the main or principal **building**.

Adult Entertainment Parlours

shall mean any premises or part thereof in which is provided in pursuance of a trade calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations.

Apartment Building

shall mean a **building** containing five or more **dwelling units**, in which **dwelling units** are separated from each other horizontally, or both horizontally and vertically, and each of which has a separate entrance either through a common hallway or directly from outside, or both.

Basement

shall mean a **storey** or portion of a **storey** of a **building** in which the floor is more than 0.75 m below the **established** grade.

Basement Height

shall be measured from the **established grade** to the ceiling of the **basement**. If there is no ceiling, the measurement shall be made to the underside of the floor joists.

Building

shall mean a fully or partially enclosed structure having a roof supported by walls, columns, piers or other structural system; but does not include a **vehicle**.

Circular Driveway

shall mean a **driveway** having two access points to a **street**.

Coverage

shall mean the portion of the **lot** on or above the surface of the lot that is covered by **buildings** and structures measured to the limit of all roof lines excluding the following projections:

1. Any eaves and roof overhangs up to a maximum of 1 m.
2. Any eaves, roof overhangs and canopies over unenclosed pedestrian walkways.

Day Nursery

shall mean premises that receive more than five children primarily for the purposes of providing temporary care or guidance, or both, for a continuous period not exceeding twenty-four hours and is regulated by applicable Province of Ontario legislation for Day Nurseries; but it is not a public, separate or private school as defined in applicable Province of Ontario legislation for Education, or premises used for a recreational program operation by or for the City.

Domestic or Household Arts

shall mean any domestic or household art, the practice of which does not affect the amenity of the neighbourhood.

Drive-through Facility

shall mean the use of land, **buildings** or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through an attendant or a window or an automated machine, to persons remaining in motorized vehicles that are in a designated stacking lane. A drive-through facility may be in combination with other uses such as, a bank, dry cleaning and laundry collecting establishment, financial institution, personal service shop, restaurant, retail store, service station, or take-out restaurant. A **Drive-through Facility** does not include a mechanical or automatic car wash or automobile service station or public garage.

Driveway

shall mean the portion of a lot which is intended to provide vehicular access between a **street** and a **parking space** or **loading space**.

Dwelling Unit

shall mean one or more habitable rooms used as independent living accommodation for a single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the unit.

In addition, it may include a **second suite** where there is no addition to nor substantial alteration to the exterior appearance of the front or side of the **dwelling unit** facing a **street** as a result of the introduction of the **second suite**, such as but not limited to, a new private entrance for the **second suite** in any **main walls** facing a **street yard**

Established Grade

shall mean the average elevation of the ground at each point where the required **front yard setback** line meets the **side lot lines**.

Financial Institution

shall mean land, **buildings** or structures or parts thereof used for banks, trust companies, credit unions, savings offices and other operations which provide financial services to the general public other than exclusively through an automated banking machine.

First Floor

shall mean the floor of a **building** closest to **established grade**.

Floor Area

shall mean the area of all floors of a dwelling measured from the outside of the exterior walls, excluding the floor area of all **basements** and garages.

Front Lot Line

shall mean the line which divides a lot from a **street**. On a corner lot, the shortest of the lines which divides the **lot** from a **street** shall be deemed to be the **front lot line**. For **townhouse dwellings**, the **front lot line** shall be deemed to be the **street lot** line opposite the shortest **main wall** of the **dwelling unit**.

Front Yard

shall mean the space between a **main wall** of a building, and a **front lot line** extending the full width of the **lot**.

Games Arcade

shall mean an establishment where one or more electronic or manually operated game machines are used or recreation, entertainment or amusement. A bowling alley, billiard hall or pool hall is not considered to be a **Games Arcade**.

Gross Floor Area

shall mean the area of all floors, including **basements** and mezzanine floors, except that storage rooms and washrooms located in the **basement**, parking structures including ramps and **driveways**, and **utility rooms** shall not be included. **Gross floor area** shall be measured to the external faces of the exterior walls, except that **gross floor** area of a use occupying a portion of a **building** shall be measured to the centre line of dividing walls and the external faces of the exterior walls. Where there is no dividing line between uses, the **gross floor area** shall be measured to the dividing line between uses.

Ground Sign

shall mean a sign directly supported by the ground without aid of any other **building** or structure, other than the sign structure.

Group Home

shall mean premises used to provide supervised living accommodation, licensed or funded under Province of Ontario or Government of Canada legislation, for three to ten persons, exclusive of staff, living together as a single housekeeping unit because they require a group living arrangement by reason of their emotional, mental, social or physical condition or legal status.

Group Home, Correctional

shall mean a **Group Home** operated for persons who have been placed on probation, released on parole or admitted for correctional purposes;

Hammerhead Turnaround

shall mean that portion of a **driveway** designed or intended to permit a **vehicle** to complete a 180° turn on the **driveway**.

Height

shall mean the vertical distance measured from the **established grade** to the highest point of the **building**, excluding chimneys, skylights, vents, antennae, elevator machine rooms, and parapet walls.

Landscaping

shall mean any combination of trees, shrubs, grass, flowers, vegetables, decorative stonework, walkways, screening, or other horticultural or landscape-architectural elements, and does not include driveways, loading or parking areas, and directly associated elements such as curbs or retaining walls.

Lane

shall mean a public or private right-of-way which is not for general traffic circulation and which may provide an alternate means of access to abutting **lots**.

Live-work Unit

shall mean a **dwelling unit**, part of which may be used as a business establishment, where the **dwelling unit** is the principle residence of the business operator.

Loading Space

shall mean a vehicle space for loading or unloading of goods or materials.

Lot

shall mean a single parcel or tract of land which may be conveyed in accordance with the provisions of the *Planning Act* of the Province of Ontario, or which is described in a registered deed.

Lot Area

shall mean the horizontal area enclosed within all the lot lines of a **lot**.

Lot Depth

shall mean the distance between the midpoint of the **front lot line** and the midpoint of the **rear lot line**.

Main Wall

shall mean the exterior front, side or rear wall of a **building**, and all structural members essential to the support of a fully or partly enclosed space or roof.

Marketplace Sign

shall mean a non-accessory **ground-mounted sign** such as a pedestal or pillar ad sign and does not include signage on benches, telephone booths, transit shelters or other similar objects.

Municipality

shall mean The Corporation of the City of Toronto, including its predecessors and successors.

Non-Accessory Sign

shall mean a sign which does not relate to the use of the premises on which the sign is situated, or which is not an **accessory sign** or a transit shelter advertising sign.

Park

shall mean land or structures owned and operated by a public authority for the provision of recreational, cultural and/or conservation activities, facilities and/or services.

Parking Space

shall mean an area which is used for the parking of a **vehicle**.

Personal Service Shop

shall mean means premises in which services with respect to grooming of persons or the care of their apparel is provided.

Place of Entertainment

shall mean premises used by a business establishment providing entertainment other than sporting events, primarily while patrons are seated, such as theatre, cinema, opera or ballet.

Place of Worship

shall mean shall mean land, **buildings** or structures or parts thereof used by a bona fide religious groups or organizations for religious purposes and other related uses, excluding cemeteries.

Private Home Day Care

shall mean the temporary care and custody of five children or less where such care is provided in a private residence, other than the home of a parent or guardian of such child, for a continuous period not exceeding 24 hours.

Public Transportation Uses

shall mean the use of land, **buildings** or structures for the operation of a transportation system which is provided by, or under the control of, a public authority, but excludes a transit vehicle maintenance yard and/or storage facility.

Public Utility

shall mean land, **buildings**, structures or devices such as wires, lines, pipes or sewers, used for the distribution of gas, steam, electricity or other forms of energy, or the transmission of impulses, signals or messages, or for the collection, distribution, storage or treatment of water or sewage, or any combination of these.

Rear Lot Line

shall mean the **lot** line which is farthest from, and opposite to, the **front lot line**. In the case of a triangular lot, the **rear lot line** is the apex of the angle formed by the intersection of the **side lot lines**.

Rear Yard

shall mean the space between a **main wall** of a building, and a **rear lot line** extending the full width of the **lot**.

Recreational Use

shall mean the use of lands, **buildings**, or structures primarily for the pursuit of sports, games, or physical exercise, and may include associated spectator seating.

Residential Care Facility

shall mean a supervised facility for the accommodation of more than 10 persons, exclusive of staff who, by reason of their emotional, mental, social or physical condition, or legal status, require a group living arrangement for their well-being, and where:

- The members of the group are referred by a hospital, court or government agency, or recognized social services agency or health professional; and
- Such facility is funded wholly or in part by any government, other than funding provided for capital purposes only, or such a facility is licensed or approved under Provincial statute.

Such facility is not a hospital, nursing home, retirement home or convalescent home.

Restaurant

shall mean land, **buildings** or structures or parts thereof used for the preparation and consumption of food or beverages on the premises and shall also include banquet halls.

Rooming and/or Boarding House

shall mean living accommodation, provided for valuable consideration to more than two persons who are not members of the single housekeeping unit which normally occupies the **dwelling unit** where said accommodation is provided or given.

School

shall mean a **school** as defined under The Education Act, as amended, and shall include educational uses, school board administrative uses and secondary uses for community, cultural and recreational purposes.

Second Suite

shall mean a separate, self-contained residential accommodation located in a **single-detached dwelling**, the whole of which prior to the introduction of the **second suite** is at least 5 years old, and a **semi-detached dwelling**, the whole of which prior to the introduction of the **second suite** is at least 5 years old, which shall be smaller than the remaining portion of the **dwelling unit** excluding garages and **accessory buildings**, and which shall contain at least one room, a kitchen and separate sanitary conveniences.

Semi-Detached Dwelling

shall mean a **building** containing two **dwelling units** which are separated from each other vertically, and each of which has a separate entrance directly from outside.

Setbacks

shall mean the horizontal distance measured at right angles from the lot line to the **main wall** of a building.

Side Lot Line

shall mean a **lot** line other than a **front** or **rear lot line**.

Side Yard

shall mean the space between the side **main wall** of a building, and the **side lot line**, extending from the **front yard** to the **rear yard**.

Single-Detached Dwelling

shall mean a **building** which contains one **dwelling unit** comprising the whole of the **building**.

Storey

shall mean that portion of a **building**, other than the **basement**, included between any floor level and the floor, ceiling or roof immediately above it.

Street

shall mean a public right-of-way for general traffic circulation and which provides the primary access to abutting **lots**.

Street Yard

shall mean the space between a **street lot** line or lines and the **main wall** or walls of a **building**, extending the width and breadth of the **lot**.

Townhouse Dwelling

shall mean a **building** containing three or more **dwelling units**, in which **dwelling units** are separated from each other vertically, and each of which has a separate entrance directly from outside.

Utility Room

shall mean a room accommodating service facilities for **buildings** on the same parcel of land and used primarily for one or more of the following purposes: mechanical, telephone, or electrical services; building maintenance equipment storage; or garbage handling and storage.

Vehicle

means a device, either self-propelled or pulled by a self-propelled vehicle, designed to transport persons or goods or for construction, and designed to be supported through contact of wheels or tracks with the ground.

Wall Sign

shall mean a sign entirely supported by or through the face of a **building**, or by component members comprising all or a part of said sign face.

CLAUSE VI - PROVISIONS FOR ALL ZONES

1. Reduction of Yards

No part of a yard or other open space, required about any **building** for the purpose of complying with the provisions of this By-law, shall be included as a part of a yard or other open space similarly required for another **building**.

2. Licences, Permits and Other By-laws

Nothing in this By-law shall operate to relieve any person from the obligation to comply with the requirements of the Building By-laws of the Corporation of the City of Toronto, or any other By-laws of the City of Toronto or its predecessors in force from time to time, or the obligation to obtain any licence, permit, authority or approval which may be otherwise lawfully required.

3. Uses Permitted in All Zones

Nothing in this By-law shall prevent the use of any land within the defined area as a public **park**, public **street**, or for the erection of public and separate **schools**, for structures and facilities essential to the operation of **public utilities**, or **public transportation** uses.

4. Frontage on a Street

No person shall erect a **building** or structure and no person shall use any **building**, structure or **lot** in the defined area, unless the **lot** to be so used or upon which the **building** is situated, erected or proposed to be erected, abuts or fronts on a public **street**.

Notwithstanding the foregoing, **townhouse dwelling(s)** may be permitted on a **lot** that abuts a 0.3 metre reserve abutting Danforth Road, and notwithstanding the definition of **front lot line** contained in **CLAUSE V, INTERPRETATION, Section (f), DEFINITIONS**, the **front lot line** for **townhouse dwellings** in this case shall be deemed to be the line that separates the **lot** from the 0.3 metre reserve that abuts Danforth Road.

5. Day Nurseries

Day Nurseries shall only be located on or below the second **storey**.

6. Games Arcades and Games Machines Incidental to Commercial Operations

- (i) **Games Arcades** shall be prohibited except where specified on **Schedule “C”**.
- (ii) Notwithstanding the above, **Games Arcades** shall be permitted as a use subordinate and incidental to the following principal uses: bowling alleys, billiard halls, pool halls, and establishments licensed under The Liquor Licence Act except for licensed **restaurants**.

7. Commercial Recreational/Health Establishments - Prohibitions

No one may use or permit the use of any property for a commercial recreational or commercial health establishment either of which invites or is suited to use by prostitutes.

8. Adult Entertainment Parlours

An **adult entertainment parlour** shall be prohibited except in hotels having fifty or more bedrooms.

9. Day Nurseries in Schools

All private and public educational institutions operated pursuant to *The Education Act*, R.S.O. 1980, Chapter 129, as amended, and as permitted by this By-law, may use a maximum of 40% of the gross floor area for a **day nursery**.

10. Non-Accessory Signs

10.1 **Ground and Wall Signs** which are **non-accessory** are prohibited.

10.2 Roof-mounted signs are prohibited.

11. Regulations for Single-Detached and Semi-Detached Dwellings

11.1 Maximum **height**: 9 m.

11.2 Maximum number of **storeys** excluding **basements**: 2 **storeys**.

11.3 Maximum **floor area** per **dwelling unit** shall be as follows:

<u>Lot Size</u>	<u>Floor Area</u>
For lots less than 465 m ²	No Maximum
For lots 465 m ² - 697 m ²	Maximum 0.5 x lot area to a maximum floor area of 279 m ²
For lots more than 697 m ²	Maximum 0.4 x lot area

11.4 Maximum **basement height**: 1 m

12. Regulations for Group Homes, Correctional Group Homes and Residential Care Facilities

12.1 **Group homes, correctional group homes and residential care facilities** are not permitted in conjunction with any other uses permitted, including ancillary uses permitted.

12.2 No **group home** or **correctional group home** shall be located within 300 m of any other **group home** or **correctional group home**, or **residential care facility**, the distance to be measured as a radius from the perimeter of the **lot** on which a **group home, correctional group home or residential care facility** is located.

12.3 **Correctional group homes** are permitted in single detached **dwelling units** only, on **lots** which front onto the following arterial roads:

- St. Clair Avenue, Warden Avenue, Danforth Road

13. Regulations for Drive-through Facilities

No person shall use any land, building or structures within the City of Toronto, for any use containing a **drive-through facility** or service facility:

- (i) within any zone which permits residential uses, and
- (ii) within any commercial or industrial zone that abuts a residential zone, except where a minimum distance of 30 metres separates all points of the drive-through facility including stacking lanes from any **lot** within the zone permitting residential uses and provided all other applicable development standards are satisfied.

14. Drive-through Facility in Combination with Other Uses

Despite any other provision of this by-law, where the use of any land, building or structure is composed of a combination of a **Drive-through Facility** and any one or more other uses, the combined uses should not be construed as accessory to one another and all provisions pertaining to each use shall apply.

15. Accessory Structures

The location of detached **accessory buildings** shall not be used to determine the dimensions of a **side yard** or a **rear yard**.

16. Permitted Encroachments into Required Yards

The following projections, to the maximum distances shown below, shall not be considered part of the **main wall**:

Chimneys, pilasters and projecting columns	500 mm
Roof overhang	1 metre
Balconies and unenclosed porches projecting into a front yard , rear yard or a side yard abutting a street	1.55 metres
Exterior steps	No Limit
Cantilevered bay windows projecting into a front yard , rear yard or a side yard abutting a street	1 metre

17. Abutting “S”, “SD” and “TH” Zones

In all non-residential zones, a minimum 1.5 metre wide parcel of land abutting these residential zones shall be used for **landscaping** only.

18. Storage, Display and Sale of Retail Goods

The storage, display and sale of retail goods shall only be carried out within an enclosed **building**.

CLAUSE VII - GENERAL PARKING REGULATIONS FOR ALL ZONES

1. General Parking Requirements

1.1 Table of Required Parking Rates

Except as otherwise specifically regulated by the By-law, **parking spaces** shall be provided in accordance with the parking rates set out in the following table:

<u>Use</u>	Minimum Rate of Parking Space Supply Required
Dwelling Units	1 space per dwelling unit , excluding second suites
Retail Uses, Service Uses	3 spaces per 100 m ² of gross floor area
Office Uses	3 spaces per 100 m ² of the following: gross floor area minus the gross floor area of first floor public lobbies and first floor public walkways.
Restaurants, Banquet Halls	10.7 spaces per 100 m ² of gross floor area
Places of Entertainment	12 spaces per 100 m ² of gross floor area
Recreational Uses	5 spaces per 100 m ² of gross floor area
Day Nurseries	1.5 spaces per 100 m ² of gross floor area
Second Suites	1 space per second suite

1.2 Application of Parking Rate

1.2.1 Calculation of Requirement

If a parking rate in the By-law is expressed as a ratio of **parking spaces** to the **gross floor area**, the **parking space** requirement for a use shall be calculated by multiplying the **gross floor area** of the use by the applicable rate.

1.2.2 Sum of Requirements

The total number of **parking spaces** required on a parcel shall be the sum of the number of **parking spaces** required for each use on the parcel. When this sum includes a fraction of a **parking space**, one additional whole **parking space** shall be provided.

1.2.3 Enclosed Public Walkways and Malls

Parking shall be provided for enclosed public walkways and malls in commercial buildings at the same rate as is required for retail and service uses.

1.2.4 Office Lobbies and Walkways

For a building which contains both office uses and other commercial uses, if the **gross floor area** of commercial uses other than offices, exceeds the **gross floor area** of office uses, parking shall be required for main floor public lobbies and main floor public walkways in accordance with the regulations for enclosed public walkways and malls contained in Section 1.2.3.

1.2.5 Vacant Space

When determining the parking supply requirement for vacant space in a building, parking shall be provided in accordance with the requirements corresponding to its intended use. The most recent of the following shall constitute the intended use of the vacant space:

- the most recently identified land use in conjunction with any permit issued in accordance with the Building Code Act; or
- the previous use of the vacant space.

If the vacant space has never been used, and its intended use has never been identified in conjunction with any permit issued in accordance with the Building Code Act, its intended use shall be deemed to be the permitted use having the lowest minimum parking requirement.

1.3 **Parking Space and Driveway Dimensions**

Except as otherwise specifically regulated by the By-law:

- 1.3.1 **Parking spaces** shall have minimum dimensions of 2.7 metres width by 5.7 metres length, except that enclosed **parking spaces** for **single-detached**, **semi-detached**, and **townhouse dwellings** shall have minimum dimensions of 3 metres width by 6 metres length.

- 1.3.2 **Driveways** for **single-detached**, **semi-detached**, and **townhouse dwellings** shall not exceed the width of the vehicle access door for single vehicle garages, or the width of the vehicle access doors plus the space between the vehicle access doors for garages for two or more vehicles; and such **driveways** shall have a minimum width of 2.5 metres and a maximum width of 6 metres; and

All other **driveways** shall have a minimum width of 3 metres for one way traffic and 6 metres for two-way traffic.

1.4 Location

Except as otherwise specifically regulated by the By-law, **parking spaces** shall be located on the same **lot** as the use they serve.

1.5 Parking Structures

1.5.1 Height

Except as otherwise specifically regulated by the By-law, the maximum height of any above-grade parking structure shall be 3.7 m. The height shall be measured from the average grade of the lands at the perimeter of the parking structure to the highest point of the uppermost floor of the parking structure. Where the lands abut a residential zone, at no point shall that portion of the structure facing the residential zone exceed 3.7 m in height, measured from grade to the uppermost floor.

1.5.2 Yards

All parking structures above and below grade shall comply with the minimum building **setback** requirements of the By-law.

1.5.3 Exemption

All parking structures which are accessory to residential uses are not subject to Sub-Section 1.5.1, 1.5.2, and shall be regulated by Sub-Section 2.1, Regulations for all Residential Uses.

2. **Residential Parking Regulations**

2.1 Regulations for all Residential Uses

2.1.1 Street Yard Parking

No **parking space** required by this By-law shall be located in any **street yard** unless otherwise permitted in this By-law.

2.1.2 Vehicles Prohibited in All Yards

Parking of the following vehicles is prohibited in all yards:

- Construction **Vehicles**
- Dump Trucks
- Farm Tractors
- Repair and Towing **Vehicles**
- Self-Propelled Implements of Husbandry
- Tracked **Vehicles**
- Traction Engines
- **Vehicles** designed to run only on rails
- **Vehicles** equipped with more than six wheels, excluding spare wheels, designed to support the weight of the **vehicle** through contact with the ground
- **Vehicles** that are in a wrecked or dismantled or inoperative condition

Notwithstanding this Sub-Section, parking of motorized snow **vehicles** designed to transport not more than two persons is permitted.

2.1.3 Vehicles Prohibited in Street Yards

Parking of **vehicles** equipped with five or six wheels, excluding spare wheels, designed to support the weight of the **vehicle** through contact with the ground, is prohibited in **street yards**. Notwithstanding this Sub-Section, parking of recreational **vehicles**, and **vehicles** for the transport of disabled persons, is permitted in **street yards** on the **driveway** leading to the **parking space** required by this By-law.

2.1.4 Garages, Carports and **Accessory Buildings**:
(all hereinafter termed “Structures”)

- (a) Shall not be used for human habitation;
- (b) Shall not exceed a height of 3.7 metres measured from the floor of the said structure to the eaves. This height restriction shall not apply to **basement** garages.
- (c) Detached **accessory buildings** may be erected in a **side yard** provided that the structure is distant not less than 1.2 m from any adjoining dwelling, and shall be located a minimum distance of 300 mm from the **side lot line** unless otherwise specified in the By-law;

- (d) Detached **accessory buildings** may be erected in the **rear yard** provided that:
 - (i) If the structure is partly within the **side yard** it shall be subject to the provisions of Clause 2.1.4(c).
 - (ii) If the structure so erected is wholly within the **rear yard** it shall be distant not less than 1.8 m from a dwelling, and shall be distant not less than 450 mm from the nearest lot line, unless otherwise specified in the By-law.
 - (iii) Notwithstanding anything in this By-law, common semi-detached garages may be centred on the **side lot line**.

2.2 Regulations for **Single-Detached Dwellings, Semi-Detached** and **Townhouse Dwellings**

2.2.1 **Street Yard Exceptions**

- 2.2.1.1 **Vehicles** may only be parked in a **street yard** on that portion of the **driveway** leading to the **parking space** required by this By-law.
- 2.2.1.2 Notwithstanding paragraphs 2.1.1 and 2.2.1.1, the **parking space** required for a **second suite** may be located in a **street yard**, only in tandem on the **driveway** leading to the **parking space** required for a **dwelling unit**.

2.2.2 **Hammerhead and Circular Driveway Regulations**

2.2.2.1 **Hammerhead Turnarounds**

Driveways with **hammerhead turnarounds** shall be permitted on **lots** having frontage greater than 18 metres, or on **lots** having access to minimum 27 metre wide **streets**, provided in either case, that **driveways** and **parking spaces** in the **street yard** shall not cover more than 60% of the **street yard**. Parking of **vehicles** is permitted only on that portion of the **driveway** leading directly to the **parking space** required by this By-law.

2.2.2.2 **Circular Driveways**

Circular driveways shall be permitted on **lots** having frontages greater than 18 m, provided that **driveways** and **parking spaces** in the **street yard** shall not cover more than 60% of the **street yard**. Parking of **vehicles** is permitted only

on that part of the **driveway** leading directly to the **parking spaces** required by this By-law.

2.2.3 **Vehicle Repair**

Any work on a **vehicle** is restricted to maintenance of a **vehicle** owned by an occupant of the dwelling, and shall exclude painting, sanding, welding and autobody repairs.

CLAUSE VIII - ZONE PROVISIONS

1. Single-Detached Residential (S) Zone

(a) Permitted Uses

- **Single-Detached Dwellings**
- **Correctional Group Homes**
- **Group Homes**

(b) Ancillary Uses Permitted

- **Domestic or Household Arts**
- **Private Home Day Care**

(c) Supplementary Regulations

- (i) The operation of a **rooming and/or boarding house** is strictly prohibited.

2. Semi-Detached Residential (SD) Zone

(a) Permitted Uses

- **Semi-Detached Dwellings**
- **Correctional Group Homes**
- **Group Homes**

(b) Ancillary Uses Permitted

- **Domestic or Household Arts**
- **Private Home Day Care**

(c) Supplementary Regulations

- (i) The operation of a **rooming and/or boarding house** is strictly prohibited.

3. Townhouse Residential (TH) Zone

(a) Permitted Uses

- **Townhouse Dwellings**
- **Correctional Group Homes**
- **Group Homes**

(b) Ancillary Uses Permitted

- **Private Home Day Care**

(c) Supplementary Regulations

- (i) The operation of a **rooming and/or boarding house** is strictly prohibited.

4. Apartment Residential (A) Zone

(a) Permitted Uses

- **Apartment Buildings**
- **Day Nurseries**
- **Group Homes**
- Nursing Homes
- Senior Citizen Homes

(b) Ancillary Uses Permitted

- **Private Home Day Care**

(c) Supplementary Regulations

- (i) The operation of a **rooming and/or boarding house** is strictly prohibited.

5. Open Space (O) Zone

(a) Permitted Uses

- Open Space Uses

(b) Definition

For the purposes of this By-law, Open Space shall include areas, the topographical or physical nature of which renders these lands unsuitable for the sustenance of **buildings**, and areas for storm water management facilities. In this category or zone, the erection, structural alteration and/or maintenance of **buildings** is prohibited. Notwithstanding the foregoing, however, public recreational uses, storm water

management facilities and **accessory buildings** thereto, shall be permitted in the areas designated “O” in Schedule “A”.

6. Park (P) Zone

(a) Permitted Uses

- **Park**
- **Day Nursery**

(b) Supplementary Regulations

- (i) A storm water management facility is also permitted.

7. Commercial/Residential (CR) Zone

(a) Permitted Uses

- **Day Nurseries**
- **Financial Institutions**
- Medical Centres
- Offices
- **Personal Service Shops**
- **Private Home Day Care**
- **Places of Entertainment**
- **Place of Worship**
- **Apartment Buildings**
- **Restaurants**
- Retail Stores
- **Recreational Uses**
- Nursing Homes and Senior Citizens Homes

8. Public Utilities (PU) Zone

(a) Permitted Uses

- **Public Utilities**
- Horticulture
- Pipelines

9. Institutional – Public Transit (I-PT) Zone

(a) Permitted Uses

- **Public Transportation Uses**, including commuter parking facilities and subway and surface transit station.

PERFORMANCE STANDARD CHART - SCHEDULE “B”

INTENSITY OF USE

1. One **single-detached dwelling** per **lot** as shown on the Registered Plan.
2. One **semi-detached dwelling** per **lot** as shown on the Registered Plan.
3. One **single-detached dwelling** per **lot** having a minimum frontage of 7.5 m on a **street** and a minimum **lot** area of 325 m².
4. One **single-detached dwelling** per **lot** having a minimum frontage of 9 m on a **street** and a minimum **lot** area of 325 m².
5. One **single-detached dwelling** per **lot** having a minimum frontage of 9 m on a **street** and a minimum **lot** area of 234 m².
6. One **single-detached dwelling** per **lot** having a minimum frontage of 12 m on a **street** and a minimum **lot** area of 464 m².
7. One **semi-detached dwelling** per **lot** having a minimum frontage of 13.7 metres on a **street** and a minimum **lot** area of 350 m².
8. One **townhouse dwelling** per 5.5 metres of **front lot line** and a minimum **lot** area of 140 m² per **dwelling unit**.
9. One **townhouse dwelling** per 4.2 metres of **front lot line** and a minimum **lot** area of 107 m² per **dwelling unit**.

FRONT YARD SETBACK

20. Minimum 6 metres.
21. Minimum 3 metres.
22. Minimum 3 metres, except that the **main wall** containing the vehicular access to a garage shall be **setback** a minimum of 5.7 metres.

REAR YARD SETBACK

40. Minimum 6 metres.
41. Minimum 7.25 metres.
42. Minimum 7.5 metres.
43. Minimum 7.5 metres plus 50% of lot depth greater than 33.5 metres.

44. For the **main wall** of the **dwelling unit**, a minimum 2.25 metres from a **lane** having a minimum width of 10.5 metres, except that an attached garage incorporating full roof-top balcony amenity space for the occupants may have a minimum setback from such a **lane** of 1.0 metre. The **main wall** projections provisions of **CLAUSE V1 – PROVISIONS FOR ALL ZONES, Section 16, Permitted Encroachments into Required Yards** shall not apply to such attached garage extensions with the exception that roof overhangs (i.e. eaves) may project a maximum of 0.5 metres from the **main wall** of the garage facing the **lane**.

SIDE YARD SETBACK

60. Minimum 6 metres.
61. Minimum 1.2 metres for **single-detached dwellings**.
62. Minimum 1.2 metres on one side and 0.6 metres on the other side for **single-detached dwellings**.
63. Minimum 1.2 metres for the end (side) wall of **semi-detached** and **townhouse dwellings**, except for **side yards** that abut a **street** or **lane**, and 0 metres from the common **lot** line shared by **dwelling** units.
64. Minimum 3 metres to a **street** line or 1.2 metres to **lane** line, except that the **main wall** containing the vehicular access to a garage shall be **setback** a minimum of 5.7 metres.

STREET YARD SETBACK

80. Minimum 3 metres.

BUILDING SETBACK FROM LOT LINES OTHER THAN STREET LINES

100. Minimum **setback** from an **Open Space (O) Zone** boundary: 7.5 metres.
101. Minimum **setback** from an **Institutional – Public Transit (I-PT) Zone** boundary: 4 metres.
102. Minimum 3 metres.

COVERAGE

120. Maximum building **coverage** of 55% of the **lot** area.
121. Maximum building **coverage** of 50% of the **lot** area.
122. Maximum building **coverage** of 40% of the **lot** area.
123. Maximum building **coverage** of 35 % of the **lot** area.

HEIGHT

- 140. Maximum 10.5 metres.
- 141. Maximum 12.0 metres.
- 142. Maximum 13.5 metres.
- 143. Maximum 12 **storeys**.
- 144. Maximum 15 **storeys**.

PARKING

- 160. An attached garage shall be provided with each **single-detached, semi-detached** and **townhouse** dwelling.
- 161. The maximum width of a garage door on attached garages shall be 50% of the **lot** frontage or **front lot line** of the parcel for the dwelling unit.
- 162. Parking for **Apartment Buildings** shall be provided at a minimum rate of:
 - (a) Resident - 1.0 spaces per unit
 - (b) Visitor - 0.25 spaces per unit
- 163. Parking for **Apartment Buildings** shall be provided at a minimum rate of:
 - (a) Resident - 1.0 spaces per unit
 - (b) Visitor - 0.2 spaces per unit
- 164. Parking for **Apartment Buildings** shall be provided at a minimum rate of:
 - (a) Resident - 1.0 spaces per unit
 - (b) Visitor - 0.1 spaces per unit

FLOOR AREA

- 180. **Gross floor area** of all buildings shall not exceed 0.20 times the area of the **lot**.

MISCELLANEOUS

- 200. Maximum 500 **dwelling units**.
- 201. Maximum 450 **dwelling units**.
- 202. The **Intensity of Use** provisions of this By-law shall apply collectively to this land, notwithstanding its future division onto two or more parcels of land.

EXCEPTIONS LIST – SCHEDULE “C”

EXCEPTIONS

Notwithstanding the following exceptions, all other provisions of this By-law, as amended, not inconsistent with the exception, shall continue to apply.

1. For the lands indicated on Schedules ‘2’ and ‘3’ to this Bylaw:

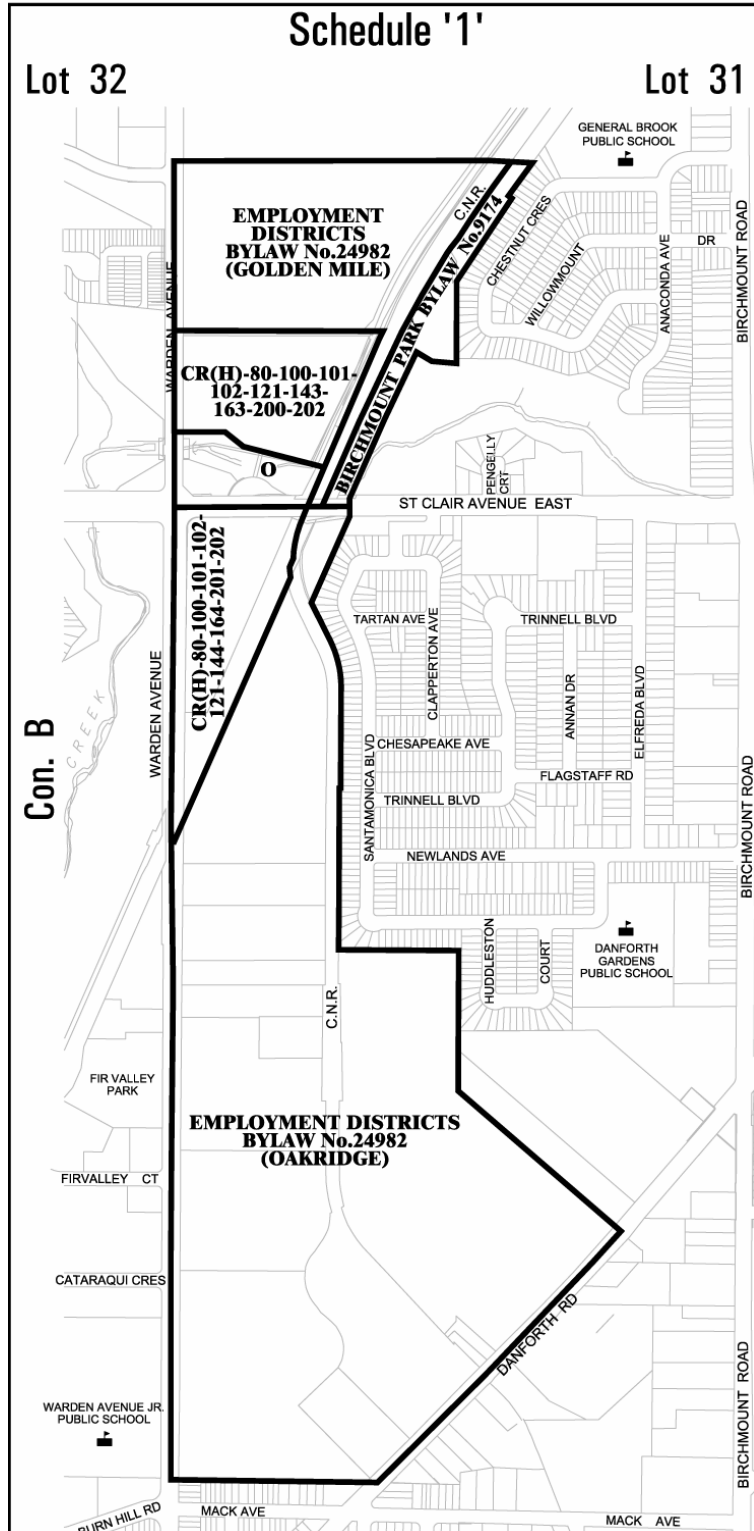
- (a) Prior to the removal of the Holding Provision (H) from the zoning for this site, only **Institutional – Public Transit (I-PT) Zone** and **Park (P) Zone** uses are permitted, together with the following Performance Standards:

I-PT – 80 – 180

- (b) The Holding Provision (H) used in conjunction with the **Commercial/Residential (CR) Zone** shall be removed in whole or in part by amending By-law upon submission of a Site Plan Control Application to the satisfaction of the City, in accordance with the Warden Woods Community Secondary Plan and having regard to established Urban Design Guidelines, and when Council is satisfied as to:
- (i) the availability or provision of all transportation improvements, infrastructure and servicing, including public transit, stormwater management, the provision of community facilities and accommodations for pedestrians and cyclists, necessary to accommodate any proposed development;
 - (ii) all appropriate requirements or clearances for the proposed development pertaining to site environmental conditions; and,
 - (iii) the provision of appropriate contributions equivalent to the contributions pursuant to Section 37 of the *Planning Act* which would have been required if the height and density limits for these lands had not been established in advance.

2. For the lands indicated on Schedule ‘2’ to this Bylaw:

Non-residential uses beyond 150 metres from the centre-line of the original road allowance of Warden Avenue, not including **day nurseries**, shall only be permitted within an **apartment building**, are limited to the **first floor** only and are permitted to a maximum 10% of the **gross floor area** only of the building in which located.



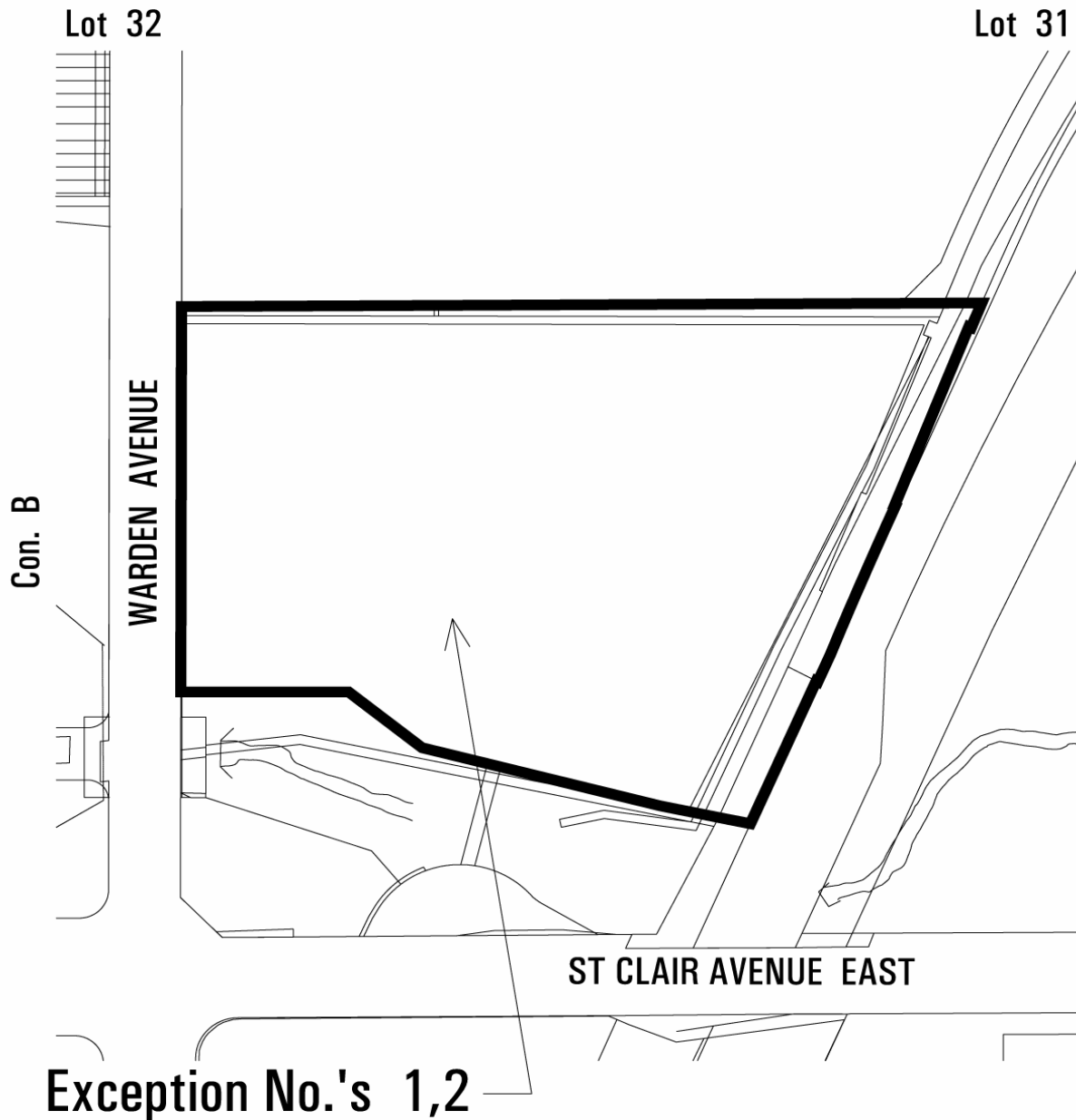
Proposed Zoning
Warden Woods Community

Areas Affected By This By-Law

Not to Scale
10/05/05

File # 03-035238 TM

Schedule '2'



Schedule '3'

