

Authority: MM 24.35, as adopted by City of Toronto Council on June 6, 7 and 8, 2012 and Toronto and East York Community Council Item 15.3, adopted as amended, by City of Toronto Council on May 8 and 9, 2012
Enacted by Council: June 8, 2012

CITY OF TORONTO

BY-LAW No. 804-2012

To amend Site Specific Zoning By-law 1431-2011(OMB) respecting lands known municipally as 2 - 6 Lisgar Street.

WHEREAS the Ontario Municipal Board, by way of an Order issued on May 6, 2011, Case No. PL081527, determined to amend the former City of Toronto Zoning By-law No. 438-86, as amended, with respect to lands known municipally, in the year 2012, as 2 - 6 Lisgar Street; and

WHEREAS pursuant to Section 37 of the *Planning Act*, a By-law passed under Section 34 of the *Planning Act* may authorize increases in the height or density of development beyond that otherwise permitted by the by-law that will be permitted in return for the provision of such facilities, services or matters as are set out in the by-law; and

WHEREAS subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services or matters in return for an increase in the height or density of development, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters; and

WHEREAS the owner of the lands known at the date of enactment of this By-law as 2 - 6 Lisgar Street (the "Lands") has elected to provide the facilities, services or matters as are set out in this By-law; and

WHEREAS the increase in height and density of development permitted under this By-law beyond that otherwise permitted on the Lands by Zoning By-law No. 1431-2011(OMB), is to be permitted in return for the provision of the facilities, services and matters set out in this By-law and to be secured by one or more agreements between the owner of the Lands and the City of Toronto; and

THEREFORE Site Specific Zoning By-law No. 1431-2011(OMB) is replaced in its entirety with the following;

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

1. By-law No. 1431-2011(OMB) is replaced by the following:
 - (1) Replacing Map 1 from By-law No. 1431-2011(OMB) with Map 1 contained within this exception.
 - (2) Replacing Map 2 from By-law No. 1431-2011(OMB) with Map 2 contained within this exception.

- (3) Replacing Section 1(2) from By-law No. 1431-2011(OMB) and adding the following Section and the following exception to Section 12(2) of By-law No. 438-86, as amended:

353. On the lands outlined by heavy lines and identified as 2 - 6 Lisgar Street on Map 1 to this By-law, no person shall use any land or erect or use any building or structure that does not comply with the following:

1. EXCEPTIONS FROM ZONING BY-LAW NO. 438-86

1. The following sections of Zoning By-law No. 438-86 do not apply to any building or structure to be erected or used within the lands indicated on Map 1 to this By-law:

- Section 4 (2)
- Section 4 (16)
- Section 7 (2)
- Section 7 (3) Part I
- Section 7 (3) Part II 1
- Section 7 (3) Part II 3 through 7
- Section 7 (3) Part IV

2. The following definitions in Section 2 of Zoning By-law No. 438-86 shall be replaced by the definitions in Section 12 of this exception:

- (i) *artist live/work studio*;
- (ii) *grade*;
- (iii) *height*; and
- (iv) *obstruction*.

2. PERMITTED USES

Notwithstanding the uses permitted in the RA zone by Section 7(1)(f) of Zoning By-law No. 438-86, as amended, only the uses listed in subsection (d) below and accessory uses thereto are permitted within the lands zoned RA and located within the heavy lines on Map 1 to this exception, subject to the following qualifications:

- (a) A use is permitted by the chart below when the letter "P" is set in the line opposite the use.
- (b) A use is permitted by the chart below when the letter "Q" followed by a number or numbers is set in the line opposite the use but only subject to the qualification or qualifications bearing the number or numbers that follow the letter "Q" forming part of this subsection.

- (c) Uses accessory to a use that is permitted by the chart are themselves permitted by the chart as accessory uses when an asterisk is set in the line opposite the designation of the use and in the column under the heading "Acc.".
- (d) The following is the chart:

(a)	RESIDENTIAL USES	Acc.	RA
(i)	HOUSING COMPRISING DWELLING UNITS		
	Any of the uses permitted in a RA district in section 7(1)(f)(a)(i)	*	Q1
	<i>Artist live/work studio</i>	*	Q1
(ii)	ASSOCIATED / ACCESSORY RESIDENTIAL USES		
	Any of the uses permitted in a RA district in section (7)(1)(f)(a)(iii)	*	P
(iii)	RETAIL AND SERVICE SHOPS		
	Any of the uses permitted in a RA district in section (7)(1)(f)(b)(iv) except A. an <i>entertainment facility</i> is not permitted; and B. a <i>courier service</i> is not permitted		Q1, Q2, Q4
(iv)	WORKSHOPS AND STUDIOS		
	<i>Artist's or photographer's studio</i>	*	Q4
	<i>custom workshop</i>	*	Q4
	<i>designer's studio</i>	*	Q4
	<i>performing arts studio</i>	*	Q4
	<i>software, design and development establishment</i>	*	Q4
(v)	OFFICES		
	Any of the uses permitted in a RA district in section (7)(1)(f)(b)(vi)	*	Q4
	<i>Charitable institution, non-profit institution, cultural and arts facility, community services and facilities, or other community or social agency</i>	*	Q6
(vi)	AUTOMOBILE RELATED USES		
	<i>Parking area</i>	*	P
	<i>Parking garage</i>	*	P
	<i>Parking stacker</i>	*	Q3
	<i>Commercial Parking Garage</i>	*	Q5
	<i>Private garage</i>	*	P
	<i>Taxicab stand or station</i>	*	P
	<i>Car-share parking space</i>	*	P

Qualifications to be complied with before certain uses are permitted within the Reinvestment Area (RA) District:

1. No person shall erect or use a building or structure having more than one basement or floor level below or partly below *grade* containing *dwelling units*.

2. A *bake-shop, caterer's shop, restaurant, take-out restaurant, concert hall, place of amusement or places of assembly* are permitted uses and a *patio* may be provided in connection therewith except:
 - (i) no person shall use for the purposes of a *patio*:
 - (a) any portion of the building above the first *storey*;
 - (b) any part of the roof of a building containing one of those uses; or
 - (c) outdoor areas which are more than 3 metres from a building *façade*;
 - (ii) no person shall use any building or portion of a building for the purpose of a *bake-shop, caterer's shop, restaurant, take-out restaurant* or combination thereof where the *non-residential gross floor area* of the building or portion thereof of any single establishment used for one of these purposes exceeds 300 square metres.
3. A *parking stacker* is permitted, provided:
 - (i) it is *accessory*; and
 - (ii) it is located within a building.
4. No uses or combination of uses permitted by Section 2(d)(a) (iii) and (iv) of this by-law, with the exception of *affordable artist's or photographer's studio, affordable performing arts studio, affordable designer's studios*, shall exceed a total *non-residential gross floor area* of 300 square metres.
5. The *commercial parking garage* shall be operated by the Toronto Parking Authority.
6. The premises of a *charitable institution, non-profit institution, cultural and arts facility, community services and facilities*, or other community or social agency are permitted uses provided that they have been deemed as acceptable by the City of Toronto.

3. RESIDENTIAL USES

The residential gross floor area shall not exceed 38,000 square metres.

1. A maximum of 665 residential *dwelling units* shall be permitted on the *lot*.

4. NON-RESIDENTIAL USES

1. A minimum *non-residential gross floor area* of 0.7 times the area of the *lot*, net of all conveyances, shall be provided in accordance with the following:

- i. For the purpose of calculating the minimum *non-residential gross floor area*, non-residential uses are as set out in Section 2 (d)(a)(iii), (iv) and (v) of this by-law, and the above-grade portions of a *commercial parking garage*; and
- ii. *Residential gross floor area* of a *live-work unit* shall be permitted to be counted as *non-residential gross floor area* solely for the purpose of meeting the minimum *non-residential gross floor area* requirement of this section.

2. Of the minimum *non-residential gross floor area* listed in 4(1) above, a minimum of 2,800 square meters of that *non-residential gross floor area* shall be provided for use by a *charitable institution, non-profit institution, cultural and arts facility, community services and facilities*, or other community or social agency acceptable to the City of Toronto.

5. USES AT GRADE

1. No person shall erect or use a building or structure fronting onto Abell Street and Lisgar Street for any purpose unless:
 - (i) at least 60 percent of the aggregate width of any building facade facing onto Abell Street and Lisgar Street is used for the purpose of an *a live-work unit, artist live/work studio, artist's or photographer's studio, custom workshop, performing arts studio or public art gallery* at the main floor level of the building; and

- (ii) there shall be at least one entry door every 15 metres at *grade* along the portion of the building described in 5(1)(i) above; and
- (iii) 80% of the main floor is located no more than 0.2 metre below and no more than 1.2 metres above the level of the sidewalk or publicly accessible area directly opposite the entry to the unit;
- (iv) all exterior entrance doors, other than service entrance doors, which provide access to a non-residential use within the building, shall be directly accessible from the public sidewalk opposite the door by a level surface or a ramp not exceeding a gradient of 1 in 25 (4%).

6. BUILDING ENVELOPES AND MAXIMUM HEIGHTS

1. Notwithstanding the "Height and Minimum Lot Frontage" Map 49G-321 contained in Appendix 'B' of Zoning By-law No. 438-86, as amended, no person shall erect or use a building or structure on the lands shown on Map 1 attached to this By-law, unless any portion of such building or structure located at or above ground is erected within the heavy lines and/or dashed lines shown on Map 2, attached to and forming part of this By-law, and provided the following paragraphs are complied with:
 - (i) No person shall erect or use a building or structure having a greater *height* than the height limit specified by the numbers following the symbol "H" as shown on Map 2, attached to this By-law.
 - (ii) For clarity, where either no height limit or a height limit "H 0" is specified, no buildings or structures are permitted.
 1. Despite paragraph (i) above, no building elements shall exceed the height limits on Map 2 except:
 - a. a stair tower and/or elevator overrun and/or machine room enclosure, provided:
 - (i) the maximum height of the top of such elements is no higher than the sum of

4.0 metres and the applicable height limit;

- (ii) No person shall erect or use a building or structure any part of which is located closer than 11 metres to a wall of a building on the same lot, excluding exterior walls which form an angle of 90 degrees or greater to each other on a horizontal plane, excluding recesses up to 1.5 m deep for doors.

2. Notwithstanding paragraph 6 (1) above, no person shall erect a building or structure above finished ground level closer to a lot line than the heavy lines indicated on Map 1 except:

- (i) landscape features, and wheelchair ramps; and
- (ii) the permitted projections outlined in the chart below:

PROJECTING STRUCTURES	LOCATION OF PROJECTION	MAXIMUM PERMITTED PROJECTION	ADDITIONAL QUALIFICATIONS
A. eaves, cornices, ornamental elements, architectural details,	Beyond the heavy lines shown on Map 2 at that height	0.45 metres from the wall to which it is attached	
B. uncovered platform that is <i>landscaped open space</i> and is less than 1.2m above finished ground level	Beyond the heavy lines on the Map 2 at that height	2.5 metres from the wall to which it is attached	
C. porch (covered platform) that is <i>landscaped open space</i> and is less than 1.2 m above finished ground level	Beyond the heavy lines on the Map 2 at that height	2.5 metres from the wall to which it is attached	
D. canopy	Beyond the heavy lines on Map 2 at that height	2.5 metres from the wall to which it is attached	

E. fences, safety railings, balustrades and wind mitigation structures	Beyond the heavy lines shown on Map 2 at that height	2.5 metres from the wall or the extent of the roof of the storey immediately below, whichever is greater	(I) height of fence or safety railing not to exceed 1.2 metres.
F. balconies	Beyond the heavy lines on Map 2 at that height	not more than 0.75 m from the wall to which it is attached	(I) combined width of all projecting balconies on a façade at a given <i>storey</i> not to exceed 50% of the length of that façade at that storey

7. PARKING

1. Notwithstanding the provisions of Section 4(4)(b) of Zoning By-law No. 438-86, as amended:

- (i) a minimum number of *parking spaces* for residents shall be provided and maintained on the *lot* for residential uses according to the following table:

Unit type	Minimum <i>parking spaces</i>
Bachelor Unit	0.3 per unit
1 <i>bedroom</i> Unit	0.7 per unit
2 <i>bedroom</i> Unit	1.0 per unit
3 or more <i>bedroom</i> Unit	1.2 per unit
<i>live/work unit</i>	1.0 per unit
<i>artist live/work studio</i>	0.1 per unit

- (ii) notwithstanding (i) above, only 0.1 *parking spaces* per unit shall be required for the first twenty (20) *artists live/work studio*.

- (iii) a minimum of 0.12 *parking spaces* per dwelling unit, excluding *affordable artists live-work studio* and the first 20 *live-work units* shall be provided for visitors. The visitor *parking spaces* may be provided within the *commercial parking garage* operated by the Toronto Parking Authority.

- (iv) pursuant to (i) above, up to 10% of the *parking spaces* required by subsection (i) may be small-car parking spaces;
 - (v) of the 10% of *small-car parking spaces* identified in (iv) above, a maximum of 42 spaces shall be permitted to have a length of 5.5 metres, and a maximum of 3 spaces shall be permitted to have a width of 2.6 metres when obstructed on one side by a wall, column or bollard; and
 - (vi) for each *car-share parking space* provided on the *lot*, the minimum resident parking required by (i) above shall be reduced by 5 *parking spaces*. The maximum reduction permitted by this means shall be limited to no more than 4 resident parking spaces. If after a period of not less than 3 years following the date of registration of the last condominium or the date of occupancy of the last rental unit, the car-share operation fails to be sustainable, to the satisfaction of the Chief Planner, such spaces shall be provided and maintained as parking spaces forming part of the commercial parking garage operated by the Toronto Parking Authority.
2. No parking spaces shall be required for non-residential uses, *charitable institution, non-profit institution, cultural and arts facility, community services and facilities*, or other community or social agency unless the *non-residential gross floor area* cumulatively exceeds 3,600 square metres, in which case parking for non-residential uses shall be required at a rate of 1 parking space per 100 square metres of *non-residential gross floor area* and shall be located on the *lot*.
3. Notwithstanding paragraph 7 (1) (i) through (v) above the following shall be permitted:
- a. A maximum of 101 parking spaces may be provided off-site on the lands municipally known as 48 Abell Street in the year 2012.
 - b. Of the 101 parking spaces provided off-site at 48 Abell Street, the spaces shall be located within Level P1 of the underground parking structure; and

- c. The off-site parking spaces located at 48 Abell Street must be explicitly identified as being for the sole and exclusive use of residents at 2-6 Lisgar Street.
4. Only the *commercial parking garage* operated by the Toronto Parking Authority shall be subject to the definition of *parking space within a commercial parking garage* and *small-car parking space within a commercial parking garage* in Section 13 of this By-law. All other *parking spaces* provided on the *lot* shall comply with Section 4(17) of By-law 438-86.
5. The minimum requirement for *bicycle parking spaces* be as follows:
 - (i) A minimum of 396 *bicycle parking spaces* shall be provided and maintained for the exclusive use of residents of the building;
 - (ii) The residential *bicycle parking spaces* shall be located within the parking levels below *grade* in the building located on the *lot*;
 - (iii) A minimum of 99 *bicycle parking spaces* shall be provided and maintained for the exclusive use of visitors;
 - (iv) The *bicycle parking spaces* provided and maintained for the exclusive use of visitors shall be located on the *lot*; and
 - (v) In the instance that visitor *bicycle parking spaces* are located within the building, they shall be accessed via the building vestibule or lobby and shall only be permitted on the ground floor of the building.

8. AMENITY SPACE

1. A minimum of 1,000 square metres of indoor *residential amenity space* shall be provided and maintained, on the fourth and fifth floors of the *mixed-use building* located on the *lot*.
2. A minimum of 1,400 square metres of outdoor *residential amenity space* shall be provided and maintained, within the *mixed-use building* located on the *lot*, and subject to the following:

- a. A minimum of 900 square meters of outdoor *residential amenity space*, located on the fourth, fifth, and/or sixth floor of the *mixed-use building* located on the *lot* shall be contiguous with the indoor *residential amenity space* referenced in 8 (1) above; and
 - b. A minimum of 400 square metres of outdoor *residential amenity space* shall be provided and maintained on the eighth floor of the *mixed-use building* located on the *lot*.
3. Passive or inaccessible green roofs shall not be counted as outdoor *residential amenity space*.

9. LOADING

1. The provisions of Section 4(6) of Zoning By-law No. 438-86, as amended, shall be satisfied by *one loading space – type G* being provided.

10. SITE SPECIFIC EXCEPTIONS

1. The following site specific exceptions shall be deleted from the Index of Exceptions for 2 – 6 Lisgar Street:
 - i. Section 12 (1) 287;
 - ii. Section 12 (1) 290; and
 - iii. Section 12 (2) 270.
2. This exception will prevail over any provision of any other exception included in Section 12(2) of By-law No. 438-86, as amended.

11. IMPLEMENTATION

1. No person shall erect or use any building or structure above grade prior to satisfying the following conditions:

- (i) The owner shall enter into an agreement with the City of Toronto pursuant to Section 37 of the *Planning Act*, to secure the facilities, services and matters required in Section 12 herein, the said agreement to include provisions relating to indemnity, insurance, GST, termination, unwinding, registration and priority of agreement, and the indexing of any financial contributions and registered against the title to the *lot* as a first charge;
- (ii) The owner shall provide the parkland contribution as required and set out in Section 12 herein.
- (iii) The owner shall convey for nominal consideration and at no cost to the City any lands that are required for the extension of Abell Street to the satisfaction of the Executive Director of Technical Services;
- (iv) All water mains, sanitary and storm sewers and appropriate appurtenances required for the development of this site have been built or secured via a letter of credit to the satisfaction of the Executive Director of Technical Services;
- (v) The owner shall register on title of the *lot* the Agreement(s) outlined in Section 12 of this by-law.

12. SECTION 37 OF THE *PLANNING ACT*

Pursuant to Section 37 of the *Planning Act*, the heights and density of the development contemplated by this By-law are permitted subject to compliance with all of the conditions set out in this By-law and in return for the provision by the owner of the lot, of the following facilities, services and matters to the City at the owner's sole expense and in accordance with and subject to the agreement referred to herein:

Cash Contribution

1. The owner shall pay \$1,000,000 to the City of Toronto prior to the issuance of any above grade building permits for the development of the *lot*, the amount to be used for one or more of the following:
 - a. affordable live/work studios and/or affordable artist work studios for artists owned and operated by the City or by a not-for-profit arts management organization approved by the Chief Planner in

consultation with the Executive Director, Toronto Culture;

- b. the design and/or construction of Lisgar Park;
- c. the renovation and restoration of the Carnegie Library building at 1115 Queen Street West for use as a performing arts hub and community meeting space;
- d. public art in the immediate vicinity of this site;

2. Non-profit Arts and Culture Space

- a. The owner shall convey, at no cost to the City, a minimum of 2,800 square meters of gross floor area to:
 - i. a non-profit arts and culture organization acceptable to the City of Toronto; or
 - ii. the City for use as a non-profit community use or City Division.
- b. If a suitable non-profit arts and culture, community, or City use cannot be identified, the space may be sold by the City and the proceeds of the sale shall be used for community services and facilities, and/or parkland/open space, or streetscape improvements in the immediate vicinity of the subject lands.
- c. The space to be conveyed shall be to a finished commercial standard ready for occupancy of the intended user, to the satisfaction of the Director, Real Estate Services.

3. Parkland Contribution

The owner shall convey a minimum of 260 m² of land for parkland dedication purposes. The lands are located at the northern limit of the property line, and will be free and clear, above and below grade, of all physical obstructions and easements, encumbrances and encroachments, including surface and subsurface easement, unless the easement, encumbrance or encroachment is otherwise approved by the General Manager, Parks, Forestry and Recreation.

For the land that is proposed to be conveyed to the City, the owner will be responsible for an environmental assessment of the lands and any associated costs or remediation works required as a result of that assessment to the satisfaction of the General Manager, Parks, Forestry and Recreation, in consultation with the Executive Director of Technical Services.

To fully meet the parkland dedication requirements, a cash-in-lieu contribution for parkland dedication will be required for the shortfall in dedication.

4. The following matters are also to be secured in the Section 37 agreement as a matter of Legal convenience:

(i) Street Tree Irrigation

the owner shall, at its own expense, install and maintain in good working order and operation, an irrigation system for all street trees in the public right-of-way that includes an automatic timer which is designed as being water efficient by a Certified Landscape Irrigation Auditor (CLIA) and is constructed with a back flow preventer to the satisfaction of the City, if required;

(ii) Crash Mitigation Measures

prior to the registration of the condominium, the owner shall construct, or cause another party to construct, crash mitigation measures, if required, related to the rail corridor, as set out in an agreement between the owner of the *lot* and the Greater Toronto Transit Authority (Metrolinx) and Canadian National Railway Company;

(iii) Noise and Vibration

prior to the registration of the condominium, the owner shall construct, or cause another party to construct, any works required by the agreement between the owner of the *lot* and the Greater Toronto Transit Authority and Canadian National Railway Company;

(iv) Wind Mitigation Measures

the owner shall construct, or cause another party to construct, any wind mitigation measures required pursuant to site plan approval, to the satisfaction of the Chief Planner;

(v) Servicing Requirements

the owner shall provide all matters required to service the lands outlined in heavy lines on Map 1 attached hereto, including but not limited to, the construction of services for water services, sanitary and storm sewer systems, roads, streetscaping and landscaping, street trees and tree irrigation systems and utilities;

(vi) Soil remediation

the owner shall remediate the lands for the Abell Street extension, if required, prior to conveyance and in accordance with City and Ministry of Environment Standards; and

(vii) Abell Street Construction Costs

the owner shall pay the construction costs of that portion of the Abell Street extension which is adjacent to the 2 - 6 Lisgar Street site;

(viii) Building Materials and Details

the incorporation, in the construction of the building, of exterior materials to the satisfaction of the Chief Planner and Executive Director, City Planning Division. The Owner shall include 1:50 scale drawings for the materials used to screen the mechanical equipment, the first to fourth storey portions of the elevations with building materials labelled. The drawings will have a sufficient level of detail to illustrate how the building will be perceived by the pedestrian;

(ix) Additional Arts and Culture Space

The owner shall convey to the City, an additional 670 square metres of non-profit arts and cultural space, should the non-profit arts and culture

organization not occupy the space or choose to vacate the space.

5. The payments required in clause 12 (1) herein, shall increase in accordance with the increase in the Non-Residential Construction Price Index for the Toronto CMA, reported quarterly by Statistics Canada in Construction Price Statistics Publication No. 62-007-XPB, or its successor, calculated from the date of execution of the Section 37 Agreement or, if the site specific by-laws for the project are appealed to the Ontario Municipal Board, from the date of the Board order approving the by-laws, to the date of submission of the funds by the owner to the City.
6. The payments required in clause 12 (1) herein shall be paid prior to the issuance of the first above-grade building permit to permit construction of a building or a portion of a building on the lot.
7. The owner of the lands enters into an agreement with the City of Toronto pursuant to Section 37 of the Planning Act, to secure the facilities, services and matters required in Section 12 herein and registers such agreement against title to the lot as a first charge, all to the satisfaction of the City Solicitor.

13. DEFINITIONS

All italicized words and expressions in this exception have the same meanings as defined in By-law No. 438-86 with the exception of the following definitions which either replace the definitions or provide definitions for new terms:

artist live/work studio shall mean a dwelling unit containing a studio space for the production of art and which is the subject of an agreement between the City and the housing provider, registered on title, that it will be rented at no more than 0.8 times the CMHC average market rent for dwelling units of similar size in the City of Toronto and inhabited only by a working artist and his or her household.

car-share shall mean the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and to use a car-share vehicle, a person must meet the membership requirements

of the car-sharing organization, including the payment of a membership fee that may or may not be refundable. Cars are reserved in advance and fees for use are normally based on time and/or kilometres driven and do include use of cars on an hourly basis.

car-share parking space shall mean a *parking space* exclusively reserved and signed for a car used only for *car-share* purposes and such *car-share* is for the use of carshare members, including non-residents.

grade shall mean the average elevation of the sidewalk or planned elevation of the sidewalk on Sudbury Street adjacent to the *lot*.

height shall mean the vertical distance between *grade* and the highest point of the roof or, where there is no roof, the highest point of the structure.

parking space within a commercial parking garage shall mean a clear area that:

- a. has minimum dimensions of 5.2 m in length and 2.6 m in width, except that the width of a *parking space* and shall be increased 0.3 m when one or both sides of the parking space is obstructed;
- b. is accessed by a drive aisle that has a minimum width of 7.0 m; and
- c. is readily accessible at all times for the parking and removal of a motor vehicle without the necessity of moving another vehicle.

- small-car parking space within a commercial parking garage* shall mean a clear area that:
- a. has a minimum dimension of 5.2 m in length by 2.6 m in width, and where one or both sides of the parking space is obstructed by a column or bollard, no increase in stall width would be required;
 - b. is accessed by a drive aisle that has a minimum width of 7.0 m; and
 - c. is readily accessible at all times for the parking and removal of a motor vehicle without the necessity of moving another vehicle.
- obstruction* shall mean any part of a fixed object such as a wall, column, bollard, fence, or pipe situated within 0.3 m of the side of the *parking space*, measured at right angles, and more than 1.0 metres from the front or rear of the *parking space*.

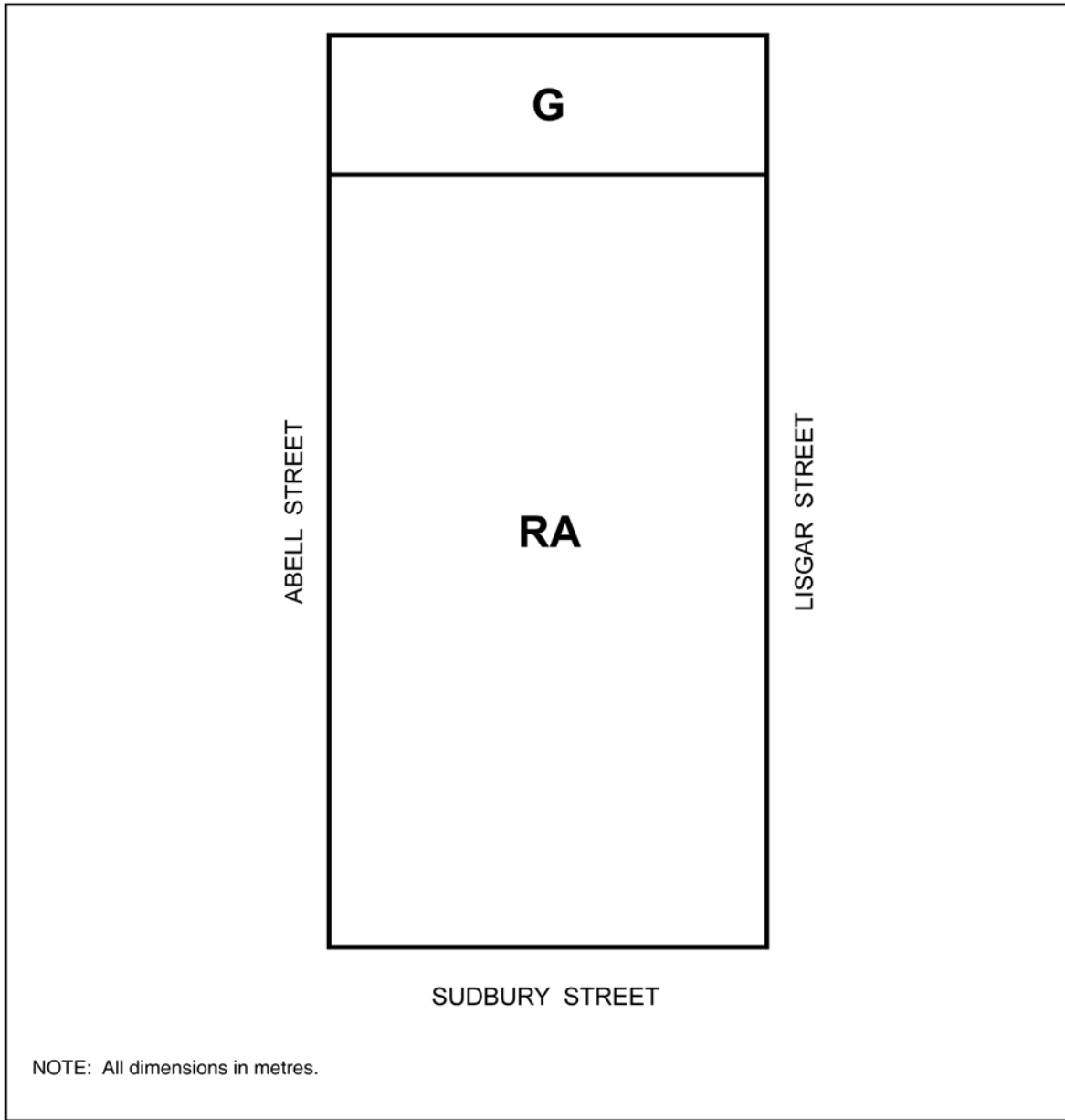
- 14.** Within the lands shown on Map 1 attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.
- 15.** Despite any future severance, partition or division of the lands as shown on Map 1, the provisions of this exception shall apply as if no severance, partition or division has occurred.

ENACTED AND PASSED this 8th day of June, A.D. 2012.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

(Corporate Seal)



NOTE: All dimensions in metres.



