

**50 Curzon Street – Zoning By-law Amendment – Final Report**

<b>Date:</b>	May 28, 2012
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 30 – Toronto-Danforth
<b>Reference Number:</b>	10 274870 STE 30 OZ

**SUMMARY**

This application proposes a small apartment building at 50 Curzon Street with 56 units (two rows of back-to-back townhouses and one row of traditional townhouses) with an underground parking garage. The project includes a small public park approximately 700 m2 in size and a detached dwelling fronting on Jones Avenue.

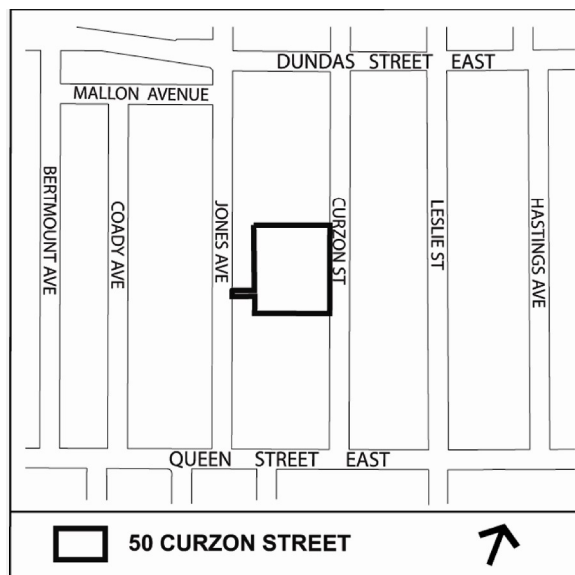
The proposed development is an appropriate use for a large vacant site in the middle of a neighbourhood.

This report reviews and recommends approval of the application to amend the Zoning By-law.

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend Zoning By-law 438-86, for the lands at 50 Curzon Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to report (May 28, 2012) from the Director, Community Planning, Toronto and East York District;



2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required;
3. City Council approve a development charge credit against the Parks & Recreation component of development charges if the Owner agrees to design and install Above Base Park Improvements at the proposed park. The development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and installing the Above Base Park Improvements, as approved by the General Manager of Parks, Forestry and Recreation, and the Parks and Recreation component of development charges payable for the development in accordance with the City's development charges by-law.
4. Prior to the introduction of Bills, City Council require the owner of the lands at 50 Curzon Street to enter into a secured Agreement with the City to ensure the provision of all necessary improvements to the existing municipal infrastructure in connection with the Functional Servicing Report to the satisfaction of the Executive Director of Technical Services, should it be determined that improvements to such infrastructure are required to support this development.
5. City Council require that, prior to the issuance of Site Plan Approval, the owner submit a Construction Management Plan to the satisfaction of the Chief Planner and Executive Director of City Planning; and
6. City Council request that the General Manager Transportation Services examine and report back to Toronto and East York Community Council on September 11, 2012 regarding the realignment of parking area 8D, and the exclusion of the subject site from the permit parking area.

### **Financial Impact**

There is no immediate financial impact of the recommendations in this report. However, if adopted, Council will have approved development charge credits for above base park improvements to be installed by the owner at the proposed park. In accordance with City policy in this regard, the development charge credit will be the lesser of the cost to the owner of installing above base park improvements and the Parks & Recreation component of development charges payable as determined at building permit issuance. It is currently estimated that Parks and Recreation component of development charges is approximately \$120,000.00. The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

### **DECISION HISTORY**

The site is a former Catholic School Board property declared surplus to its needs. There are no previous applications or decisions which may have relevance to the decision on this application.

### **ISSUE BACKGROUND**

#### **Proposal**

The applicant has demolished a former School building fronting on Curzon Street and proposes to build an apartment building containing 56 units over an underground parking garage containing 73 parking spaces. Forty-two units are proposed in a back-to-back format and 19 units will appear as a continuous row of townhouses located at the rear of the site. The development will include one detached house

with an integral garage fronting on Jones Avenue and a new public park of approximately 700 m<sup>2</sup> on Curzon. The relevant project information is attached as Attachment No. 4, the Application Data Sheet.

## **Site and Surrounding Area**

The site is relatively flat and previously contained a former Catholic elementary school. The site is approximately 6,963 m<sup>2</sup> and fronts on Curzon Street, just south of Dundas Street East and north of Queen Street East. A piece of the site (a former walkway leading to the school) fronts onto Jones Avenue and joins the rest of the site at the southwest corner of the school property.

The property has approximately 89 metres of frontage on Curzon Street where the vehicular access is located.

Lands surrounding the property include:

North: A variety of residential dwellings including two-storey detached and semi-detached houses and a row of laneway houses.

West: A variety of residential dwellings fronting on Jones Avenue including semi-detached and detached houses. The single lot fronting on Jones Avenue is flanked on either side by detached houses.

East: Curzon Street and a variety of residential buildings including a church with a senior's apartment development attached to it, a small apartment building and semi-detached dwellings.

South: A mix of residential buildings including semi-detached and detached dwellings and an infill apartment building and further south, a public lane, a mix of commercial buildings and Queen Street East.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The City of Toronto Official Plan designates the site “Neighbourhoods”.

*Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, townhouses and interspersed walk up apartments no higher than four storeys.

Where change does occur, it must be sensitive, gradual and generally fit the existing physical character of the area. A key objective of the Official Plan is to guide new development to respect and reinforce the existing physical character of the Neighbourhood. On infill sites that do not meet the prevailing pattern of lot size, configuration and orientation there are development criteria set out in Section 4.1.9 to guide development.

Typically, these sites are former non-residential uses such as an industry, institutions and retail stores. The Plan notes there is a genuine opportunity to add to the quality of the Neighbourhood by filling in these “gaps”. The Plan further acknowledges that applying the same site standards and pattern of development to these infill sites, as found in the surrounding neighbourhood, is not always possible or desirable. Special infill criteria are provided to deal with the integration of new development for these sites. Specifically, new development will have heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties; provide adequate privacy, sunlight and sky views for residents of the new and existing buildings; front onto existing or newly created public streets; and screen the service area and garbage storage areas to minimize the impact on the streets and residents.

## **Zoning**

The site is currently zoned R2 Z0.6 in By-law 438-86 which allows for a wide range of residential uses including apartment buildings and townhouses. The maximum permitted density is 0.6 times the area of the lot and the height limit is 10 metres.

## **Site Plan Control**

Site Plan Control is applicable to this proposal and an application was submitted concurrently with this application.

## **Reasons for Application**

A zoning amendment is needed to permit additional density and to accommodate the height of the detached house on Jones Avenue. The site specific by-law appended to this report (Attachment 5) contains residential standards for the proposed development as the form of the development (multiple rows of townhouses above a below grade garage) is not a building type that is permitted as-of-right by the zoning by-law.

## **Community Consultation**

Two separate community consultation meetings were held on April 19, 2011.

At the first meeting, which was held at the adjacent seniors apartments, issues raised related to increased traffic, speed of traffic and ability for seniors to cross the street and enjoy the new park, the number of

new residents entering and exiting the property, demolition and construction related noise and dust, potential issues with water pressure and sewer capacity.

Many of the same concerns were heard at the second meeting which was held at the St. Joseph's Parish Hall. Additional concerns raised related to:

- parking shortages in the neighbourhood
- impact on trees on adjacent properties
- lack of appropriate setbacks for new buildings
- proposal too dense
- potential conflict with drop-off and pick-up at adjacent school
- park design

Following the first two meetings, the proposal was revised to reduce the unit count from 62 units to 56 units, decrease the density from 1.37 times the area of the lot to 1.13, increase the setback from the neighbours at the south end of the site, further articulate the townhouses on the Curzon frontage to break up their massing, and preserve trees and increase the amount of overall landscaped open space to over 50% of the site area.

An additional community meeting was held on June 27, 2011 and two meetings were held on November 15, 2011. Many of the same concerns from the initial meetings were raised again. The most significant concern remaining related to traffic, primarily to the school buses and drop-off and pick-up at the adjacent school. Concern was also expressed relating to the modern design of the new homes.

### **Agency Circulation**

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

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The proposal is consistent with the PPS.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

### **Toronto Urban Design Guidelines – Infill Townhouses**

Council adopted Design Guidelines for Infill Townhouses in January of 2003. The Guidelines are intended to assist private sector architects, planners and developers in designing infill townhouse developments. The Guidelines are also intended to assist City staff in their review of these types of development proposals. The Guidelines have City-wide applicability.

The document sets out various guidelines to ensure that townhouses are designed with a focus on protecting streetscapes and seamlessly integrate new development into existing residential patterns. The intent of many of these guidelines has been met in the design of the proposed townhouses including:

## **1. Accessibility to Public Streets**

New townhouse development should be accessible from existing public streets.

The proposed development includes townhouses with their front yards and access to the units directly off of the Curzon Street right-of-way. The remainder of the units are accessed by means of a series of well landscaped walkways that act as pedestrian streets throughout the development. Access to the underground parking is by means of a single two way driveway, which minimizes interruptions on Curzon Street that would occur if there were private off-street driveways for each of the units.

## **2. Neighbourhood Streetscapes, Pedestrian Environment & Parking**

Townhouse developments should balance the need to preserve the character of Toronto's neighbourhood streetscapes and improve the pedestrian environment with the demand for parking.

Townhouses produce better streetscapes when parking is provided off of the street. In the proposed design, parking for both residents and visitors is provided in a below grade garage (with the exception of the detached house fronting on to Jones Avenue, which will have an integral garage) accessed off of Curzon Street. Front yards are reserved for landscaped open space and are not monopolized by the need to park vehicles in front of the houses.

## **3. Building Façade**

The front of new townhouse developments should be attractive, well proportioned and integrate with neighbouring buildings.

The façades of the proposed townhouses are more modern than the adjacent houses. The modern nature results in the new townhouses not competing with the existing houses, but rather complementing them. The articulation of the building setbacks ensures that the new development will not appear as one long building, but rather as a series of connected buildings.

## **4. Building Height and Grade**

Townhouses should use the existing or 'natural' grade or ground level and blend into the context of the neighbourhood.

The height of the proposed townhouses complies with the height limit established by the as-of-right zoning. The natural grade of the property is not being altered to any noticeable extent.

The height of the proposed detached house on Jones Avenue will be 12 metres, which is in keeping with the height limit for the homes across the street on the west side of Jones Avenue.

## **5. Landscaping**

Townhouse developments should landscape both the public boulevard and the private yard areas in a manner that enhances the pedestrian environment.

The public boulevard will be enhanced with new trees on City property. In addition, the private lands within the setback area are designed to provide a well-landscaped streetscape. The private walkways throughout the development are tree lined on both sides and include a landscaped area in front of each of the new homes.

## **Density, Height, Massing**

The project exceeds the permitted density for this zoning district but does not exceed the height limit of 10 metres except for the detached house on Jones Avenue. It is in line with the established context of the surrounding neighbourhood and complies with *Neighbourhoods* Policy 4.1.9 in the Official Plan.

Each row house fronts either onto a public street or a private walkway/landscaped area with a minimum width of 11 metres. The rear yards adjacent to the existing houses on Jones Avenue are 8.52 metres deep, which exceeds the zoning by-law requirement of 7.5 metres. The facing distances between the houses are adequate to afford privacy for both the existing and new residents.

The lot frontages, which range from 4.18 to 6.21 metres, are appropriate and consistent with the lot frontages of the surrounding properties.

## **Pedestrian Safety/Security**

Pedestrianization is one CPTED (crime prevention through environmental design) principle utilized which increases safety and security related to natural surveillance within townhouse developments. Pedestrians are encouraged to walk through the development.

This development includes a new public park which will provide a green space for area residents that will be located adjacent to the fronts of townhouses within the development, resulting in a greater measure of safety.

Walkways through the development have been deliberately aligned to be viewed from Curzon and designed to be continuous loops to provide an alternate means of egress in terms of personal safety. The walkways along the development edges abutting adjacent properties also follow this principle to maximize natural surveillance.

The internal private street and walkways use materials and lighting found in the public realm where possible, matching the Curzon Street treatment, while recognizing the narrower nature of the walkways.

True colour rendition lighting is utilized for the walkways and the internal street. The walkways between townhouse blocks are well lit.

## **Access, Parking, Traffic Impact**

Parking for each of the units will be provided in a below grade garage accessed off of Curzon Street, except for the detached house on Jones Avenue. The 55 townhouses will have 66 parking spaces allocated to them and there will be 7 visitor parking spaces. This satisfies the Zoning By-law requirement of 1 space per unit and reduces the number of curb cuts to one on Curzon Street and one on Jones Avenue. The proposal provides for the continued potential for on-street permit parking. The dimensions and general layout of the parking spaces also comply with the By-law and are satisfactory to Transportation Services.

The area surrounding the site, because of the lack of driveways in the older housing stock, has a high demand for on-street permit parking. The local residents and Ward Councillor are concerned that owners and tenants of the new row houses will be competing for the on-street permit parking spaces. The new houses will have dedicated on-site parking spaces, which meet the Zoning By-law requirement.

The Councillor has requested that the development site be excluded from permit parking Area 8D so that future owners and tenants will not be eligible for permits. This report contains a recommendation to that effect. The site plan agreement and the condominium approvals will contain warning clauses advising purchasers that they will not be eligible for permit parking.

At each of the community consultation meetings, issues relating to traffic associated with drop-off and pick-up and school buses for the adjacent St Josephs School was repeatedly identified. These traffic issues exist today and cannot be resolved by this development application. Transportation Services staff have been working closely with staff from the School Board and their Transportation consultant to put in place a plan for the school that will help to mitigate the problem.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.42 to 0.78 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per the City Wide Parkland Dedication By-law 1020-2010.

The application proposes 56 residential units on a site with a net area of 6,963 m<sup>2</sup>. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the parkland dedication requirement is 0.0746 hectares or 10.72% of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% is applied to the residential use. In total, the parkland dedication requirement is 696 m<sup>2</sup>. The parkland requirement is to be satisfied by an on-site parkland dedication of approximately 700 m<sup>2</sup>. The new public park would be located at the north east corner of the site and would front onto Curzon Street.

If approved by the City Council, the Owner may receive a credit against the Parks and Recreation component of the development charges payable if the Owner agrees to complete the Above Base Park Improvements on the proposed park. The development charges credit shall be in an amount that is the lesser of the cost to the owner of designing and installing the Above Base Park Improvements, as approved by the General Manager of Parks, Forestry and Recreation, and the Parks and Recreation component of the development charges payable for the development in accordance with the City's development charges by-law. The terms of the agreement to undertake the improvement and a letter of credit to secure the improvements will be included in the Site Plan Agreement.

This report has been prepared in consultation with Parks, Forestry and Recreation and City Finance staff.

### **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS and this will be secured through Site Plan Approval.



The applicant has indicated they will pursue geo-thermal heating for the project.

### **Tenure**

This development will be a standard condominium.

### **Development Charges**

It is estimated that the development charges for this project will be \$762,000.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

### **CONTACT**

Leontine Major, Senior Planner

Tel. No. (416) 397-4079

Fax No. (416) 392-1330

E-mail: lmajor@toronto.ca

### **SIGNATURE**

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Raymond M. David, Director  
Community Planning, Toronto and East York District

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### **ATTACHMENTS**

Attachment 1: Site Plan

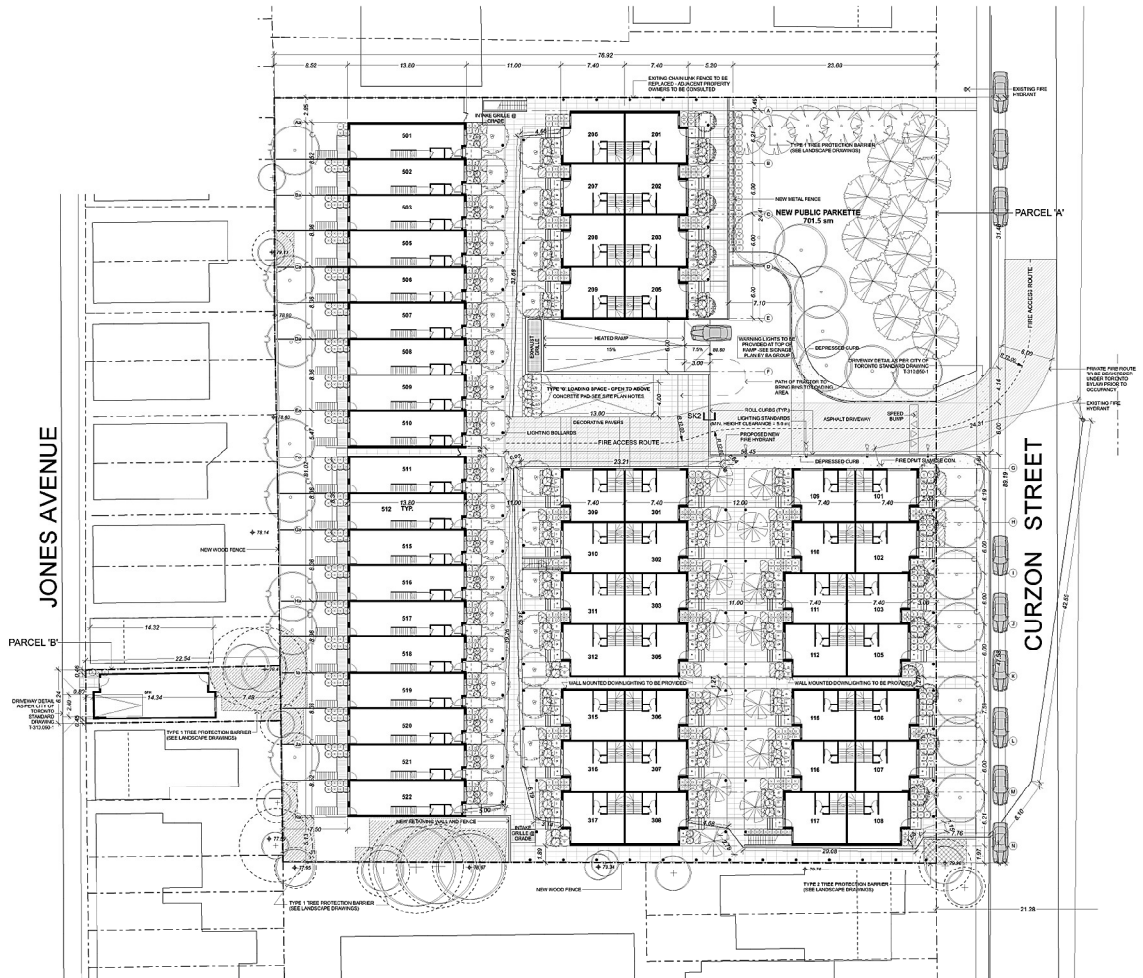
Attachment 2: Elevations

Attachment 3: Zoning

Attachment 4: Application Data Sheet

Attachment 5: Draft Zoning By-law Amendment

# Attachment 1: Site Plan



## Site Plan

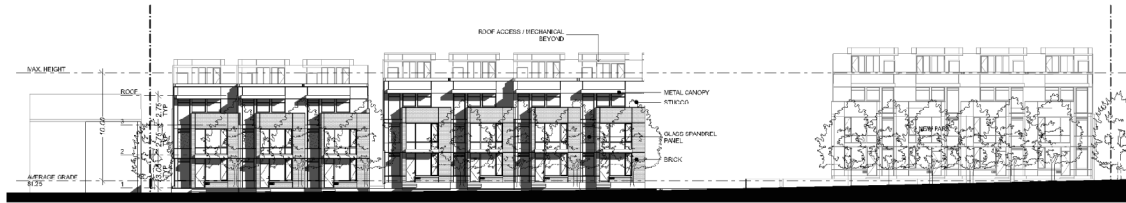
50 Curzon Street

Applicant's Submitted Drawing

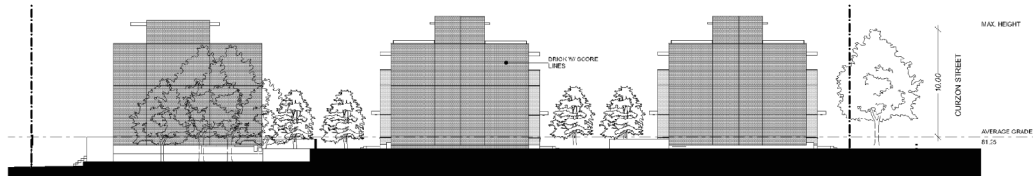
Not to Scale 

File # 10 274870 02

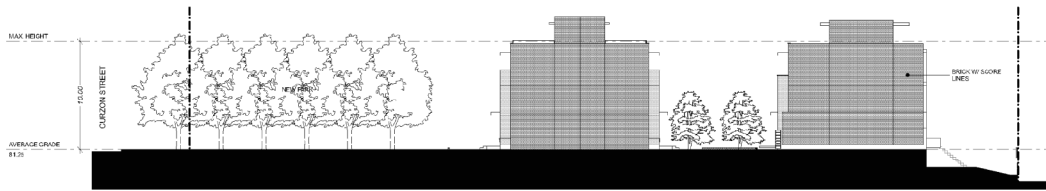
## Attachment 2: Elevations



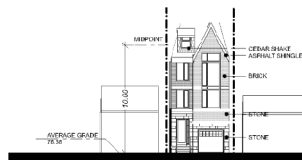
Curzon Elevation



South Elevation



North Elevation



Jones Elevation



Interior Elevation

### Elevations

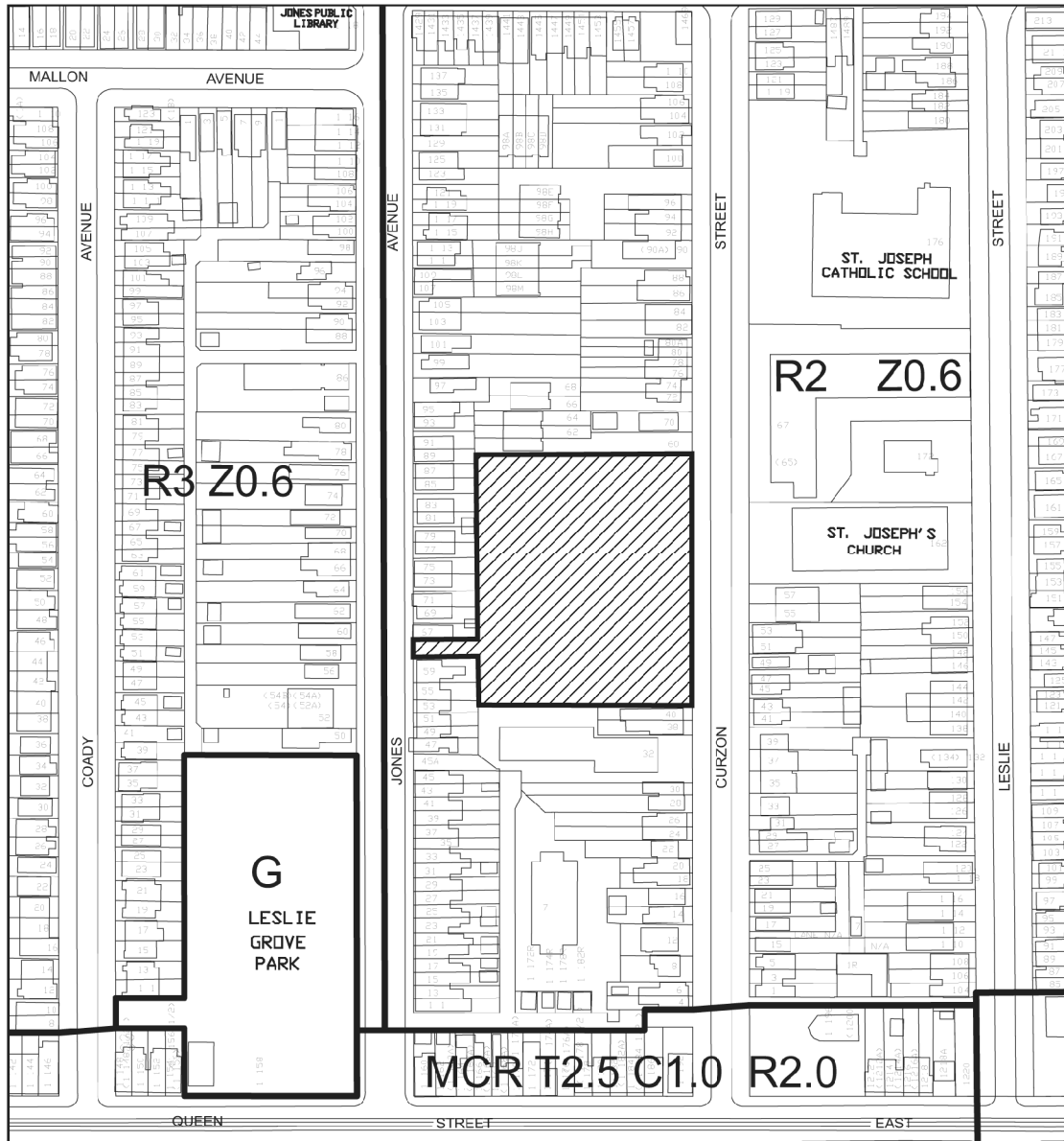
Applicant's Submitted Drawing

Not to Scale  
05/18/2012

### 50 Curzon Street

File # 10 274870 02

### Attachment 3: Zoning



50 Curzon Street

File # 10 274870 02

- R2 Residential District
- MCR Mixed Use District
- G Park District



Not to Scale  
Zoning By-law 438-86 (as amended)  
02/16/2011

### Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	10 274870 STE 30 OZ
Details	Rezoning, Standard	Application Date:	October 8, 2010
Municipal Address:	50 CURZON ST		
Location Description:	**GRID S3011		
Project Description:	Proposal to construct a condominium apartment building with 56 units and underground parking garage containing 73 parking spaces and detached freehold dwelling with an intragal garage fronting on Jones Avenue.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
Urbancorp Communities Inc			Townhomes of Toronto Centre Alan Saskin

#### PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	R2 Z.06	Historical Status:
Height Limit (m):	10	Site Plan Control Area:

#### PROJECT INFORMATION

Site Area (sq. m):	6963	Height:	Storeys:	3
Frontage (m):	89.19		Metres:	10
Depth (m):	76.92			
Total Ground Floor Area (sq. m):	0			<b>Total</b>
Total Residential GFA (sq. m):	7868.2		Parking Spaces:	73
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	7868.2			
Lot Coverage Ratio (%):	0			
Floor Space Index:	1.13			

#### DWELLING UNITS

#### FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type:	Condo, Freehold		<b>Above Grade</b>	<b>Below Grade</b>
Rooms:	0	Residential GFA (sq. m):	7868.2	0
Bachelor:	0	Retail GFA (sq. m):	0	0
1 Bedroom:	0	Office GFA (sq. m):	0	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	56	Institutional/Other GFA (sq. m):	0	0
Total Units:	56			

**CONTACT: PLANNER NAME: Leontine Major, Senior Planner - East Section**  
**TELEPHONE: (416) 397-4079**

**Attachment 5: Draft Zoning By-law Amendment**

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-20~**

**To amend the former City of Toronto Zoning By-law No. 438-86, as amended,  
With respect to the lands municipally known as,  
50 Curzon Street**

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. None of the provisions of Sections 4(4)(b), 4(12), 4(16), 6(3) PART I 1, 6(3) PART II 2, 3, 4, 5 and 6 and Section 6 (3) Part III 1 (a) of Zoning By-law No. 438-86, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto”, as amended, shall apply to prevent the erection and use of an *apartment building* on *Parcel A* and a *detached house* on *Parcel B* provided:
  - (a) the *lot* on which such building or buildings is erected comprises the lands outlined by heavy lines and identified as *Parcel A* and *Parcel B* on Map 1
  - (b) *Parcel A and Parcel B* consists of those lands delineated by the heavy lines on Map 1 attached to and forming part of this By-law;
  - (c) No portion of any above grade building or structure to be erected or used on *Parcel A* and *Parcel B* shall extend beyond the building envelope delineated by the heavy lines on Map 2 attached to and forming part of this by-law; except the following:
    - (i) stair access and enclosures to below grade *parking spaces*; and
    - (ii) any other type of structure identified as a permitted projection in Section 6(3) PART II 8 of By-law No. 438-86, provided that the restrictions and qualifications in that Section are complied with;

- (d) Notwithstanding Section 4(2)(a) of By-law No. 438-86, no part of any building or structure erected within *Parcel A* or *Parcel B* shall have a *height* in metres above *grade* exceeding the *height* limit shown within the applicable building envelope following the symbol H on Map 2 attached hereto,
- (e) subsection (d) hereof shall not apply to prevent the erection and use, within *Parcel A*, of the following structural and architectural elements provided the following respective provisions are met:
  - (i) a parapet wall not exceeding a vertical projection of 1.07 metres above the height limit otherwise applicable to the building or structure,
  - (ii) rooftop stair access and enclosures, chimney stack or other heating, cooling or ventilating equipment on the roof of a building, provided:
    - (A) the maximum height of the top of such elements or enclosure is not higher than the sum of 2.0 metres and the *height* limit otherwise applicable to the building or structure;
    - (B) no part of the structure is less than two metres from the adjacent east or west outside wall or a vertical projection of the wall; and
    - (C) the structure does not enclose space so as to constitute a form of penthouse or other room or rooms.
  - (iii) a fence, wall or structure enclosing the elements in Section (e)(ii) above, provided that the maximum height of the top of such elements or enclosure is not higher than the sum of 2.0 metres and the *height* limit otherwise applicable to the building or structure;
- (f) The maximum permitted *residential gross floor area* on *Parcel A* shall not exceed 7,650 square metres;
- (g) The maximum permitted *residential gross floor area* on *Parcel B* shall not exceed 240 square metres;
- (h) *Parking spaces* on the *Parcel A* shall be provided in accordance with the following minimum ratios;

Bachelor Units	0.8 spaces per unit
1-bedroom Units	0.9 spaces per unit
2-bedroom Units	1.0 spaces per unit
3+bedroom Units	1.2 spaces per unit
Visitors	0.12 spaces per unit

- (i) One *Parking space* shall be provided on *Parcel B*

- (j) pursuant to (h) above, up to 10% of the *parking spaces* required by subsection (h) may be *small car parking spaces*;
  - (k) A minimum of 42 *bicycle parking spaces* shall be provided on the *Parcel A*. Of these, 33 shall be *bicycle parking spaces - occupant* and 9 shall be *bicycle parking spaces - visitor*;
  - (l) The *landscaped open space* to be provided on the *Parcel A* shall be no less than 2900 square metres, excluding the public park;
2. Zoning By-law No. 438-86, as amended, is further amended by changing the zoning designation of the north easterly portion of the lands identified on Map 1 attached to and forming part of this by-law from R2 Z0.6 to G;
3. For the purposes of this by-law: all words, terms and phrases appearing in italics shall have the same meaning as they have for the purpose of the aforesaid By-law No. 438-86, as amended, except as herein provided:
- (a) "*grade*" shall mean an elevation of 81.25 metres above sea level based on Geodetic Survey of Canada 1929 mean sea level vertical datum (1978 Southern Ontario Adjustment)
  - (b) "*height*" shall be measured from "*grade*" to the highest part of the roof;
  - (c) notwithstanding the definition of *residential gross floor area* the following shall also be excluded:
    - (A) the area within any rooftop stair access and enclosure permitted by this by-law;
  - (d) *small-car parking space* shall mean a clear area that has a minimum dimension of in 5.0 metres length and 2.4 metres in width.
4. Despite any existing or future severance, partition, or division of the *lot*, the provisions of this by-law shall apply to the whole of the *lot* as if no severance, partition or division occurred.
5. Within the lands shown on Schedule "~" 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.



ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

