

Authority: North York Community Council Item 31.28,
as adopted by City of Toronto Council on May 6, 7 and 8, 2014

CITY OF TORONTO

BY-LAW No. 416-2014

To amend former Borough of East York Zoning By-law No. 1916, as amended, with respect to lands municipally known as 205-209 Wicksteed Avenue.

Whereas authority is given to the 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 enacts:

1. The lands subject to this by-law are those lands outlined by a heavy black line and identified on Schedule 1 attached hereto.
2. Zoning By-law No. 1916, as amended, is hereby further amended by inserting the following new Section 8.3.4(i) immediately after Section 8.3.4(h) as follows:

"8.3.4(i) 205-209 Wicksteed Avenue M2(9) Zone

1. Area Restricted

The provisions of this section shall only apply to those lands being Part of West Half of Lot 9, Part of Lots 10 & 14, Con. 3, From the Bay Part of the Road Allowance Between Lots 9, 10 & 14. Con.3, From the Bay, & Part of Block 5, R.P. 2510, City of Toronto which are zoned General Industrial (M2) on Schedule "A" of By-law No. 1916.

2. General Provisions

Notwithstanding Sections 5.19, 8.3.1 and 8.3.2 of this By-law, on those lands referred to in Section 1 of this By-law, no person shall use, occupy, erect, alter, cause to be used, occupied, erected or altered, any Building or Structure or land or part thereof except in accordance with the following provisions:

- (i) Permitted Uses

In addition to all the permitted uses listed in Section 8.3.1 for the M2 Zone the following uses shall be permitted:

Ambulance Depot
Animal Shelter
Artist Studio
Automated Teller Machine
Bindery
Building Supply Yards

Business and Professional Office
Business Office
Carpenter's Shop

Cogeneration Energy, provided that cogeneration energy production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

Cold Storage
Contractor's Establishment
Custom Workshop
Dry Cleaner's Distribution Station
Dry Cleaning Establishment
Dry Cleaning Shop

Eating Establishment, provided that the total interior floor area may not exceed the greater of:

- (A) 300 square metres; or
- (B) 10% of the gross floor area of the buildings on the lot to a maximum of 500 square metres or 300 square metres if together with a vehicle fuel station.
- (C) Restaurants: Other Uses
Other uses combined with a restaurant are subject to the following:
 - (1) The following may occupy a maximum of 6% of the total interior floor area of the eating establishment to a maximum of 50 square metres:
 - i. dance floor;
 - ii. stage;
 - iii. teletheatre gambling;
 - iv. disc jockey;
 - v. sound room;
 - vi. areas dedicated to recreational activities; and
 - vii. any other entertainment area;
 - (2) Other than an outdoor patio, all uses must be entirely in a building with the eating establishment.

Financial Institution
Fire Hall
Government Offices
Industrial Sales and Service Use
Kennel
Laboratory

Manufacturing Use if it is not one of the following:

- (A) Abattoir, Slaughterhouse or Rendering of Animals Factory;
- (B) Ammunition, Firearms or Fireworks Factory;

- (C) Asphalt Plant;
- (D) Cement Plant, or Concrete Batching Plant;
- (E) Crude Petroleum Oil or Coal Refinery;
- (F) Explosives Factory;
- (G) Industrial Gas Manufacturing;
- (H) Large Scale Smelting or Foundry Operations for the Primary Processing of Metals;
- (I) Pesticide or Fertilizer Manufacturing;
- (J) Petrochemical Manufacturing;
- (K) Primary Processing of Gypsum;
- (L) Primary Processing of Limestone;
- (M) Primary Processing of Oil-based Paints, Oil-based Coatings or Adhesives;
- (N) Pulp Mill, using pulpwood or other vegetable fibres;
- (O) Resin, Natural or Synthetic Rubber Manufacturing; or
- (P) Tannery

Metal Factory Involving Forging and Stamping

Open Storage, subject to the following:

- (A) must be associated with a permitted use other than a recovery facility;
- (B) may not be located in a yard that abuts a lot in a residential zone;
- (C) may not be in the front yard;
- (D) must be less than 30% of the lot area;
- (E) may be no higher than the permitted maximum height of a building on the lot;
- (F) must be enclosed by a fence; and
- (G) open storage may be for recyclable material and waste.

Park

Performing Arts Studio

Pet Services

Police Station

Production Studio

Public Works Yard

Recovery Facility, provided that:

A recovery facility:

- (A) may not be:
 - (1) an asphalt recovery facility;
 - (2) a concrete recovery facility;
 - (3) a heavy metal recovery facility (arsenic, lead, mercury and cadmium);
 - (4) a hazardous chemical recovery facility;
 - (5) a petrochemical recovery facility;

- (6) an industrial gas recovery facility;
 - (7) a rubber recovery facility; and
 - (8) an asbestos recovery facility;
- (B) must be located at least 70.0 metres from a lot in a residential zone; and
- (C) the separating or sorting of materials must be within a wholly enclosed building.

Renewable Energy, provided that energy production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

Retail Service, provided that the total interior floor area of may not exceed the greater of:

- (A) 300 square metres; or
- (B) 10% of the gross floor area of the buildings on the lot to a maximum of 500 square metres.

Retail Store, subject to the following:

- (A) it must be associated with a permitted manufacturing use;
- (B) it must be separated from the permitted manufacturing use by a floor to ceiling wall that prevents public access; and
- (C) the interior floor area may not exceed 20% of the interior floor area of the manufacturing use on the lot.

Self Storage

Service and Repair Shop

Shipping Terminal, provided it is on a lot that is at least 70.0 metres from a lot in a residential zone.

Software Development and Processing

Transportation Use provided that a building or structure used as a transportation use must comply with all regulations for a building on that lot.

Vehicle Depot, provided that it is on a lot that is at least 70.0 metres from a lot in a residential zone.

Vehicle Repair Shop provided that it is on a lot that is at least 100.0 metres from a lot in a residential zone.

Vehicle Service Shop, provided it complies with the following regulations:

- (A) All activities of a vehicle service shop must take place in a wholly enclosed building;
- (B) Vehicle access to a lot with a vehicle service shop must have a minimum width of 6.0 metres and a maximum width of 11.0 metres, measured along the lot line abutting a street;
- (C) Vehicle access to a lot with a vehicle service shop must be at least:
 - (1) 7.5 metres from any other vehicle access on the lot; and
 - (2) 3.0 metres from any side lot line.
- (D) Vehicle access to a vehicle service shop on a corner lot must be at least 7.5 metres from the point of intersection of the front lot line and side lot line;
- (E) A vehicle service shop is subject to the following:
 - (1) the minimum side yard setback for a building or structure is the greater of:
 - i. 3.0 metres;
 - ii. 7.5 metres from a side lot line that abuts a street; or
 - iii. the minimum side yard setback required for the zone in which it is located; and
 - (2) the minimum rear yard setback for a building or structure is the greater of:
 - i. 3.0 metres; or
 - ii. the minimum rear yard setback required for the zone in which it is located.
- (F) A vehicle service shop may have open storage if it is:
 - (1) less than 20% of the area of the lot that is not covered by wholly enclosed buildings; and
 - (2) enclosed by a fence.

Warehouse
Wholesaling Use

(ii) General Development Requirements

- (A) The minimum required Side Yard for self storage shall be 3.0 metres for lot lines which do not abut a rail corridor;
- (B) The minimum required setback for self storage abutting a rail corridor shall be 1.0 metre;
- (C) For a building with more than one industrial unit, the calculation of the required loading spaces is based upon the interior floor area of each industrial unit and not on the total gross floor area of the entire building; and
- (D) For other General Development Requirements within Section 8.3.2, the provisions of former Town of Leaside By-law No. 1916 shall apply."

3. This amendment shall apply to all of the lands shown on Schedule 1 attached to this By-law, regardless of future severance, partition or division.
4. In addition to the definitions of Section 2 of former Town of Leaside By-law No. 1916, the following definitions shall apply to this By-law:

Ancillary

means naturally and normally incidental, subordinate in purpose or floor area, and exclusively devoted to a permitted use, building or structure.

Animal Shelter

means premises used for the keeping, adoption or disposal of stray, abandoned or wild animals.

Artist Studio

means premises used for creating art or craft.

Automated Banking Machine

means a device at which customers can complete self-serve financial transactions.

Building

means a wholly or partially enclosed structure with a roof supported by walls, columns, piers or other structural systems. A vehicle is not a building.

Cogeneration Energy

means thermal energy and electrical energy simultaneously produced from the same process.

Contractor's Establishment

means premises used as the base of operations of a tradesperson or contractor.

Geo-Energy

means energy derived from the temperature of the earth that is used to produce thermal energy or converted to produce electrical energy.

Gross Floor Area

means the sum of the total area of each floor level of a building, above and below the ground, measured from the exterior of the main wall of each floor level.

Interior Floor Area

means the floor area of any part of a building, measured to:

- (i) the interior side of a main wall;
- (ii) the centreline of an interior wall; or
- (iii) a line delineating the part being measured.

Industrial Sales and Service Use

means the use of premises for the lease, rental, sale, servicing or repair of equipment or goods for businesses only. Industrial sales and service use does not include the lease,

rental, sale, servicing, customizing or repair of vehicles, other than those used for construction or agriculture.

Kennel

means premises used for boarding, training or breeding of dogs, cats or other domestic animals.

Laboratory

means premises used for scientific or technical research, analysis, experimentation or development.

Main Wall

means any exterior wall of a building or structure, including all structural members essential to the support of a roof over a fully or partly enclosed area.

Manufacturing Use

means the use of premises for fabricating, processing, assembling, packaging, producing or making goods or commodities, and it includes repair of such goods or commodities.

Open Storage

means the use of premises for keeping or storing goods, commodities, containers or equipment other than in a wholly enclosed building. Public parking, or the parking or storing of vehicles in a vehicle depot or in a required parking space, is not open storage.

Park

means premises used for conservation, horticulture, or municipally operated public recreation.

Performing Arts Studio

means premises used for the rehearsal of performing arts, such as music, dance or theatre.

Pet Services

means premises used to provide for the grooming of domestic animals. A veterinary hospital or a kennel are not pet services.

Premises

means the whole or part of lands, buildings or structures, or any combination of these.

Production Studio

means premises used for producing live broadcasts, motion pictures, or audio or video recordings or transmissions. The mass reproduction of film or recordings is not a production studio.

Public Works Yard

means premises operated by, or on behalf of, the City of Toronto, Province of Ontario or Government of Canada, for the storage, manufacture, maintenance or repair of buildings, infra structure, materials or equipment. A public works yard may include uses such as a

machine shop, paint shop, sign shop, woodworking shop, repair garage or storage facility used in connection with public works such as transportation uses and parks.

Recovery Facility

means premises used for separating or sorting recyclable material. A salvage yard is not a recovery facility.

Recyclable Material

means material that is separated into specific categories for purposes of reuse, recycling or composting.

Retail Service

means premises in which photocopying, printing, postal, or courier services are sold or provided.

Renewable Energy

means energy obtained from solar energy, wind energy, or geo-energy.

Salvage Yard

means premises used as a scrap metal yard or a vehicle wrecking yard, and which may include storing, dismantling, crushing, or demolishing vehicles or heavy equipment or parts thereof.

Self Storage Warehouse

means premises where individual enclosed areas are made available to the public for keeping or storing goods or commodities.

Shipping Terminal

means premises used for transferring goods or commodities between vehicles or other transportation modes, and which may include facilities for maintenance, service and fuelling areas that are ancillary to the shipping terminal. A waste transfer station is not a shipping terminal.

Software Development and Processing

means premises used for software development and testing, or for the collection, analysis, processing, storage or distribution of electronic data.

Solar Energy

means energy from the sun that is converted to produce electrical or thermal energy.

Structure

means anything that is erected, built or constructed of one or more parts joined together. A vehicle is not a structure.

Transportation Use

means the use of premises or facilities for the operation of a mass transit system or a transportation system that is provided by, or on behalf of, the City of Toronto, Province of Ontario or Government of Canada, or is privately operated and Federally regulated.

Vehicle

means a wheeled or tracked device, either self-propelled or capable of being pulled by a self-propelled device, for moving persons or objects, or used for construction or agriculture.

Vehicle Depot

means premises used for the non-public storing of vehicles, excluding construction or agricultural vehicles. A vehicle depot may include dispatching, maintenance, service and fuelling areas for the stored vehicles that are ancillary to the vehicle depot.

Vehicle Fuel Station

means premises where vehicle fuels are sold to the public.

Vehicle Repair Shop

means premises used for vehicle service, repair or customizing, such as spray painting, repairing body or fender components.

Vehicle Service Shop

means premises used for vehicle service or customizing, such as mechanical, electrical, glass or upholstery service or installation of parts or accessories, but excluding:

- (i) spray painting or repairing body or fender components; and
- (ii) the service or customizing of construction or agriculture vehicles.

Veterinary Hospital

means premises used by a licensed veterinarian for the medical treatment of animals.

Waste Transfer Station

means premises used for receiving waste or recyclable material and transferring the material to vehicles for transport to another location.

Warehouse

Means premises used for keeping or storing goods or commodities, to which the general public does not have access, and which may also be used for the distribution of the goods or commodities.

Wholesaling Use

means the use of premises for the sale of goods or commodities only to retailers or other businesses.

Wind Energy

means energy from the wind that is converted to produce electrical energy.

5. Within the lands shown on Schedule 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:
- (i) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway; and

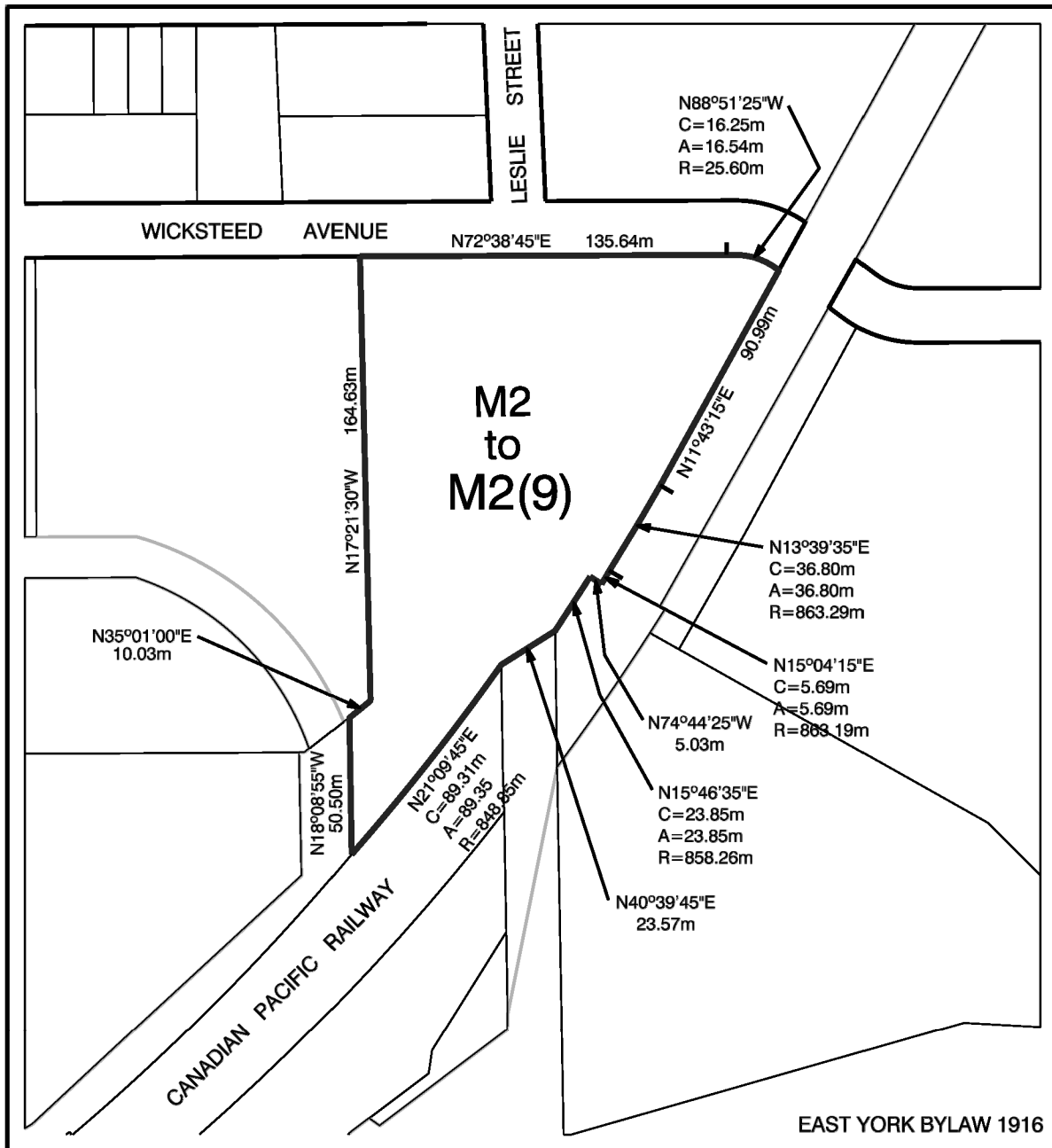
- (ii) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

Enacted and passed on May 8, 2014.

Frances Nunziata,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City)



Schedule 1

Part of West Half of Lot 9, Part of Lots 10 & 14, Con. 3, From The Bay Part of The Road Allowance Between Lots 9, 10 & 14, Con. 3, From The Bay, & Part of Block 5, R.P. 2510, City of Toronto

File # 13 108043 NNY 26 02

Krcmar Surveyors Limited

Date: 02/26/2014

Approved by: G. Matthew



Not to Scale